
Case Snapshot

Opened: 9/20/2017
Days open: Less than 24 hours
Last modified: 9/20/2017 4:09 PM
Intake method: Hotline Web
Status: Open
Alert: Green

General Case Info

Case number: OTHER-175
Received/Reported date: 9/20/2017
Language: English
Assigned tier: OUCI

Issue

Primary issue: Other

Case Details

Reported tier information

Case type: Allegation
Intake method: Hotline Web

Location

Location/Address: 1945 Indianola Avenue
City: Columbus
State/province: OH
ZIP/postal code: 43201
Country: United States

Reporter contact information

Is the reporter an employee? No
Reporter anonymous: Yes

Case Information

Relationship to Institution: Student

Please identify the person(s) engaged in this behavior: Unknown Unknown - Sigma Alpha Mu Fraternity

Do you suspect or know that a supervisor or management is involved? Do Not Know / Do Not Wish To Disclose

Is management aware of this problem? Do Not Know / Do Not Wish To Disclose

What is the general nature of this matter? Sigma Alpha Mu Fraternity has performed suspicious behaviors that indicate hazing. They also have been hosting parties that provide liquor which goes against the rules for Greek organizations.

Where did this incident or violation occur? All known possible violations have occurred at 1945 Indianola Ave.

Please provide the specific or approximate time this incident occurred: March 8th, 2017

April 15th, 2017

Autumn semester 2017

How long do you think this problem has been going on? 3 months to a year

How did you become aware of this violation? I observed it

Details: On March 8, 2017 loud vulgar chanting was observed when in proximity to their house. This repetitive chanting lasted for at least an hour if not longer. Black tarp was used to cover all of the windows on the first floor so someone on the outside could not see what was happening on the inside of the house. After the chanting stopped, people were spotted in other rooms of the house with blindfolds around their necks. Afterwards, it looked like their whole chapter left the house.

Weekend of April 15th, 2017 all of the SAM pledges were forced to stay in the house at 1945 Indianola Ave for the weekend without cell phones or laptops. Whatever the pledges had to do inside the house is unknown. After making it through the weekend they were initiated members.

During the Autumn 17 semester, SAM got their house back and is now allowed to host social events. They serve liquor at almost all of their official social events at 1945 Indianola which is against Greek life policy.

Follow-ups

There are no additional notes for this incident.

Questions/Comments and Reporter Responses

9/20/2017 - Glaros, Chris

Comment: Thank you for the information provided. We will begin investigating this matter as soon as possible. As we proceed with our investigation, we may need additional information from you. Please use your identification key and password to periodically check for additional questions or comments concerning this matter.

Chat Transcripts

There are no chat transcripts for this incident.

Assignments & Access

Case assignee(s): None

Restricted access: None

Case access list: Brennan, Kellie; Carson, Katelyn; Garrity-Rokous, Gates; Glaros, Chris; Newell, Brian; Patton, Kevin; Test, NAVEX Global; Tobias, Jessica

Info Contributors

None

Participants

Name	Relationship	Role	Results	Notes
Unknown Unknown	None	None	None	

Items

Name	Description	Loss Type	Final Outcome	Amount Taken	Amount Recovered	Amount to Recover
Totals:				\$0.00	\$0.00	\$0.00

Agencies

None

Attachments

None

Synopsis

Outcome of case

Primary outcome: - Select One -

Secondary outcome 1: - Select One -

Secondary outcome 2: - Select One -

Action taken: - Select One -

Additional details

Tasks

None

Case Notes

None

Related Cases

Cases Marked as Related to This Case

Case OTHER-175 has no listed relationships.



I attached the pictures and videos to this email, let me know if you can't open them. Also, I have one more observation to add that wasn't in the original grievance. After I had sent the grievance in, [REDACTED] who hadn't know that I reported anything told me that she though at around 1:00 that she saw 2 girls that she described described as strippers leaving their house along with a few other guys. These could very easily have just been college girls but from 10-12:30 when I went to bed I didn't see any girls go into their house, it only seemed like members were going in, unlike their regular parties. The girl in my house said that she thought they were strippers because they looked older than most college aged girls and were wearing unusual clothes like she said that one girl was wearing back fishnet stockings and shorts bedazzled in jewels. Just thought I would add this if it is relevant at all.

Majarian, Jeff

From: Butler, Kate
Sent: Friday, March 10, 2017 9:18 AM
To: Majarian, Jeff
Cc: Lovell, Ryan
Subject: Sigma Alpha Mu

Hi Jeff,

We received the following report through the Joint Council Grievance form. I am working on getting the pictures that were submitted, as those go directly to the IFC [REDACTED] I believe this is the facility that is regularly attributed to the underground group, but to my knowledge at least one member of the recognized chapter lives there, [REDACTED]

The individual who submitted the grievance is [REDACTED] mentioned in the grievance.

IFC [REDACTED] also spoke to [REDACTED] last night. He sent me his notes from that conversation. I reminded him in the future, we will just send this directly to you.

Reported by: [REDACTED]

Chapter: Sigma Alpha Mu

Date and Time of Incident: 3/8/17 10pm

Location: 1945 Indianola Ave, Columbus, OH 43201

Violation: Hazing

Members Present: It appeared to be most members

Description: Last night around 9:30, members of Sigma Alpha Mu (SAM) covered all of their first floor windows with black tarp. They then had a large amount of men on their first floor chanting different vulgar and disrespectful chants for roughly 1.5-2 hours straight with no pausing. While this happening, current members of SAM were arriving with alcohol and going straight to the 3rd floor of the house where the blinds were shut but cheering, clapping, and screaming were heard. I have a video of some of the chanting but it won't save on my computer so email me if you would like me to email it. The chanting finally stopped around 11:30 and a large amount of members were seen going into the bathroom on the second floor with bottles of liquor in most of their hands and black blindfolds around their neck. I have a pretty bad quality picture of this that I'm sending. They were in the bathroom for roughly 30 min standing around and possible washing hands in the sink. A large group of members then lined up on their second floor with the end of the line going out onto their second floor fire escape. Most members had some type of bottle of alcohol in their hands and some were smoking. They all went inside and downstairs where it sounded like they were having a party with regular party music and occasional chanting. They continued to play loud music until roughly 12:45-1am. The tarps were still up on their windows this morning.

Notes from [REDACTED]

Last night, was studying in main area, heard chanting. Said it isn't uncommon, not often, but has happened. Black tarps were hung on the windows. Chanting for two hours. Chanting, "Spell titties, titties on my face that's what I say" "Show me your f-ing titties, say what" "Sing a song about", chanting other vulgar chants. Opened the front door to hear better, saw that members were bringing alcohol in through the second story, all liquor bottles. Funneling members upstairs, something going on the third floor like they were watching a sports game "Would be quiet then there would be cheers, gasp, or claps". This went along with the chanting for maybe 2 hours from 9:30 to 11:30. Went up to my room, which faces [REDACTED]. Saw a bathroom next to the door, a bunch of members entered the bathroom. They looked like they were simultaneously washing hands. Some had blindfolds around their necks. Half of the members had blindfolds. Most were also seen drinking in the bathroom, some clear liquor, "straight out of the bottles". Standing in the bathroom talking for 30 minutes. Came back and saw them lined up going into the house, line on the fire escape, stood there smoking and drinking. Went away again, came back, all inside, door shut, sounded like a regular party. Tarps

were up, saw party lights. That went on till 1:30, no one else entered the house. Around 1:30, they turned it off, around the same time I went to bed.

Some of the members coming in during this, heard two say, "how stupid are they, they're being so loud" commenting on loud the cheering and chanting were.

"Also one of the [REDACTED] just told me that around 1 am 2 women that looked most likely older than college age left their house together with some of the guys and she said that the women were dressed like strippers like not in normal college going out attire. And they were not having an open party like when I went to bed around 12:30 I had only seen the guys over there. They may have just been regular college girls over there but I thought it was worth mentioning at least because this girl came up to me and told me this unsolicited at all"

Devin Walker.856 is the chapter's liaison from our team.

Let me know if you need anything else.

Kate



Kate Butler

Associate Director Sorority and Fraternity Life
The Ohio State University
Office of Student Life Sorority and Fraternity Life

2008 Ohio Union, 1739 N High, Columbus, OH 43210
614-247-8609 Office / 614-292-1816 Fax
butler.669@osu.edu



THE OHIO STATE UNIVERSITY

Type: **Hazing**
Urgency: **Normal**

Incident Date: **2017-03-09**

Incident Time: **12:00 AM**

Incident Location: **On Campus Houston Dorm Room # [REDACTED]**

Reported by

Name:
Title:
Email:
Phone:
Address:

[UNAUTHENTICATED]

Involved Organizations/Individuals

Sigma Alpha Mu Fraternity (SAMMY) ()

Alleged

[REDACTED]

Alleged

Houston House # [REDACTED]

[REDACTED]

Alleged

Houston House # [REDACTED]

Questions

Please provide a description of the incident(s). Try to include as much detail as possible, including the name(s) of those present and/or involved, date(s) and time(s), location(s), etc.

On Wednesday night [REDACTED] brought their "littles" home (Do not know their names) and they were sober yet they made their littles drink until they blacked out. This was witnessed by other people in the suite I cannot name. In the morning my boyfriend found that the floor had been peed on and all of his belongings were damaged. We found out that they were so drunk they did not remember how they got to the suite or what they did but they came home with their "bigs". Everyone involved was underage. We have also witnessed their pledges cleaning for them, doing their chores, and we have over heard conversations that they make them drink until they pass out. They also do this hazing with their other suite mate, [REDACTED] I don't know their last names. I have only heard them refer to [REDACTED] by his last name. I also have many other sorority friends who say they know that this frat in particular is known for their hazing and that it is ongoing. Below is pictures of just some of the urine we found on the floor in the morning. The two kids were forced to leave early in the morning around 7 am.

Is the hazing that you have experienced or witnessed ongoing/currently occurring?

Yes

What is your desired outcome in making this report?

So that there is justice and that these kids remain safe. I have known someone personally hazed and who died because of it at another university and I do not want to see this happen again.

Do you understand that submitting an anonymous report may limit Student Conduct's ability to fully investigate or adjudicate reports of hazing?

