

January 19, 2018

Sigma Phi Epsilon, Tennessee Gamma Chapter

719 West Maple Street

Johnson City, TN

Dear President and Brothers of Sigma Phi Epsilon, Tennessee Gamma Chapter:

This will confirm the results of the Disciplinary Hearing which was held with on January 19, 2018 1:00 PM at the East Tennessee Room located on the 3rd level of the DP Culp to review an incident (Information Report) occurring at D.P. Culp Center on December 6, 2017 12:00 AM.

After reviewing all of the information presented, it was determined that you are responsible for violating the following sections of ETSU's Institutional Disciplinary Policies:

Disciplinary Offenses/Disorderly Conduct - Any individual or group behavior which is abusive, obscene, lewd, indecent, violent, excessively noisy, disorderly, or which unreasonably disturbs institutional functions, operations, classrooms, other groups or individuals;

Disciplinary Offenses/Violation of Imposed Disciplinary Sanctions. - Intentional or unintentional violation of a disciplinary sanction officially imposed by an institution official or a constituted body of the institution;

As a result of this finding, you must complete the following sanctions:

1. Probation.

Start Date: Wednesday, May 16, 2018

Complete by: Saturday, December 15, 2018

Continued enrollment of a student or recognition of a student organization on probation may be conditioned upon adherence to these regulations. Any student or organization placed on probation will be notified in writing of the terms and length of the probation. Probation may include restrictions upon extracurricular activities, or any other appropriate special condition(s). Any conduct in further violation of these regulations while on probationary status or the failure to comply with the terms of the probationary period may result in the imposition of further disciplinary action;

2. Any alternate sanction deemed necessary and appropriate to address the misconduct at issue.

Start Date: Friday, January 19, 2018

Complete by: Tuesday, May 15, 2018

Sigma Phi Epsilon will work with Maggie Darden, Director of Fraternity and Sorority Life, to develop and fund a program to develop Greek community at ETSU. The program should take place by the end of the Spring 2018 semester, unless otherwise negotiated with Director Darden.

3. Any alternate sanction deemed necessary and appropriate to address the misconduct at issue.

The board requests that Sigma Phi Epsilon conducts a full member review.

It was determined that you are not responsible for violating the following sections of ETSU's Institutional Disciplinary Rules:

Theft, Misappropriation, or Unauthorized Sale of Property;; Misuse of or Damage to Property. ; Conduct Dangerous to Self or Others.

To appeal this decision, you must submit a written appeal to our office. Your appeal will must be received within three (3) business days of this letter to be considered. Grounds for filing an appeal are listed below.

Failure to complete any sanction by the stated deadline may result in more serious actions being taken against you.

If you have any questions you may contact me at byrdt@etsu.edu or 423-439-6129.

Sincerely,



Michelle Byrd  
Assistant Dean of Students

byrdt@etsu.edu  
423-439-6129

To review general information on the student code of conduct at ETSU or the campus judicial process, please visit the Student Conduct website at: <http://www.etsu.edu/students/conduct>

#### ETSU STATEMENT OF PROCEDURAL RIGHTS Post-Hearing & Appeal Information — Please Review Carefully

The respondent has the right to appeal this decision and/or sanction to the next higher judicial authority.

The respondent may be asked of their desire to appeal at the end of a hearing, but will have three (3) business days to reach a final decision.

The time limit for filing an appeal expires 3 business days following the receipt of the hearing outcome letter.

If the respondent desires to appeal, a written statement of reasons for appealing must be forwarded to office which adjudicated the case, either the Office of Housing and Residence Life

(1st floor Burgin E. Dossett Hall) or the Student Affairs Office (3rd floor, D.P. Culp University Center). Reasons for appealing must be stated in writing and based upon:

1. alleged irregularities that violate procedural due process; or
2. upon introduction of new evidence that might cause another hearing officer of board to alter the decision or sanction; or
3. if the accused feels that the sanction is unduly harsh

The case will be reviewed only in that portion of the original hearing that deals with the appeal.

The appeal will be forwarded to the appropriate appeal board/officer; who will set a date for reviewing the case.

The appeal board or officer, upon reviewing the case, will have several options. The original decision may be affirmed or reversed. In cases where the original action is inappropriate as a result of issues involved in the appeal, the appeal board or officer may revert the case back to the original board or hearing officer, modify the original action, or hold a completely new hearing.

For complete information about ETSU policy, procedure, rights, and campus resources related to sexual misconduct investigations and cases please visit the following websites:

<http://www.etsu.edu/violencefree>

<http://www.etsu.edu/reg/catalog/default.php>