

January 6, 2022

Phi Delta Theta Fraternity

Sent electronically to [REDACTED]

PERSONAL AND CONFIDENTIAL

Please print or save a copy for your records.

Regarding Case Numbers: 2021136801 and 2021199804

Dear Thomas:

I write this letter as final resolution concerning pending Code of Student Conduct alleged violations for Phi Delta Theta Fraternity at Bowling Green State University (BGSU). As you are aware, I met with your former chapter president, who represented the organization, on October 18 and November 15, 2021. Those meetings occurred because the Office of the Dean of Students had received information indicating that the organization reportedly engaged in conduct that violated the Code of Student Conduct at an off-campus residence on October 9 and October 30, 2021.

On November 15, 2021, I sent two separate correspondence letters to the previous chapter president informing him that based upon the information gathered throughout the investigation process, I had made the determination that there was sufficient justification to charge the organization with violating the Code of Student Conduct. The first letter was related to an off-campus incident from October 9 into October 10, 2021, and identified four (4) alleged violations of the following Code of Student Conduct sections:

(G)(4)(b)(ii) Offenses Disrupting Order or Disregarding Health and Safety– Alcohol

Selling, distributing, or furnishing of alcoholic beverages except as expressly permitted by law and University Policy. This includes, but is not limited to, providing alcohol to a person under the legal drinking age.

(G)(4)(b)(iv) Offenses Disrupting Order or Disregarding Health and Safety– Alcohol

Failure of a recognized student organization or student group to take all necessary steps to ensure that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or within any property or transportation it owns, operates, and/or rents.

(G)(4)(b)(v) Offenses Disrupting Order or Disregarding Health and Safety– Alcohol

Hosting or participating in any activity that promotes excessive consumption of alcohol.

(G)(4)(f)(ii) Offenses Disrupting Order or Disregarding Health and Safety– Disruptive Behavior

Causing, inciting, or participating in any conduct that unnecessarily disturbs others or disrupts local municipalities including, but not limited to, participating in or inciting a riot.

The above charges for violating the Code of Student Conduct were warranted based upon information that the organization hosted a gathering with approximately 60 people at 411 N. Enterprise Street, and multiple individuals needed medical or police intervention.

The second letter was related to an off-campus incident from October 29 into October 30, 2021, and identified two (2) alleged violations of the following Code of Student Conduct sections:

(G)(4)(b)(iv) Offenses Disrupting Order or Disregarding Health and Safety– Alcohol

Failure of a recognized student organization or student group to take all necessary steps to ensure that no person under the legal drinking age possesses alcoholic beverages at functions it sponsors or within any property or transportation it owns, operates, and/or rents.

(G)(4)(f)(ii) Offenses Disrupting Order or Disregarding Health and Safety– Disruptive Behavior

Causing, inciting, or participating in any conduct that unnecessarily disturbs others or disrupts local municipalities including, but not limited to, participating in or inciting a riot.

The above charges for violating the Code of Student Conduct were warranted based upon information that the organization hosted a gathering with approximately 40 people, and at least one individual under the age of 21 was reported to have consumed or possessed alcohol at 411 N. Enterprise Street to the point where medical attention was warranted.

I explained in my letter dated November 15, 2021, that the chapter president, on behalf of the organization, needed to decide how to resolve these charges for allegedly violating the Code of Student Conduct by completing and returning the Conduct Resolution Record by 5:00 p.m. on November 17, 2021.

Findings

The previous chapter president, on behalf of the organization, originally submitted a request to have the pending allegations resolved via a formal hearing with the University Conduct

Committee, and a formal hearing was scheduled for December 14, 2021.

On December 6, 2021, the former vice-president of the chapter, on behalf of the organization, submitted two updated Conduct Resolution Records accepting responsibility for violating sections (G)(4)(b)(ii), (G)(4)(b)(iv), (G)(4)(b)(v), (G)(4)(f)(ii) of the Code related to the October 9 and 10, 2021, incident as well as accepting responsibility for violating sections (G)(4)(b)(iv) and (G)(4)(f)(ii) of the Code related to the October 30 and 31, 2021 incident.

By accepting responsibility for the violations, the organization has chosen to have the cases resolved by means of informal disposition. Therefore, the organization waived the right to a formal hearing. Accordingly, I am finalizing this case, as provided by the Code of Student Conduct, and the organization has now been found responsible for the six referenced violations above.

Sanctions

In considering sanctions for these violations, I considered multiple factors.