Yes

Attachments

img3573.jpg
img3576.jpg

Pending IR #00018302

Submitted from 24.144.148.98 and routed to Jeffrey A. Majarian (Assistant Director)



Type: Housing-initiated report (UH)
Urgency: Normal

Incident Date: 2017-03-09

Incident Time: 8:00 AM

Incident Location: Houston House Houston House

Reported by

Name: [REDACTED]
Title: Resident Advisor
Email: [REDACTED]
Phone: [REDACTED]
Address: 97 W Lane Avenue, Houston House [REDACTED]
[UNAUTHENTICATED]

Involved Parties

[REDACTED] Male Houston House [REDACTED]
Witness

[REDACTED] Male Houston House [REDACTED]
Alleged

[REDACTED] Male Houston House [REDACTED]
Alleged

[REDACTED] Male Houston House [REDACTED]
Alleged

[REDACTED] Male Houston House [REDACTED]
Alleged

Please provide a detailed description of the incident/concern using specific concise, objective language.

On Thursday, March 9th, 2017, at approximately 8:00 AM, Resident [REDACTED] knocked on the door of Resident Advisor [REDACTED] (hereon referred to as RA [REDACTED]). At the time, RA [REDACTED] was still asleep and took a few moments to answer the door. As RA [REDACTED] 3 did not answer the door right away, Resident [REDACTED] went to knock on the door of Resident Advisor [REDACTED] (hereon referred to as RA [REDACTED]). RA [REDACTED] opened the door, and Resident [REDACTED] asked RA [REDACTED] if RA [REDACTED] could come address a situation in Resident [REDACTED]'s room (room [REDACTED] in Houston House) which Resident [REDACTED] was having difficulty dealing with. As Resident [REDACTED] and RA [REDACTED] were walking to room [REDACTED] RA [REDACTED] woke up and joined Resident [REDACTED] and RA [REDACTED].

Resident [REDACTED] explained to RA [REDACTED] and RA [REDACTED] that when Resident [REDACTED] was coming back from [REDACTED] Resident [REDACTED] opened the door to suite [REDACTED] and found two men sleeping in the common room of the suite. These two men do not live in suite [REDACTED] and Resident [REDACTED] did not know who they were. Resident [REDACTED] believed the two gentlemen may have been guests of one or a combination of the following suitemates: Resident [REDACTED], Resident [REDACTED], Resident [REDACTED], Resident [REDACTED], and Resident [REDACTED]. Resident [REDACTED] noticed that there was a standing puddle of water in the common room; the puddle wrapped around to the side of the room where the electronics are located. Resident [REDACTED] then noticed that many of Resident [REDACTED]'s electronic devices and accessories, including his TV, X-BOX, charging cords, and

DVDs, were drenched in water. Resident [REDACTED] tried to turn on his electronics to check whether or not they worked; when Resident [REDACTED] tried turning on his X-BOX, it would not turn on. The TV however was still working. Resident [REDACTED] was unsure of how water got into the room, but figured that the water must have gotten there via the two men sleeping in the common room and not through the window, which was closed at the time. Resident [REDACTED] who was upset that his belongings were damaged, asked the two gentlemen to leave the room. Resident [REDACTED] then went to get RA [REDACTED] and RA [REDACTED].

When RA [REDACTED] and RA [REDACTED] reached room [REDACTED] they began taking pictures of the sitting water in the room. There was standing water covering part of the floor of the common room. There was water soaking the X-BOX game CD's that were on the TV stand. There was water on the power cords on the floor behind the TV. The second TV in their common room, which is next to Resident [REDACTED]'s TV, was completely dry. Resident [REDACTED] said he believed the incident was caused by the two gentlemen that he found in the room who he believes are likely guests of members of his suitemates. This isn't the first time the roommates have had guests over without asking or telling [REDACTED] that guests may be over. This lack of communication has been an issue all year and resident [REDACTED] is upset with his current room situation and would like a room change or more preferably, the person responsible for their guests and this incident to be held responsible.

RA [REDACTED] and RA [REDACTED] told Resident [REDACTED] that they would write an incident report and would follow up with the residents who may have had connections with this incident.

Which of the following responded?

None

Select the Primary overall category reflected in this incident report: (Required/Select Only One)

None of the Above

Select the Secondary category of this incident report: (Optional/Select Only One/Must Differ from Above)

Attachments

ir12.jpg
ir13.jpg
ir14.jpg
ir15.jpg
ir16.jpg
ir17.jpg
ir18.jpg

Pending IR #00018281

Submitted from 164.107.146.197 and routed to David Ternier (Hall Director)

Copies to: bellini.5@osu.edu,kefalas.1@osu.edu,clemonsthompson.1@osu.edu,smith.11556@osu.edu,ternier.1@osu.edu [REDACTED]



Incident Reporting Form

Submitted on March 9, 2017 at 10:00:45 am EST

Last modified March 27, 2017 at 12:08:14 pm EDT

Type: **Housing-initiated report (UH)**
Urgency: **Normal**

Incident Date: **2017-03-09**

Incident Time: **8:00 AM**

Incident Location: **Houston House Houston House Room**

Reported by

Name: [REDACTED]
Title: **Resident Advisor**
Email: [REDACTED]
Phone: [REDACTED]
Address: **97 W Lane Avenue, Houston House**

Involved Parties

[REDACTED]	[REDACTED]	[REDACTED]
Concern	Male	HOUSTON HOUSE Houston Ho
[REDACTED]	[REDACTED]	[REDACTED]
Alleged	Male	HOUSTON HOUSE Houston Ho
[REDACTED]	[REDACTED]	[REDACTED]
Alleged	Male	HOUSTON HOUSE Houston Ho
[REDACTED]	[REDACTED]	[REDACTED]
Alleged	Male	HOUSTON HOUSE Houston Ho
[REDACTED]	[REDACTED]	[REDACTED]
Alleged	Male	HOUSTON HOUSE Houston Ho

Questions

**** Please provide a detailed description of the incident/concern using specific concise, objective language.**

On Thursday, March 9th, 2017, at approximately 8:00 AM, Resident [REDACTED] knocked on the door of Resident Advisor [REDACTED] (hereon referred to as RA [REDACTED]). At the time, RA [REDACTED] was still asleep and took a few moments to answer the door. As RA [REDACTED] did not answer the door right away, Resident [REDACTED] went to knock on the door of Resident Advisor [REDACTED] (hereon referred to as RA [REDACTED]). RA [REDACTED] opened the door, and Resident [REDACTED] asked RA [REDACTED] if RA [REDACTED] could come address a situation in Resident [REDACTED]'s room (room [REDACTED] in Houston House) which Resident [REDACTED] was having difficulty dealing with. As Resident [REDACTED] and RA [REDACTED] were walking to room [REDACTED] RA [REDACTED] woke up and joined Resident [REDACTED] and RA [REDACTED].

Resident [REDACTED] explained to RA [REDACTED] and RA [REDACTED] that when Resident [REDACTED] was coming back from [REDACTED], Resident [REDACTED] opened the door to suite [REDACTED] and found two men sleeping in the common room of the suite. These two men do not live in suite [REDACTED] and Resident [REDACTED] did not know who they were. Resident [REDACTED] believed the two gentlemen may have been guests of one or a combination of the following suitemates: Resident [REDACTED] Resident [REDACTED] Resident [REDACTED] and Resident [REDACTED] Resident [REDACTED] noticed that there was a standing puddle of water in the common room; the puddle wrapped around to the side of the room where the electronics are located. Resident [REDACTED] then noticed that many of Resident [REDACTED]'s electronic devices and accessories, including his TV, X-BOX, charging cords, and DVDs, were drenched in water. Resident [REDACTED] tried to turn on his electronics to check whether or not they worked; when Resident [REDACTED] tried turning on his X-BOX, it would not turn on. The TV however was still working. Resident [REDACTED] was unsure of how water got into the room,

but figured that the water must have gotten there via the two men sleeping in the common room and not through the window, which was closed at the time. Resident [REDACTED] who was upset that his belongings were damaged, asked the two gentlemen to leave the room. Resident [REDACTED] then went to get RA [REDACTED] and RA [REDACTED]

When RA [REDACTED] and RA [REDACTED] reached room [REDACTED] they began taking pictures of the sitting water in the room. There was standing water covering part of the floor of the common room. There was water soaking the X-BOX game CD's that were on the TV stand. There was water on the power cords on the floor behind the TV. The second TV in their common room, which is next to Resident [REDACTED]'s TV, was completely dry. Resident [REDACTED] said he believed the incident was caused by the two gentlemen that he found in the room who he believes are likely guests of members of his suitemates. This isn't the first time the roommates have had guests over without asking or telling [REDACTED] that guests may be over. This lack of communication has been an issue all year and resident [REDACTED] is upset with his current room situation and would like a room change or more preferably, the person responsible for their guests and this incident to be held responsible.

RA [REDACTED] and RA [REDACTED] told Resident [REDACTED] that they would write an incident report and would follow up with the residents who may have had connections with this incident.

** Which of the following responded?

None

** Select the Primary overall category reflected in this incident report: (Required/Select Only One)

None of the Above

** Select the Secondary category of this incident report: (Optional/Select Only One/Must Differ from Above)

Attachments

ir12.jpg
ir13.jpg
ir14.jpg
ir15.jpg
ir16.jpg
ir17.jpg
ir18.jpg

Pending IR #00018281

Submitted from 164.107.146.197 and routed to David Ternier (Hall Director)

Modified by David Ternier on March 27, 2017 at 12:08:14 pm EDT from 164.107.42.87



October 5, 2017

Sigma Alpha Mu
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

October 5, 2017

Dear [REDACTED]:

Please read the attached letter from the Assistant Vice President of Student Life. Then please call my office per the instructions in the second attached letter to schedule a preliminary conference.

Sincerely,

Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell
Andy Huston



October 5, 2017

Dear [REDACTED]

In accordance with the University's Student Organization Registration Guidelines, I have determined that there is reasonable cause to believe that the Sigma Beta Chapter of Sigma Alpha Mu ("Sigma Beta Chapter") has violated the rules, regulations, policies and procedures of the Ohio State University, as well as the terms of the Code of Student Conduct, in connection incidents involving alcohol, social events, and new member activities during the previous academic year. As a result:

I hereby order the Sigma Beta Chapter of Sigma Alpha Mu to immediately cease and desist all organization activity, pending a full investigation of this matter by Student Conduct.

During the period of your Cease and Desist Order, the Sigma Beta Chapter may request to participate in essential activities only. Essential activities may include, but are not limited to, standing meetings, leadership retreats, service activities, and/or some philanthropies. Social activities of any kind are NOT essential activities. Please be aware that your peer organizations may be informed of this order.

List of Essential Activities. I am instructing you to provide me a list of your organization's essential activities for the remaining portion of this semester including dates, times, locations, and the rationale behind why your organization believes the activity is essential to the operation of the Sigma Beta Chapter. I will review your information and take your recommendations under advisement. Until then, you are not to engage in any activities.

Complete Roster. In addition to your list of essential activities, I am requesting a complete roster of your members, including any new members who participated in recruitment this semester and any members who deactivated since August 1, 2016. This roster must include relevant contact information for each individual. Relevant contact information includes school rank, cell phone numbers, local mailing addresses, and email addresses.

Appeal. You may appeal this Cease and Desist Order by submitting to Student Conduct, directed to me, a written statement of the reasons why you believe the Cease and Desist Order should be lifted, together with any supporting evidence that you deem relevant. Should you do so, I will review the appeal and advise you of my determination without undue delay.

Failure to adhere to the terms of this Cease and Desist Order will subject the organization and participating individual members to further disciplinary action, including interim suspension, under the Code of Student Conduct for Failure to Comply with University Authority.

The **List of Essential Activities**, **Complete Roster** and **Appeal** (if there is one) are due by 4:30 P.M. on Monday, October 9, 2017. Direct all of these materials to me via email to Student Conduct (studentconduct@osu.edu) by 4:30 P.M. on Monday, October 10, 2017.

Sincerely,



Doug Koyle
Assistant Vice President
Office of Student Life

Cc: Ryan Lovell – Student Life – Sorority and Fraternity Life
Andy Huston - Sigma Alpha Mu
Kelly Smith – Student Life – Student Conduct

October 5, 2017

Sigma Alpha Mu

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED],

An Ohio State University Student provided information to our office that describes conduct by Sigma Alpha Mu during spring 2017 semester. I am investigating whether this conduct may have violated the following sections of the university's Code of Student Conduct:

- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy
- 3335-23-04 (M): Hazing: Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.
- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.

As a leader of the organization, you must contact Student Conduct by October 12, 2017 to schedule a preliminary conference with me. The purpose of this conference is twofold. First, I will explain and answer your questions about the Student Conduct process. Second, you will have the opportunity to explain what happened, to provide materials, and to identify other individuals with information about the alleged incident.

I encourage you to share any information or material you have related to this incident. You may bring one advisor and a registered co-leader (if applicable) to your preliminary conference. Your advisor can be any person who is not involved as a witness or other participant in the case. Employees of the university's Student Advocacy Center (<http://advocacy.osu.edu>) are available to provide advisor services or other support throughout this process upon request. To find out

more information about these services or to request advisor services, please e-mail the Student Advocacy Center at advocacy@osu.edu.

You will find the Code of Student Conduct and information about our process at <http://studentconduct.osu.edu>. Additionally, I have attached a Statement of Student Rights and a description of the university's Hearing Procedures to this letter.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you do not contact our office by October 12, 2017 to set your preliminary conference appointment, I may place a disciplinary hold on your university account. This hold could prevent you from scheduling classes; viewing grades; or receiving transcripts, diplomas or refunds. Please note that if you do not participate in our process, I may continue this investigation without your input. This could result in charges, a hearing, and sanctions if a violation is found.

To schedule your preliminary conference, please call Student Conduct at (614) 292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday. Thank you in advance for your prompt attention to this matter.

Sincerely,

Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell
Andy Huston

Statement of Student Rights

1. **Written notice of university charges** (3335-23-07 A.)
 - a. Students shall be notified of university charges in writing, unless a more effective form of notification is deemed appropriate. Charges may be presented in person, by placement in a student's residence hall mailbox, by email to the accused student's official university email address (which may direct the student to view the notice on a secure website), or by mail to the accused student's local or permanent address.
2. **Meeting with a University Official** (3335-23-07 C.)
 - a. Students are strongly encouraged to and shall be afforded the opportunity to meet with a university official for the purpose of explaining the university student conduct process and discussion of the charges.
3. **Hearing** (3335-23-08)
 - a. In all cases, a student charged with one or more violations of the code of student conduct has the right to a hearing.
 - b. [A] student may request in writing to have a decision as to appropriate action made administratively by a hearing officer rather than have the charges referred to a hearing officer or board for a hearing.
 - c. Following an administrative decision, the student retains the right to request an appeal of the original decision, but may do so only upon the ground that the sanction is grossly disproportionate to the violation committed.
4. **Notice of Hearing** (3335-23-09 A.)
 - a. If a hearing is to be held, written notification will be provided
 - b. The notice may be hand delivered; placed into a student's residence hall mailbox; sent by email to the accused student's official university email address, which may direct the student to view the notice on a secure website; or mailed to the last known address of the student, by first class mail, no fewer than ten (10) calendar days prior to the hearing
 - c. Unless already provided to the student, the notification will include the charge(s), date, time, and location of hearing, the designated hearing officer or board, a statement of the student's rights, and information on the hearing procedures.

5. **Postponement** (3335-23-09 B.)

- a. The accused student may request a postponement for reasonable cause or a separate hearing from other accused persons. A request for a postponement for reasonable cause must be made in writing, include supporting rationale, and be received by the person sending the hearing notification at least two (2) business days before the scheduled hearing.

6. **Advisor** (3335-23-10 B.)

- a. The accused student may have an advisor throughout the disciplinary process
- b. The advisor may only counsel the student and may not actively participate in the disciplinary process, unless clarification is needed as determined by the hearing officer or board.

7. **Written statements and witnesses** (3335-23-10 C.)

- a. The accused student:
 - i. May submit a written statement;
 - ii. May invite relevant factual witnesses to attend;
 - iii. May invite character witnesses to submit written statements;
 - iv. May ask questions of witnesses called by others;
 - v. Will be notified of potential witnesses to be called;
 - vi. Must submit a list of potential witnesses to the hearing officer at least two (2) business days prior to the hearing.

8. **Standard of Evidence** (3335-23-10 F.)

- a. A student will only be found in violation if a preponderance of the evidence supports the charges.

9. **Attendance** (3335-23-11)

- a. No inference will be drawn against a student for failing to attend a hearing or remaining silent.
 - i. The hearing will proceed and the conclusion will be based on the evidence presented.
- b. No decision shall be based solely on the failure of the accused student to attend the hearing or answer the charges.



10. Record of proceedings (3335-23-12)

- a. A single record consisting of written notes, tape recording, or other method selected by the hearing board or officer, will be made of all hearings.
 - i. Such record will remain property of the university but will be made available to the accused for review during the appeal period.
- b. A written notice of the decision, and, if found in violation, information regarding appeal procedures will be provided to the accused student.

11. Hearing Bodies (3335-23-13 B.)

- a. The accused student has the right to accept responsibility for the charges, which will result in an administrative decision or choose to have a hearing.

12. Hearing Bodies (3335-23-13 C.)

- a. Students will generally be afforded the right to choose an administrative or a board hearing, except under special circumstances where, in order to ensure a fair and just process, the hearing officer may determine the appropriate hearing venue.

13. Right to appeal (3335-23-18 A.)

- a. A student found to have violated the Code of Student Conduct has the right to appeal the original decision.

14. Right to appeal (3335-23-18 A.)

- a. In cases involving charges related to sexual harassment, the victim may appeal the original decision in accordance with the appeals procedures provided in this section
 - i. Such charges include, but are not limited to, sexual misconduct and stalking.

Hearing Procedures

3335-23-10 Hearing procedures

Although the procedural requirements are not as formal as those existing in criminal or civil courts of law, to ensure fairness, the following procedures will apply and, unless already provided to the student, be included within the hearing notice:

- A. **Attendance** – Attendance at hearings is limited to those directly involved or those requested by the hearing officer or board to attend. The hearing officer or board will take reasonable measures to assure an orderly hearing, including removal of persons who impede or disrupt proceedings
- B. **Advisor** – The accused student may have an advisor throughout the disciplinary process. The advisor may only counsel the student and may not actively participate in the disciplinary process, unless clarification is needed as determined by the hearing officer or board
- C. **Written statements & witnesses** – The accused may: submit a written statement invite relevant factual witnesses to attend, invite character witnesses to submit written statements, ask questions of witnesses called by others, and will be notified of potential witnesses to be called. The accused must submit a list of potential witnesses to the hearing officer at least two (2) business days prior to the hearing. The university may present witnesses as well as question those presented by the accused
- D. **Witness absence** – The hearing officer or board coordinator may allow written statements if, for good reason, a fact witness cannot attend the hearing
- E. **Consultants** – In cases requiring special expertise, the board coordinator may appoint individuals with appropriate expertise to serve as consultants to the board. The consultants may be present and provide information as called upon during the hearing but will not vote
- F. **Standard of evidence** – A student will only be found in violation if a preponderance of evidence supports the charges. In the event of a tie, the board will continue to deliberate. If after the board determines that exhaustive deliberations have occurred and a majority decision is not reached, the student will be found not in violation
- G. In cases where prompt review is essential (e.g., when graduation or the end of the academic year is imminent) the accused may be offered the option of an expedited administrative review consisting of an administrative decision or administrative hearing. The accused student may decline such expedited review without the expectation that the process can be completed on an expedited timeline.

January 28, 2018

Sigma Alpha Mu
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

January [REDACTED]

Dear [REDACTED]:

I have attached a Charge and Process form ("CPF") to this letter. Later this week, perhaps in time for your Wednesday appointment, I will make a draft of the investigation packet available for your review. You may find it helpful to review the packet before deciding on a resolution option. I can also provide you with a Buckeye Box link to the packet, which you can share with an advisor. We can talk more about that on Wednesday.

The CPF is due by 4:30 pm on February 5, 2018. You can return it in person to our office or submit a scanned copy by email to smith.4941@osu.edu.

Sincerely,



Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Kim Monteaux De Freitas - Director of Sorority and Fraternity Life
Andy Huston - Sigma Alpha Mu

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Sigma Alpha Mu

I. Charge: Sigma Alpha Mu is alleged to be in violation of the following section of the Code of Student Conduct:

- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 3335-23-04 (F) Dishonest Conduct. Dishonest conduct, including, but not limited to knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university or related documents by actions such as forgery, alteration, or improper transfer; submission of information known by the submitter to be false to a university official.
- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy.
- 3335-23-04 (H): Failure to Comply with University or Civil Authority: Failure to comply with the legitimate directives of authorized University or civil officials as defined in the Code of Student Conduct.
- 3335-23-04 (L): Disorderly or Disruptive Conduct: Disorderly or disruptive conduct that unreasonably interferes with University activities or with the legitimate activities of any member of the University community
- 3335-23-04 (M) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.
- 3335-23-04 (N8) Student Conduct System Abuse. Failure to comply with one of more sanctions imposed under the code of student conduct.