First, the organization has a recent history of violating the Code of Student Conduct. Specifically, the organization is currently on Deferred Suspension status and is not in good standing with the university after being found responsible for three (3) violations of the Code of Student Conduct stemming from incidents on April 12 and 13, 2021. In my outcome letter to the previous chapter president on May 17, 2021, I informed the organization that being found responsible for any misconduct while on Deferred Suspension status would likely lead to suspension as a recognized student organization at the university.

Second, the conduct for which the organization has been found responsible for had the potential to cause significant harm and jeopardized the health and safety of BGSU students as well as other members of the community. The party on October 9 and 10, 2021, reportedly had at least 60 people in attendance. The four separate reports that were received related to the October 9 and 10 party were quite serious in nature and referenced individuals being highly intoxicated, two individuals being transported to the Wood County Hospital for their intoxication levels, and a 16-year old being served alcohol at the party. Four individuals under the age of 21 reported that they had consumed alcohol, specifically “jungle juice”, that was provided to them during the party on the night of October 9 and 10, 2021. Jungle juice is a common source beverage known to contain a high alcohol content, and multiple individuals who consumed “jungle juice” at this party had to receive medical treatment and/or police intervention due to their level of intoxication, including an individual who was 16 years old. The party on October 30 and 31, 2021, reportedly had around 40 people in attendance, and at least one individual who was under the age of 21 and consumed or possessed alcohol at the party required medical attention due to overconsumption of alcohol.

Third, it is highly concerning that at the time of the October 30 and 31, 2021 party, the

organization was aware of the Code of Student Conduct investigation related to the October 9 and 10, 2021 incident and was under an interim suspension of activities pending the outcome of that investigation and thus was not permitted to host any events with alcohol. The fact that the organization hosted another event with alcohol, shows complete disregard for BGSU policies as well as a disregard for the well-being of others.

Given the totality of these considerations, Phi Delta Theta Fraternity at BGSU is suspended as a recognized student organization effective immediately. The organization will not be eligible to petition the university for recognition as a student organization until the fall 2024 semester. In accordance with the sanction of suspension, the organization is prohibited from recognition on the Bowling Green or Firelands campuses during the suspension period. This sanction of suspension will be permanently noted on the organization's disciplinary record. In addition, the organization forfeits its assigned townhouse within the Greek Village, and the Office of Residence Life will provide more information concerning the process and timeline to vacate that facility as soon as possible. BGSU reserves the right to alter the sanctions at any time during the suspension period upon receipt of additional relevant facts. Should the organization be approved to return to BGSU after this suspension, it will be placed on Conduct Probation for one academic year.

Prior to petitioning for reinstatement as a recognized student organization, the following must be implemented and/or committed to occurring:

- The local chapter's charter must have been suspended/revoked throughout this suspension period and until university recognition is reinstated.
- The organization must create a chapter advisory board with a minimum of four (4) active members – one of which must be a BGSU faculty or staff member. Advisory board members must be designated to work with the chapter president/executive officers, recruitment process, new member education, as well as risk management and chapter standards/accountability operations. All advisory board members must be approved by the Phi Delta Theta Fraternity headquarters, be on file with the BGSU Office of Fraternity and Sorority Life, and members must complete all fraternity and university mandated chapter advisor training(s).
- The organization must have a functioning Standards/Accountability Board that has been trained by the Phi Delta Theta Fraternity headquarters and the Office of the Dean of Students. The organization will need to send weekly accountability reports to the Phi Delta Theta Fraternity headquarters concerning any member misconduct that occurs during the first year the organization is again recognized by the university.
- No current member or local advisor may be affiliated with the chapter of Phi Delta Theta Fraternity at BGSU as a condition of reinstatement as a recognized student organization.

You, on behalf of the organization, have the right to appeal these sanctions within five (5) business days. Should the organization choose to exercise this right, submit the appeal on behalf of the organization online via the [Appeal Form](#) no later than 5:00 p.m. on **Thursday, January**

13, 2022. Jodi Webb, Associate Vice President for Student Affairs, will review the appeal and issue a final decision regarding the sanction(s).

Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Botts". The signature is fluid and cursive, with the first name "Michael" written in a larger, more prominent script than the last name "Botts".

Michael Botts
Assistant Dean of Students

CC: Stacey Allan, Associate Director of Student Engagement
Dr. Joshua Lawrie, Director of Residence Life
Todd Simmons, Director of Chapter Support, Phi Delta Theta Fraternity
Mason Whitis, Chapter Support Coordinator, Phi Delta Theta Fraternity