Specifically, it is alleged that on separate occasions from January 2016 through fall semester 2017, Sigma Alpha Mu:

- Hosted social and/or brotherhood events, with or without alcohol, that were impermissible according to the directives and expectations applicable during its recolonization period.
- Hosted social and/or brotherhood events, with or without alcohol, which unreasonably interfered with the living conditions of other members of the university community who lived near 1945 Indianola Ave.
- Failed to implement effective BYOB practices during social and/or brotherhood events, thus allowing members and/or guests access to alcohol, including liquor, they did not bring and to consume more than they would have had BYOB practices been adhered to.
- Failed to mark all members and guests under the age of 21 during social and/or brotherhood events, thus allowing them access to alcohol,
- Engaged in all or any of the following practices with new members:
 - Encouraging, allowing or permitting alcohol to be present and/or consumed during or in connection with new member activities, such as Big/Little reveal;
 - Requiring or encouraging new members to do chores for other members or otherwise providing services in the chapter house, annex(es) or other members' residence hall rooms or other residences;
 - Encouraging, allowing or permitting excessive or "binge" drinking of alcohol by new members;
 - Requiring or encouraging new members to stay at the chapter house, annex or other location overnight or for other unreasonable lengths of time without their phones, laptops or other means to communicate with friends and family outside of the chapter.

II. Acceptance/Non-Acceptance of Responsibility:

To resolve these charges, place your initials next to your selection.

_____ I accept responsibility for the violation(s) of the Code of Student Conduct as listed in Section I of this form. I request an Administrative Decision.

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. I request an Administrative Hearing before a University Hearing Officer.

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. I request a hearing before the University Conduct Board.

Failure to return this form by the stated deadline will result in an Administrative Hearing.

III. Possible Sanctions: If you are found in violation, please understand that you may be subject to formal reprimand, disciplinary probation, suspension, dismissal or any other sanction or combination of sanctions in the Code of Student Conduct.

You are strongly encouraged to consult with the Student Advocacy Center (<http://advocacy.osu.edu>) and/or your advisor of choice as you consider your options.

This form is due by 4:30 pm on February 5, 2018.

Signature:_____ Date:_____

May 18, 2018

Sigma Alpha Mu
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] Members of Sigma Alpha Mu:

I am writing to notify you of the outcome of the Sigma Beta chapter of Sigma Alpha Mu's Administrative Hearing which took place on March 20, 2018. While you were invited to attend this hearing as a representative of the chapter, you chose not to attend. Therefore, I moved forward with the hearing consistent with the Code of Student Conduct. Based on the information available to me at the time of the hearing, I have found Sigma Alpha Mu **in violation** of the following charges:

- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 3335-23-04 (F) Dishonest Conduct. Dishonest conduct, including, but not limited to knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university or related documents by actions such as forgery, alteration, or improper transfer; submission of information known by the submitter to be false to a university official.
- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy.
- 3335-23-04 (H): Failure to Comply with University or Civil Authority: Failure to comply with the legitimate directives of authorized University or civil officials as defined in the Code of Student Conduct.
- 3335-23-04 (L): Disorderly or Disruptive Conduct: Disorderly or disruptive conduct that unreasonably interferes with University activities or with the legitimate activities of any member of the University community
- 3335-23-04 (M) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.
- 3335-23-04 (N8) Student Conduct System Abuse. Failure to comply with one of more sanctions imposed under the code of student conduct

I considered the following factors in determining appropriate sanctions:

- Sigma Alpha Mu's recent conduct history
- the partnership and response of the Sigma Alpha Mu's president
- the severity of the violations when considered on a continuum

This outcome letter does not replace or nullify any sanctions or stipulations set forth by your organization's inter/national headquarters, advisors, Sorority and Fraternity Life, the IFC, or The Ohio State University.

Disciplinary Sanction

I am suspending the Sigma Beta chapter of Sigma Alpha Mu effective **May 18, 2018 through August 6, 2023**. Your chapter is no longer recognized as a student organization at Ohio State and no longer has the rights or privileges afforded to a recognized student organization.

During this time please be advised that any student using your organization's name or likeness (e.g., Greek letters) while alleged to have violated the Code of Student Conduct will be investigated and, if applicable, charged as an individual, not as an organization, in the Student Conduct process.

Educational Sanctions

I invite your national organization to discuss reestablishing a chapter at the university at the end of the suspension period. **Your national organization must begin communication at least one year prior to reestablishing, but no sooner than January 1, 2022.**

In discussing its return to our community, Sigma Alpha Mu's representatives must meet with the Director of Sorority and Fraternity Life, or designee, to discuss the current campus environment and what requirements must be completed before the reestablishing process and during the chapter's first year. These conversations will occur in consultation with the Director of Student Conduct, or designee.

Sorority and Fraternity Life and Student Conduct will take into consideration the organization's efforts to remedy or eliminate underground activity during the suspension period. We encourage Sigma Alpha Mu representatives to provide Student Conduct with any documentation related to these efforts.

Before the lessons learned from the Sigma Beta chapter fade, I invite the organization to submit a memorandum identifying actions it might take with new recruits and a new chapter after the suspension period ends. Memorandum topics could include:

- recruitment strategies
- new member reviews and criteria
- alumni and advisor involvement
- selection of consultants and new chapter coordinators
- new member education plans
- alcohol and risk management policies

This optional submission is due no later than July 31, 2018.

Requests for Extensions and Modifications

Any request for an extension or a modification of any required sanction must come from the chapter president to reeb.47@osu.edu. That request must contain a detailed explanation of the reason for the request.

Staffing Change

Should Student Conduct no longer employ me or if my role were to change, another staff member will

monitor sanction completion. To account for such a change, please include the general Student Conduct email address on all sanction items described above. That address is studentconduct@osu.edu.

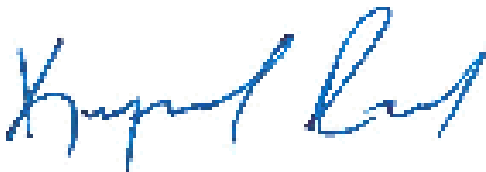
Appeal

A student or organization found to have violated the Code of Student Conduct has the right to appeal. To do so, you must submit your appeal in writing, directed to the Senior Vice President for Student Life, no later than 4:00 p.m. on May 25, 2018. Use the online appeal form found at <https://go.osu.edu/appeals> to submit your appeal. You may also submit a written appeal using the form attached to this letter. Please turn in that signed form along with any relevant documentation to the Office of Student Conduct, 550 Lincoln Tower, 1800 Cannon Dr., Columbus, OH 43210, by the deadline. If you do not submit an appeal, this decision will be effective at the end of your appeal period.

You are strongly encouraged to consult with the Student Advocacy Center (<http://advocacy.osu.edu>) and/or your advisor of choice as you consider your options. Additionally, students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you have any questions concerning this matter, please do not hesitate to contact me at 614-292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday.

Sincerely,

A handwritten signature in blue ink, appearing to read "Krystal Reeb", is positioned above the printed name and title.

Krystal Reeb
Associate Director

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas
Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Michele Peterson Sigma Alpha Mu National Headquarters Representative
Andy Huston Sigma Alpha Mu National Headquarters Representative

STUDENT CONDUCT APPEALS

Student Appeals

- A student or organization found to have violated the Code of Student Conduct has the right to appeal the original decision. **The appeal is not intended to re-hear or re-argue the same case, and is limited to the specific grounds outlined below.** The appeal must state the specific grounds for the appeal and should include all supporting documentation. The appeal must be postmarked or hand delivered to the appropriate appeal officer, or sent via email, **by the deadline provided in the decision letter**, which is usually five (5) working days after the date on which notice of the decision is sent to the student. Each student or organization shall be limited to one appeal. **The decision of the appeal officer is final.**
- In cases involving charges relating to sexual harassment as defined in applicable university policy, the victim may appeal the original decision. Such charges include, but are not limited to, sexual misconduct and stalking.
- A student who (or organization that) has accepted responsibility (Administrative Disposition) for violating the Code of Student Conduct waives the right to appeal, except on the basis that the disciplinary sanction is grossly disproportionate to the violation(s) committed.
- Each party shall be limited to one appeal. The decision of the appeal officer is final.

Grounds for appeal

An appeal may be based only upon one or more of the following grounds:

1. Procedural error that resulted in material harm or prejudice to the student (i.e., by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results;
2. Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body; or
3. Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.

Non-attendance by the accused student may not be the sole grounds for an appeal. Dissatisfaction with a decision is not grounds for appeal.

Appeal Procedure

1. Complete the Appeal Request Form, including signing the form.
2. If applicable, attach supporting documentation.
3. Turn in the signed form and any added documentation to Student Conduct by the deadline. Student Conduct will ensure that the appeal officer receives the appeal and the record of the case.
4. Students neither meet with nor make oral presentations to the appeal officer, except at the request of the appeal officer in order to obtain relevant information.
5. Students who do not submit their appeals by the date/time specified in their decision letter waive their opportunity to appeal.
6. Students who do not provide information concerning the basis of their appeal waive their opportunity to an appeal.



APPEAL REQUEST FORM

Name: _____

Student ID#: _____

Phone: _____

Email: _____

I am the: _____accused student _____victim in a sexual harassment/violence case

I am basing my appeal on one or more of the following reasons [If you check a basis, you must provide facts, documentation or perspective that supports your appeal. It is important to provide information that is as detailed and accurate as possible, so that the appeal officer can make an informed decision regarding the appeal. You may attach additional sheets as needed].

_____1. Procedural error that resulted in material harm or prejudice to the student (i.e. by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.

Please identify the procedural error(s) that took place and how the error(s) prevented a fair, impartial or proper hearing.

_____2. Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body.

Please describe the new evidence and, if appropriate and possible, attach it to this appeal. Indicate why the information was not provided at the time of the hearing. Also indicate why the information is sufficient to alter the original decision in the case.



____3. Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating circumstances.

Please explain how the sanction is grossly disproportionate to the violation (i.e. unreasonably harsh or light, given all of the relevant circumstances).

I certify that the information presented in my appeal is accurate, to the best of my knowledge. I understand that providing false information is a violation of the Code of Student Conduct and subject to disciplinary charges.

Signature

Date

For Student Conduct Staff:

Received by:

Time

Date Stamp:

Delivered to Appeal Officer

Date



October 5, 2017

Sigma Alpha Mu
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

October 5, 2017

Dear [REDACTED]:

Please read the attached letter from the Assistant Vice President of Student Life. Then please call my office per the instructions in the second attached letter to schedule a preliminary conference.

Sincerely,

Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell
Andy Huston



October 5, 2017

Dear [REDACTED]

In accordance with the University's Student Organization Registration Guidelines, I have determined that there is reasonable cause to believe that the Sigma Beta Chapter of Sigma Alpha Mu ("Sigma Beta Chapter") has violated the rules, regulations, policies and procedures of the Ohio State University, as well as the terms of the Code of Student Conduct, in connection incidents involving alcohol, social events, and new member activities during the previous academic year. As a result:

I hereby order the Sigma Beta Chapter of Sigma Alpha Mu to immediately cease and desist all organization activity, pending a full investigation of this matter by Student Conduct.

During the period of your Cease and Desist Order, the Sigma Beta Chapter may request to participate in essential activities only. Essential activities may include, but are not limited to, standing meetings, leadership retreats, service activities, and/or some philanthropies. Social activities of any kind are NOT essential activities. Please be aware that your peer organizations may be informed of this order.

List of Essential Activities. I am instructing you to provide me a list of your organization's essential activities for the remaining portion of this semester including dates, times, locations, and the rationale behind why your organization believes the activity is essential to the operation of the Sigma Beta Chapter. I will review your information and take your recommendations under advisement. Until then, you are not to engage in any activities.

Complete Roster. In addition to your list of essential activities, I am requesting a complete roster of your members, including any new members who participated in recruitment this semester and any members who deactivated since August 1, 2016. This roster must include relevant contact information for each individual. Relevant contact information includes school rank, cell phone numbers, local mailing addresses, and email addresses.

Appeal. You may appeal this Cease and Desist Order by submitting to Student Conduct, directed to me, a written statement of the reasons why you believe the Cease and Desist Order should be lifted, together with any supporting evidence that you deem relevant. Should you do so, I will review the appeal and advise you of my determination without undue delay.

Failure to adhere to the terms of this Cease and Desist Order will subject the organization and participating individual members to further disciplinary action, including interim suspension, under the Code of Student Conduct for Failure to Comply with University Authority.

The List of Essential Activities, Complete Roster and Appeal (if there is one) are due by 4:30 P.M. on Monday, October 9, 2017. Direct all of these materials to me via email to Student Conduct (studentconduct@osu.edu) by 4:30 P.M. on Monday, October 10, 2017.

Sincerely,



Doug Koyle
Assistant Vice President
Office of Student Life

Cc: Ryan Lovell – Student Life – Sorority and Fraternity Life
Andy Huston - Sigma Alpha Mu
Kelly Smith – Student Life – Student Conduct

October 5, 2017

Sigma Alpha Mu

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED],

An Ohio State University Student provided information to our office that describes conduct by Sigma Alpha Mu during spring 2017 semester. I am investigating whether this conduct may have violated the following sections of the university's Code of Student Conduct:

- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy
- 3335-23-04 (M): Hazing: Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.
- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.

As a leader of the organization, you must contact Student Conduct by October 12, 2017 to schedule a preliminary conference with me. The purpose of this conference is twofold. First, I will explain and answer your questions about the Student Conduct process. Second, you will have the opportunity to explain what happened, to provide materials, and to identify other individuals with information about the alleged incident.

I encourage you to share any information or material you have related to this incident. You may bring one advisor and a registered co-leader (if applicable) to your preliminary conference. Your advisor can be any person who is not involved as a witness or other participant in the case. Employees of the university's Student Advocacy Center (<http://advocacy.osu.edu>) are available to provide advisor services or other support throughout this process upon request. To find out

more information about these services or to request advisor services, please e-mail the Student Advocacy Center at advocacy@osu.edu.

You will find the Code of Student Conduct and information about our process at <http://studentconduct.osu.edu>. Additionally, I have attached a Statement of Student Rights and a description of the university's Hearing Procedures to this letter.

Students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at (614) 292-6207 (voice), (614) 688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu/>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you do not contact our office by October 12, 2017 to set your preliminary conference appointment, I may place a disciplinary hold on your university account. This hold could prevent you from scheduling classes; viewing grades; or receiving transcripts, diplomas or refunds. Please note that if you do not participate in our process, I may continue this investigation without your input. This could result in charges, a hearing, and sanctions if a violation is found.

To schedule your preliminary conference, please call Student Conduct at (614) 292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday. Thank you in advance for your prompt attention to this matter.

Sincerely,

Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell
Andy Huston



January 28, 2018

Sigma Alpha Mu
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

January [REDACTED]

Dear [REDACTED]:

I have attached a Charge and Process form ("CPF") to this letter. Later this week, perhaps in time for your Wednesday appointment, I will make a draft of the investigation packet available for your review. You may find it helpful to review the packet before deciding on a resolution option. I can also provide you with a Buckeye Box link to the packet, which you can share with an advisor. We can talk more about that on Wednesday.

The CPF is due by 4:30 pm on February 5, 2018. You can return it in person to our office or submit a scanned copy by email to smith.4941@osu.edu.

Sincerely,

Kelly B. Smith, J.D.
Assistant Director

CC: Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Kim Monteaux De Freitas - Director of Sorority and Fraternity Life
Andy Huston - Sigma Alpha Mu

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

CHARGE & PROCESS FORM

Name: Sigma Alpha Mu

I. Charge: Sigma Alpha Mu is alleged to be in violation of the following section of the Code of Student Conduct:

- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 3335-23-04 (F) Dishonest Conduct. Dishonest conduct, including, but not limited to knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university or related documents by actions such as forgery, alteration, or improper transfer; submission of information known by the submitter to be false to a university official.
- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy.
- 3335-23-04 (H): Failure to Comply with University or Civil Authority: Failure to comply with the legitimate directives of authorized University or civil officials as defined in the Code of Student Conduct.
- 3335-23-04 (L): Disorderly or Disruptive Conduct: Disorderly or disruptive conduct that unreasonably interferes with University activities or with the legitimate activities of any member of the University community
- 3335-23-04 (M) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.
- 3335-23-04 (N8) Student Conduct System Abuse. Failure to comply with one of more sanctions imposed under the code of student conduct.

Specifically, it is alleged that on separate occasions from January 2016 through fall semester 2017, Sigma Alpha Mu:

- Hosted social and/or brotherhood events, with or without alcohol, that were impermissible according to the directives and expectations applicable during its recolonization period.
- Hosted social and/or brotherhood events, with or without alcohol, which unreasonably interfered with the living conditions of other members of the university community who lived near 1945 Indianola Ave.
- Failed to implement effective BYOB practices during social and/or brotherhood events, thus allowing members and/or guests access to alcohol, including liquor, they did not bring and to consume more than they would have had BYOB practices been adhered to.
- Failed to mark all members and guests under the age of 21 during social and/or brotherhood events, thus allowing them access to alcohol,
- Engaged in all or any of the following practices with new members:
 - Encouraging, allowing or permitting alcohol to be present and/or consumed during or in connection with new member activities, such as Big/Little reveal;
 - Requiring or encouraging new members to do chores for other members or otherwise providing services in the chapter house, annex(es) or other members' residence hall rooms or other residences;
 - Encouraging, allowing or permitting excessive or "binge" drinking of alcohol by new members;
 - Requiring or encouraging new members to stay at the chapter house, annex or other location overnight or for other unreasonable lengths of time without their phones, laptops or other means to communicate with friends and family outside of the chapter.

II. Acceptance/Non-Acceptance of Responsibility:

To resolve these charges, place your initials next to your selection.

_____ I accept responsibility for the violation(s) of the Code of Student Conduct as listed in Section I of this form. I request an Administrative Decision.

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. I request an Administrative Hearing before a University Hearing Officer.

_____ I do not accept responsibility for one or more of the violations of the Code of Student Conduct as listed in Section I of this form. I request a hearing before the University Conduct Board.

Failure to return this form by the stated deadline will result in an Administrative Hearing.

III. Possible Sanctions: If you are found in violation, please understand that you may be subject to formal reprimand, disciplinary probation, suspension, dismissal or any other sanction or combination of sanctions in the Code of Student Conduct.

You are strongly encouraged to consult with the Student Advocacy Center (<http://advocacy.osu.edu>) and/or your advisor of choice as you consider your options.

This form is due by 4:30 pm on February 5, 2018.

Signature:_____ Date:_____

May 18, 2018

Sigma Alpha Mu
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] Members of Sigma Alpha Mu:

I am writing to notify you of the outcome of the Sigma Beta chapter of Sigma Alpha Mu's Administrative Hearing which took place on March 20, 2018. While you were invited to attend this hearing as a representative of the chapter, you chose not to attend. Therefore, I moved forward with the hearing consistent with the Code of Student Conduct. Based on the information available to me at the time of the hearing, I have found Sigma Alpha Mu **in violation** of the following charges:

- 3335-23-04 (B1) Endangering behavior: Taking or threatening action that endangers the safety, physical or mental health, or life of any person, or creates a reasonable fear of such action.
- 3335-23-04 (F) Dishonest Conduct. Dishonest conduct, including, but not limited to knowingly reporting a false emergency; knowingly making false accusation of misconduct; misuse or falsification of university or related documents by actions such as forgery, alteration, or improper transfer; submission of information known by the submitter to be false to a university official.
- 3335-23-04 (J): Alcohol: Use, production, distribution, sale, or possession of alcohol in a manner prohibited under law or applicable University policy.
- 3335-23-04 (H): Failure to Comply with University or Civil Authority: Failure to comply with the legitimate directives of authorized University or civil officials as defined in the Code of Student Conduct.
- 3335-23-04 (L): Disorderly or Disruptive Conduct: Disorderly or disruptive conduct that unreasonably interferes with University activities or with the legitimate activities of any member of the University community
- 3335-23-04 (M) Hazing. Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form.
- 3335-23-04 (N8) Student Conduct System Abuse. Failure to comply with one of more sanctions imposed under the code of student conduct

I considered the following factors in determining appropriate sanctions:

- Sigma Alpha Mu's recent conduct history
- the partnership and response of [REDACTED]
- the severity of the violations when considered on a continuum

This outcome letter does not replace or nullify any sanctions or stipulations set forth by your organization's inter/national headquarters, advisors, Sorority and Fraternity Life, the IFC, or The Ohio State University.

Disciplinary Sanction

I am suspending the Sigma Beta chapter of Sigma Alpha Mu effective **May 18, 2018 through August 6, 2023**. Your chapter is no longer recognized as a student organization at Ohio State and no longer has the rights or privileges afforded to a recognized student organization.

During this time please be advised that any student using your organization's name or likeness (e.g., Greek letters) while alleged to have violated the Code of Student Conduct will be investigated and, if applicable, charged as an individual, not as an organization, in the Student Conduct process.

Educational Sanctions

I invite your national organization to discuss reestablishing a chapter at the university at the end of the suspension period. **Your national organization must begin communication at least one year prior to reestablishing, but no sooner than January 1, 2022.**

In discussing its return to our community, Sigma Alpha Mu's representatives must meet with the Director of Sorority and Fraternity Life, or designee, to discuss the current campus environment and what requirements must be completed before the reestablishing process and during the chapter's first year. These conversations will occur in consultation with the Director of Student Conduct, or designee.

Sorority and Fraternity Life and Student Conduct will take into consideration the organization's efforts to remedy or eliminate underground activity during the suspension period. We encourage Sigma Alpha Mu representatives to provide Student Conduct with any documentation related to these efforts.

Before the lessons learned from the Sigma Beta chapter fade, I invite the organization to submit a memorandum identifying actions it might take with new recruits and a new chapter after the suspension period ends. Memorandum topics could include:

- recruitment strategies
- new member reviews and criteria
- alumni and advisor involvement
- selection of consultants and new chapter coordinators
- new member education plans
- alcohol and risk management policies

This optional submission is due no later than July 31, 2018.

Requests for Extensions and Modifications

Any request for an extension or a modification of any required sanction must come from the chapter president to reeb.47@osu.edu. That request must contain a detailed explanation of the reason for the request.

Staffing Change

Should Student Conduct no longer employ me or if my role were to change, another staff member will

monitor sanction completion. To account for such a change, please include the general Student Conduct email address on all sanction items described above. That address is studentconduct@osu.edu.

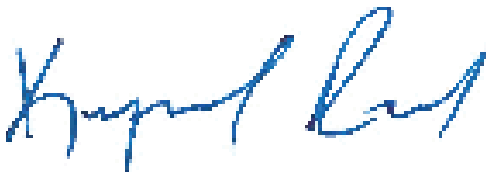
Appeal

A student or organization found to have violated the Code of Student Conduct has the right to appeal. To do so, you must submit your appeal in writing, directed to the Senior Vice President for Student Life, no later than 4:00 p.m. on May 25, 2018. Use the online appeal form found at <https://go.osu.edu/appeals> to submit your appeal. You may also submit a written appeal using the form attached to this letter. Please turn in that signed form along with any relevant documentation to the Office of Student Conduct, 550 Lincoln Tower, 1800 Cannon Dr., Columbus, OH 43210, by the deadline. If you do not submit an appeal, this decision will be effective at the end of your appeal period.

You are strongly encouraged to consult with the Student Advocacy Center (<http://advocacy.osu.edu>) and/or your advisor of choice as you consider your options. Additionally, students are responsible for requesting accommodations when they feel they are needed. Should you need an accommodation based on the impact of a disability during the Student Conduct process, please contact the university's ADA Coordinator's office at 614-292-6207 (voice), 614-688-8605 (TTY), ada-osu@osu.edu, or visit <https://ada.osu.edu>. One week's notice will allow for seamless access. Should you need additional time in order to seek any appropriate accommodation, please contact me immediately.

If you have any questions concerning this matter, please do not hesitate to contact me at 614-292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday.

Sincerely,



Krystal Reeb
Associate Director

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas
Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Michele Peterson Sigma Alpha Mu National Headquarters Representative
Andy Huston Sigma Alpha Mu National Headquarters Representative

May 18, 2018

Sigma Alpha Mu
Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear [REDACTED] and Members of Sigma Alpha Mu:

I am writing to notify you of the outcome of the Sigma Beta chapter of Sigma Alpha Mu's Administrative Hearing which took place on March 20, 2018. While you were invited to attend this hearing as a representative of the chapter, you chose not to attend. Therefore, I moved forward with the hearing consistent with the Code of Student Conduct. Based on the information available to me at the time of the hearing, I have found Sigma Alpha Mu **in violation** of the following charges:

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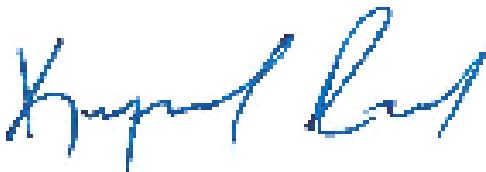
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If you have any questions concerning this matter, please do not hesitate to contact me at 614-292-0748 between 8:00 a.m. and 5:00 p.m. Monday through Friday.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Krystal Reeb', is positioned above the printed name.

Krystal Reeb
Associate Director

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas
Ryan Lovell - Senior Director of Parent and Family Relations and Greek Life
Michele Peterson Sigma Alpha Mu National Headquarters Representative
Andy Huston Sigma Alpha Mu National Headquarters Representative

STUDENT CONDUCT APPEALS

Student Appeals

- A student or organization found to have violated the Code of Student Conduct has the right to appeal the original decision. **The appeal is not intended to re-hear or re-argue the same case, and is limited to the specific grounds outlined below.** The appeal must state the specific grounds for the appeal and should include all supporting documentation. The appeal must be postmarked or hand delivered to the appropriate appeal officer, or sent via email, **by the deadline provided in the decision letter**, which is usually five (5) working days after the date on which notice of the decision is sent to the student. Each student or organization shall be limited to one appeal. **The decision of the appeal officer is final.**
- In cases involving charges relating to sexual harassment as defined in applicable university policy, the victim may appeal the original decision. Such charges include, but are not limited to, sexual misconduct and stalking.
- A student who (or organization that) has accepted responsibility (Administrative Disposition) for violating the Code of Student Conduct waives the right to appeal, except on the basis that the disciplinary sanction is grossly disproportionate to the violation(s) committed.
- Each party shall be limited to one appeal. The decision of the appeal officer is final.

Grounds for appeal

An appeal may be based only upon one or more of the following grounds:

1. Procedural error that resulted in material harm or prejudice to the student (i.e., by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results;
2. Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body; or
3. Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating factors.

Non-attendance by the accused student may not be the sole grounds for an appeal. Dissatisfaction with a decision is not grounds for appeal.

Appeal Procedure

1. Complete the Appeal Request Form, including signing the form.
2. If applicable, attach supporting documentation.
3. Turn in the signed form and any added documentation to Student Conduct by the deadline. Student Conduct will ensure that the appeal officer receives the appeal and the record of the case.
4. Students neither meet with nor make oral presentations to the appeal officer, except at the request of the appeal officer in order to obtain relevant information.
5. Students who do not submit their appeals by the date/time specified in their decision letter waive their opportunity to appeal.
6. Students who do not provide information concerning the basis of their appeal waive their opportunity to an appeal.



APPEAL REQUEST FORM

Name: _____

Student ID#: _____

Phone: _____

Email: _____

I am the: _____accused student _____victim in a sexual harassment/violence case

I am basing my appeal on one or more of the following reasons [If you check a basis, you must provide facts, documentation or perspective that supports your appeal. It is important to provide information that is as detailed and accurate as possible, so that the appeal officer can make an informed decision regarding the appeal. You may attach additional sheets as needed].

_____1. Procedural error that resulted in material harm or prejudice to the student (i.e. by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.

Please identify the procedural error(s) that took place and how the error(s) prevented a fair, impartial or proper hearing.

_____2. Discovery of substantial new evidence that was unavailable at the time of the hearing, and which reasonably could have affected the decision of the hearing body.

Please describe the new evidence and, if appropriate and possible, attach it to this appeal. Indicate why the information was not provided at the time of the hearing. Also indicate why the information is sufficient to alter the original decision in the case.



____ 3. Disciplinary sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating circumstances.

Please explain how the sanction is grossly disproportionate to the violation (i.e. unreasonably harsh or light, given all of the relevant circumstances).

I certify that the information presented in my appeal is accurate, to the best of my knowledge. I understand that providing false information is a violation of the Code of Student Conduct and subject to disciplinary charges.

Signature

Date

For Student Conduct Staff:

Received by:

Time

Date Stamp:

Delivered to Appeal Officer

Date

**The Ohio State University
Student Conduct Appeal**

Submitted on May 25, 2018 at 3:25:40 pm EDT

Nature: **Administrative Hearing**
Urgency: **one**
Incident Date and Time: **2018-03-20**
Incident Location: **Krystal Reeb**

Reported by

Name:
Title:
Email:
Phone:
Address:

[UNAUTHENTICATED]

Student Information

Andy Huston ()	Andy@sam.org	317-789-8338
Respondent		

Appeal

1.) Procedural Error that resulted in material harm or prejudice to the student (i.e., by preventing a fair, impartial, or proper hearing). Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results.

I am NOT appealing on the ground of procedural error(s).

2.) If you are appealing on the ground of procedural error, please identify the error(s) and explain how the error(s) prevented a fair, impartial or proper hearing. If you are not appealing on this ground, enter "N/A."

N/A

3.) Discovery of substantial new evidence that was UNAVAILABLE at the time of the hearing, and which reasonably could have affected the decision of the hearing body

I am NOT appealing on the ground of substantial new evidence.

4.) Please describe the substantial new evidence and explain how it would have affected the outcome. If you are not appealing on this ground, enter "N/A."

N/A

5.) Please explain why this evidence was not available before or at your hearing. If you are not appealing on this ground, enter "N/A."

N/A

6.) Disciplinary Sanction imposed is grossly disproportionate to the violation(s) committed, considering the relevant aggravating and/or mitigating actors.

I am appealing on the ground of grossly disproportionate sanctions.

7.) Refer to your outcome letter, which lists the sanctions given in your case. List the sanction (or sanctions) you believe are grossly disproportionate. If you are NOT appealing on this ground, enter "N/A."

Please see attached letter of appeal from Sigma Alpha Mu Fraternity Executive Director Andy Huston.

8.) Explain why this sanction is grossly disproportionate.

The suspension period is too long.

9.) Provide additional information regarding your selection to the previous question.

See attached letter.

10.) Provide an alternative sanction (or sanctions) that would be proportionate (i.e., shorter probation/suspension periods; different effective start or end dates for a suspension period). A response to this question is REQUIRED to submit an appeal on the ground of "disproportionate sanction." The decision on whether to grant an appeal and alter a sanction, however, remains with the Senior Vice President of Student Life (or designee). If you are not submitting an appeal on this ground, enter "N/A."

See attached letter.

11.) Is there additional information you wish to share?

See attached letter.

12.) If you are submitting other material with this appeal, please describe that material below.

Appeal letter and supporting documentation that Sigma Alpha Mu Fraternity presented in the hearing.

Attachments

sigmaalphamusigmabetaappealdocumentmay252018.pdf

Pending IR #00023311

Submitted from 50.79.123.197 and routed to Krystal Reeb (Associate Director). Processed by routing rule #103.

Copies to: studentconduct@osu.edu,smith.4941@osu.edu

Sigma Alpha Mu Fraternity



DATE: May 25, 2018

TO: Senior Vice President for Student Life Dr. Javaune Adams-Gaston (adams-gaston.1@osu.edu), Director, Student Conduct Kelly Smith, JD (smith.4941@osu.edu), & Senior Director, Parent and Family Relations and Greek Life Ryan Lovell (lovell.113@osu.edu)

FROM: Executive Director Andy Huston (andy@sam.org)

RE: Appeal on behalf of Sigma Alpha Mu Fraternity Headquarters & Sigma Beta Alumni Board

Sigma Alpha Mu Fraternity, Inc. is filing this appeal based on the grounds of “grossly disproportionate sanctions” based on the May 18, 2018 conduct letter. The hearing for this case took place on March 20th.

This response was prepared by Sigma Alpha Mu Fraternity Headquarters Staff Executive Director Andy Huston and Director of Chapter Services Michele Peterson in partnership with Sigma Beta Alumni Board Members David Phillips, Ryan Crossley, Joel Greff & Evan Remer. We appreciate that the conduct process requests a response from a student, however since closing the chapter in February we do not authorize any of our former undergraduate members to speak or act on behalf of Sigma Alpha Mu Fraternity or its Sigma Beta Chapter.

Rationale of concern from Hearing Officer:

1. Partnership and response of [REDACTED]
 - a. [REDACTED] was no longer an undergraduate member of Sigma Alpha Mu - Sigma Beta Chapter at the time of the hearing since Sigma Alpha Mu Headquarters closed the chapter on February 5th. Therefore, he was not authorized to represent Sigma Alpha Mu - Sigma Beta Chapter in any capacity. [REDACTED] was not truthful with the local alumni advisors, headquarters and campus administration. This was communicated to the Hearing Officer by the fraternity staff. We understand the importance of student participation, but this was not a normal process since the fraternity headquarters had closed the chapter more than a month prior to this hearing.
 - b. The Fraternity Executive Director made several trips to Columbus to investigate and attempt to collaborate with OSU Conduct and SFL. Sigma Alpha Mu Headquarters was provided no investigative information from OSU Student Conduct until February 2nd despite the chapter's cease and desist status beginning in October.

- c. Sigma Alpha Mu Headquarters and Advisory Board provided Conduct with additional evidence regarding this case that was able to be pulled out following the receipt of the February 2nd investigative packet.
 - d. Sigma Alpha Mu's Board of Directors (Octagon) voted to close the chapter based on this information on February 5th. This information was communicated with Ryan Lovell and Kelly Smith on February 8th. Executive Director Andy Huston called from the hospital while his wife was waiting to be discharged following the birth of their first child. The entire Advisory Board and Director of Chapter Services participated in that call. This action was documented in [The Lantern](#) on February 10th.
2. Severity of the violations when considered on a continuum
- a. The expansion effort was corrupted by the rogue group that persisted since the 2013 closure. When this was discovered upon review of the February 2nd investigative packet, the Headquarters and Alumni Board were united in the need to close this group and restart fresh.
 - i. [REDACTED] was part involved in an incident at his residence hall that highlighted this link to "Big Brothers" in the rogue group. All efforts by local alumni and staff to follow-up on this initial report were deflected by students that this report from the residence hall was inaccurate.
 - ii. The colony/chapter leaders took great lengths to hide this linkage from the staff and alumni. They met at an off-campus house to engage in conduct they knew was unacceptable to the Headquarters and Alumni Board, while holding official activities with the chapter advisors elsewhere.
 - iii. While the Headquarters and Alumni Board reviewed conduct history following the FERPA release of students prior to colonization, it was very disappointing to see some members had conduct issues that occurred shortly after that review. Had we known, those individuals would have been removed from the colony. This is a learning moment for our organization and we will request conduct reports multiple times a semester to prevent a similar situation in the future.
 - b. Sigma Alpha Mu Fraternity Headquarters, upon receipt of the investigative packet, was able to drill down on allegations. Unfortunately, this resulted in our discovery of "Hell Week" at an off-campus house during Fall 2017 while the chapter was under cease and desist. We believe that had the university provided more timely information to the Fraternity Headquarters and Alumni Board, we could have taken action more swiftly. We were a collaborative and transparent partner with the Office of Student Conduct as you can reference in the supplemental correspondence following below.
 - c. Sigma Alpha Mu - Sigma Beta Chapter was punished for its 2013 conduct with loss of recognition. This sanction seems to state that the organization also being held more firmly accountable for sanctions that have already been enforced. Sigma Alpha Mu Fraternity Headquarters feels like this is double jeopardy.
 - i. Furthermore, the Sigma Beta Chapter was on cease and desist status beginning in October 2017. Sigma Alpha Mu Fraternity Headquarters efforts to comply

with this cease and desist status followed by revoking the chapter's charter resulted in a loss of more than \$26,000 in revenue this academic year. Each year the chapter is closed represents more than \$50,000 in lost revenue from dues, initiation fees, and insurance premiums.

3. Actions Planned to Address Former Undergraduates

- a. Sigma Alpha Mu Fraternity will post an annual advertisement in The Lantern and provided a flyer to Hillel stating that Sigma Alpha Mu is not recognized. Any knowledge of activity in that name should be reported to samhq@sam.org or 317.789.8338. We will relay any such notifications of activity to OSU's Conduct and SFL Offices.
- b. We will undertake expulsion processes against the former undergraduate members if and when these reports are received; as well as a cease & desist letter from our legal counsel.
- c. We ask for OSU's support in relaying concerns to us related to any activity in the name of Sigma Alpha Mu. Furthermore, we expect OSU to hold individual students accountable to the student code of conduct should they violate trademarks of Sigma Alpha Mu or continue operations under a different name contrary to the directives of the institution.

Measures Planned for Future Recolonization Effort

Sigma Alpha Mu will provide OSU and SFL with a detailed response to corrective measures that we are planning as a result of this disappointing student conduct following our recent expansion effort as requested in the conduct outcome letter. We have already discussed models that have proven successful at the University of Maryland through increased investment in staff time with the expansion effort which will involve two men for at least 8-weeks followed by regular visits. Our recruitment process will be narrowed to primarily target Midwestern students that appreciate the fraternity's Jewish heritage. We have had adverse experiences with Northeast students at Big Ten schools due to behavior that is inconsistent with our values. We will set a minimum GPA of 3.0 to join and leverage Sigma Alpha Mu Foundation scholarship funds to attract those men. Meetings of the chapter will be conducted on campus with alumni presence and support. Regular conduct checks will be reviewed with required FERPA releases for members interested in joining Sigma Alpha Mu. We will also pilot any new health and safety programming of the fraternity with the new group to ensure we are starting on the same page regarding policies, conduct, and expectations of membership. Upon our return to campus in coordination with the Office of Sorority/Fraternity Life, no previous undergraduate member from Ohio State will be eligible for undergraduate membership in the new group should they still be enrolled at that time.

The local alumni board consists of an extraordinary group of alumni that are dedicated to a successful chapter. They also have strong involvement in the international fraternity leadership which provides additional wisdom and perspective. These men include: Past International President, Foundation Director & Endowment Fund Chairman David Phillips (OSU '80), Past International Board Member Ryan Crossley (Miami OH '01), Long-time Chapter Advisor Joel Greff (OSU '85), Former Regional Governor &

Long-time Chapter Advisor Brian Katz (OSU '77), and Past International Board Member Evan Remer (Texas '02). Not only do these men have decades of significant involvement, but they are all local to the Columbus area. We are all embarrassed and disappointed about how this previous group misled us, but we're all the wiser for it and will not be fooled again.

Requested Reduction of Sanction

Sigma Alpha Mu Fraternity Headquarters and the Sigma Beta Alumni Board are requesting that our loss of recognition be reduced to 2 years. Our justification for this timeframe is that it aligns with the 3 year minimum suspensions, considering "time-served" since the chapter was on a cease and desist for all but one month of the 2017-2018 academic year. We believe that this is a better reflection of the partnership between Ohio State University, Sigma Alpha Mu Fraternity Headquarters and its local Alumni Board. Ability to return in the 2020-2021 academic year would also coincide with the Sigma Beta Chapter's 100th anniversary (originally chartered May 28th, 1920). This timeframe will be beneficial to the Ohio State University and Sigma Alpha Mu as nearly 2,000 living alumni from Ohio State engaged and leveraged for the successful return of the chapter.

Information Provided to Hearing Officer from Sigma Alpha Mu Fraternity Headquarters

Supplemental documentation for Sigma Alpha Mu Fraternity hearing:

After receiving the 120-page investigation document from Ohio State's Conduct Office, we used that information for further conversations with the chapter leadership. Through those additional conversations, we learned the following:

During the beginning of the colonization process in spring 2016, staff and the Sigma Beta advisory board worked to identify members of the rogue group that remained on Ohio State's campus. We tried to collaborate with the University, IFC/PHA through the use of a referral form, without much success of getting names of those individuals.

There was one student, [REDACTED], with connections to the rogue group. The Hillel Rabbi was advocating for [REDACTED] to be a member of the Sigma Alpha Mu colony because he was a good student and leader (from his involvement with Hillel). The Hillel Rabbi met with Antonio to advocate for [REDACTED] and that he should be given a chance and Antonio said okay. Hillel Rabbi then met with SAM staff member Tyler Kieffer to relay the news. SAM staff member Tyler gave a bid to [REDACTED] without discussing with Executive Director Andy Huston and Director of Chapter Services Michele Peterson. Antonio reached out to Executive Director Andy Huston to share that [REDACTED] had been given a bid. Andy Huston reached out to Tyler to discuss and that is when Tyler had shared that the Rabbi said it

was okay. Andy stressed to Tyler that he should have had a meeting with Antonio to discuss before giving a bid to [REDACTED]. With Antonio's permission to keep [REDACTED] part of the group, Andy Huston had an individual phone call with [REDACTED] to discuss expectations and that there would be no contact or connection with the rogue group. [REDACTED] understood and agreed. Additionally, all men were informed as they accepted bids that they would be removed from the chapter if they associated with that rogue group.

Ryan Lovell sent an email to SAM staff members Tyler and Jacob on March 13, 2016 (see supplemental document #2). Here is an excerpt from the email:

In the report it mentions a few times that the men we're hoping to get off campus to the house of one of the gentlemen's "Big Brother". Here is that part of the report. I've removed their names since I cannot share those at this point:

(Residents' names) wanted to go to the Big of (resident name) off campus. The resident advisor suggested they not go. (Resident Name) said that he had been drinking somewhat and needed to see his Big. (Resident name) said that he is very close with his Big and that he is a cousin."

The report also has this line in it, "the RA found out at this point that some of the members of (resident's name) fraternity made him take drinks at Midway (a campus area bar)."

The use of the term "big brother", since it doesn't appear to indicate an actual "blood brother, is a bit curious and worrisome. Has the group of new men been assigned alumni big brothers that they are working with? As the young men appeared that they were planning to walk to this off campus location, I'm not sure you have alumni who live close enough to campus for that to be the case. You can understand our worry that the men could have aligned themselves with former members of the organization who are still present in the off campus area.

I know you've made and continue to make every effort to have the new group grow and develop in a way to separates the men from the actions and attitudes that plagued the former chapter. I just wanted to bring this issue to your attention.

Based on the documentation (see supplemental document #2), SAM staff members had a phone call with Ryan Lovell to discuss further. As of today (3/13/18), SAM staff members can not recall if we were told the individual's name involved on that phone call or not. Past SAM staff member Tyler, believes we learned at some point (either from Ryan or our members) that this report was in reference to [REDACTED] who was the member involved in the situation. From what Tyler can remember, when he approached Andrew concerning this, he said that [REDACTED]. He shared that in the report from the RA, he was referencing needing to see [REDACTED]. At that point, we didn't have any additional information from the University to confirm all individuals involved even though we had FERPA releases signed and had received conduct checks the month prior. Furthermore, we would have extra caution

and concern about [REDACTED] becoming the [REDACTED] of the group had he just been implicated in having drugs in his residence hall. That information was not included in the report.

Upon receipt of the investigation packet, we saw the actual redacted conduct report referenced above. In the context of other information, we questioned [REDACTED] [REDACTED] about whether members of the colony in spring 2016 had “big brothers” in the rogue group - in particular [REDACTED] who was [REDACTED] big brother. [REDACTED] was honest and confirmed that [REDACTED] had a “big brother” in the rogue group.

The Sigma Alpha Mu staff and volunteers were not aware of this information until recently. We recognize that the advisors and staff continued to advocate to administration that these were separate and past misdeeds should be held against our new group. We were wrong. We have been lied to since the beginning of this group. Additionally, Executive Director Andy Huston apologizes for admonishing the OSU administration for not being forthcoming about this spring 2016 incident. Reading the individual conduct report was also frustrating because that happened the evening that Sigma Beta was officially colonized.

Through our investigation, we have learned more about the night in question from the initial investigation by Ohio State Student Conduct Office. This was a big brother night where the big brothers provided liquor to their little brothers and strippers were present. The “loud noises” that were reported were not due to line-ups, rather excitement from the event at hand. Additionally, we learned [REDACTED] [REDACTED] (and confirmed by [REDACTED] that the chapter continued with their fall 2017 candidate class (while on Cease and Desist) and had a “hell week” (primarily facilitated by those living in the annex house). “Hell weeks” are strictly prohibited in Sigma Alpha Mu Risk Management Policy.

We are extremely upset and disappointed to learn this new information through our investigation. The undergraduate students have lied for two years, violated Sigma Alpha Mu and University policies, and not lived up to our values as a Fraternity. Upholding the standards and values of Sigma Alpha Mu Fraternity, has and always will be the number priority for the International Fraternity and the Sigma Beta Alumni Advisory Board. I think you have seen that displayed, as when issues occur both the Advisory Board and HQ are always willing to partner and be present to work together to hold the chapter and individuals accountable.

With this new information from the investigation, we know that Sigma Alpha Mu will not have long term success with these students being a part of the undergraduate chapter. On February 9, 2018, the Octagon (Sigma Alpha Mu Fraternity Board), voted to suspend the charter of Sigma Beta at Ohio State University and close the chapter.

It is the Fraternity’s hope to partner with Ohio State University to restart the chapter in Spring 2019. We would not take any members or new candidates of the current group. We strongly believe that returning to Ohio State in Spring 2019, will be helpful to navigate the rogue group (since we know the individuals involved) and be able to address any rogue influence.

The new colony of Sigma Beta would be a pilot chapter for any revisions moving forward with our newly developed Health and Safety Task Force. We have a strong local alumni presence that has committed to working closely with a new colony. The Chapter's 100th Anniversary is in 2020. We want to have a positive and active presence on campus for Sigma Beta/Ohio State alumni to be able to celebrate this milestone.



July 23, 2018

PERSONAL AND CONFIDENTIAL

Regarding Case Number: [REDACTED]

Dear Mr. Huston:

I am writing in response to the appeal you submitted on May 25, 2018 on behalf of Sigma Alpha Mu. Section 3335-23-18 (A) (1) of the Code of Student Conduct allows students who violated the Code to submit an appeal. Section 3335-23-03 (B) (3) defines “student” to include registered organizations.

The Student Conduct process generally allows only a student representative of a student organization to submit an appeal of an outcome. However, the Code anticipates situations in which minor deviations from the Code are acceptable. Based on the unique and limited circumstances of this situation, including, but not limited to, the following:

- Sigma Alpha Mu initiated its own thorough investigation and revoked the Sigma Beta Chapter’s charter;
- Due to this revocation, there are no active student representatives of the organization;
- Sigma Alpha Mu cooperated with Sorority and Fraternity Life to communicate the charter revocation appropriately to students and their families;
- Sigma Alpha Mu communicated with candor and clarity during the Student Conduct process;

I have accepted and reviewed Sigma Alpha Mu’s appeal.

In its May 25, 2018 letter of appeal, Sigma Alpha Mu committed to taking the following actions regarding the former members of the Sigma Beta Chapter:

- Sigma Alpha Mu Fraternity will post an annual advertisement in The Lantern and provide a flyer to Hillel stating that Sigma Alpha Mu is not recognized. Sigma Alpha Mu will ask anyone with knowledge of “underground activity” to report that information to samhq@sam.org or 317.789.8338. Sigma Alpha Mu will share any reported information with Sorority and Fraternity Life and Student Conduct.
- Sigma Alpha Mu will expel any former undergraduate member if/when reports are received and engage its legal counsel to send cease & desist letters to such members.

Additionally, upon reestablishing a chapter, Sigma Alpha Mu enumerated a list of commitments to be undertaken by the national organization. Based on these commitments and the university’s expectation that they are carried out, I am reducing the length of the suspension period by

changing the end date from August 6, 2023 to August 7, 2022.

If you have questions regarding your case, please contact Student Conduct at (614) 292-0748.

Sincerely,

A handwritten signature in dark ink, appearing to read "Matt Couch". The signature is fluid and cursive, with the first name "Matt" and last name "Couch" clearly distinguishable.

Matt Couch, PhD
Associate Dean of Students

CC: Director of Sorority and Fraternity Life - Kim Monteaux De Freitas
Senior Director of Parent and Family Relations and Greek Life - Ryan Lovell
Associate Director Student Conduct - Krystal Reeb

Suspension Information Sheet

1. You have the right to appeal. An appeal must be received within five (5) business days from the date on the outcome letter. **We will toll (i.e., not put into effect) your suspension until the deadline to submit an appeal passes.** Should you submit an appeal, the suspension will be further tolled until a decision on your appeal is issued. Please see the Code of Student Conduct, Section 3335-23-18 or <https://trustees.osu.edu/assets/files/RuleBook/CodeStudentConduct.pdf>, for further information about the appeal process.
 - a. **If you appeal:** While the appeal is being decided by the Vice President for Student Life, you are permitted to be on campus; attend classes; and otherwise act as an enrolled student until an appeal decision is returned.
 - i. Please note, any previous restrictions or stipulations will remain in effect for the duration of your appeal period. (e.g. interim suspension, restrictions, housing changes, no contact orders, etc.) You will be responsible for any charges (e.g. housing, tuition, etc.) incurred during the appeal period.
 - ii. If your appeal is denied, your suspension will be processed immediately, **effective the original date indicated in your outcome letter.**
 - b. In Title IX cases, the complainant also has the right to appeal an outcome. Student Conduct will notify you if the complainant submits an appeal.
2. Once your suspension has been processed, you may not enter any Ohio State campus, facility, grounds, or sponsored event without the express permission of Student Conduct or the Vice President for Student Life. Permissions are granted on a limited basis.
 - a. Attending a **scheduled appointment** (you may not just “drop by”) with a Student Conduct staff member does not require the Vice President’s approval.
 - b. All other requests should be directed to Dr. Javaune Adams-Gaston, Vice President for Student Life.
 - i. To request permission to enter any Ohio State campus, facility, grounds, or sponsored event, send an email to Dr. Adams-Gaston and Doug Koyle, Assistant Vice President for Student Life:
To: adams-gaston.1@osu.edu
CC: koyle.1@osu.edu
 - c. Violation of the terms of your suspension may result in additional sanctions as found in the Code of Student Conduct. For more information regarding which areas or events fall under this definition, please visit the online Code of Student Conduct. It is your responsibility to ensure that you comply with the terms of your suspension.
 - d. Suspensions are noted on your academic transcript.
3. If you are approaching the fee payment deadline for the term in which you would like to return to the University, and you suspect that your fees will be unpaid because of financial aid issues, please contact Student Conduct immediately.
4. Generally, unless your suspension requires a petition before reenrollment, if you have completed all sanctions, you will be able to register in the 12th week of the last semester you are suspended, so long as there are no other holds on your student account. However, you are still not permitted on campus until your ending suspension date has passed.