Judicial system stringent

By Cherie Fichter

Statistics show the University’s judicial system is finding more violators of the Code of Student Rights and Responsibilities and is giving the violators more stringent punishments.

The code is the University’s law containing all the rules and regulations a student is expected to follow while on campus and is concurrent with Columbus law.

Thus, an agent of the Department of Public Safety who catches a student stealing a bicycle on campus will process the case through the Columbus Division of Police and the Office of Judicial Programs, said Elliott Stephenson, graduate administrative assistant for the office.

The student is not in double jeopardy because he violated two different laws, Columbus law and the Code of Student Rights and Responsibilities, Stephenson said.

The Office of Judicial Programs suspended and dismissed 20 students during the 1974-75 school year, 13 more than the previous year, according to a summary of dispositions of reported violations of the code.

The increase is not because students are making more violations than in the past, but is because more students are getting caught and are given more severe punishments, said Alexander F. Smith, administrative assistant to the vice president and coordinator for the Office of Judicial Programs.

The number of students placed on University disciplinary probation, a probation which may restrict a student from participating in intercollegiate events and extracurricular activities, also increased. During the 1972-73 school year 24 students were placed on University disciplinary probation compared to 40 for 1973-74 and 61 for 1974-75, the report states.

Similarly, the number of persons placed on conduct probation, a less serious form of probation, increased. The count was 45 for 1972-73, 83 for 1973-74 and 123 for 1974-75.

Academic misconduct, including plagiarism and cheating, is one of the most frequent violations of the Code of Student Rights and Responsibilities, Smith said. There were over 70 students disciplined for academic misconduct last year.

SMITH SAID the office is more stringent with violations of academic misconduct because there have been more repeated offenses, more cases have been reported and the permissive attitude of the late 1960s has ended.

“There is a responsibility to the integrity of the institution to be less tolerant of certain violations. The office has done a lot more to inform students of the consequences and is beyond the stage of being lenient because the student didn’t know,” he added.

Theft of property ranks next to academic misconduct in frequency of violations, Smith said. More than 70 students were found guilty and punished for theft last year.

Smith said the increase in thefts is related to the economy. Most students are short of money, and when money is tight, they give in to temptation.

Punishment for violations of the code is handled on an individual basis with consideration of the circumstances surrounding the violation.

“THE ULTIMATE GOAL is to educate the individual as to the social implications of his misconduct and to make him aware of how his actions affect the student body,” Stephenson said.
Student judicial records, open to the public?

By Chip Midnight
The Independent

As of May 14, the Ohio State Student Information and Community Development Services, which includes judicial affairs and the judicial board, will allow the public to view material and attend hearings concerning student organizations. This new procedure is a result of requests by the Ohio State Student Assembly and the student government, which have been pressing for transparency in student affairs.

The Ohio Supreme Court recently decided on a similar case brought on by the University of Georgia student newspaper, The Red and Green. The court ruling found that judicial records involving student organizations were not protected under the Federal Educational Rights and Privacy Act (FERPA), commonly known as Buckley Amendment.

FERPA is designed to protect the "educational records" of a student, and a clause within FERPA states that federal funds will not be available to the institution that follows the guidelines. The Georgia Supreme Court, however, determined that "judicial records" didn't fall into the "educational records" category.

"My personal feeling is that the Georgia Supreme Court completely misinterpreted the Buckley Amendment and that their decision was erroneous," said Dennis Gregory, President of the college of journalism.

"My study of the Buckley Amendment shows that judicial records may be kept confidential," Brackwell said.

"I am in favor of a student's privacy as a citizen of the state and also as a student at a state institution," Brackwell said. "I don't believe that the National Enquirer needs to be snooping around and looking at your trash and publishing stuff about you when you didn't ask for it. You are not a public figure, why should you be put on the front page of the paper?

It is Brackwell's fear that victims of student organization judicial records and student organization judicial records would be public if the Student Information and Community Development Services allow the public to view material and attend hearings concerning student organizations.

"We would agree that FERPA protects individual and not organizations," Arnold said. "We wouldn't use the name of individuals who were involved but we would use the organization name that was involved." Arnold added that enough information would be released so there would not be too many questions and the case would be educational for the students.

At the University of Minnesota, the judicial affairs office does not say anything about the case with anyone. Absolutely not," said Janine Rockin, executive assistant in the office of Student Judicial Affairs.

Most of the people contacted seem to think that the University of Georgia case will be appealed and that the court's decision will be overturned.
Gun hoax may end in discipline

By Linda Ciary
Latern staff writer

Three OSU graduate art students who created a phony charitable organization to give guns to homeless people may face university disciplinary action for their prank.

The Arm the Homeless Coalition was created by Paul Badger, Douglas Lloyd and Eric Zimmerman.

The three said the idea behind the project was not to actually give guns to homeless people, but to focus attention on the issues of guns, violence, homelessness and media manipulation.

Badger called the hoax “unconventional political artwork.” He noted each of the men responsible had different reasons for being involved.

Badger said that many people were forced to look at the fears they harbor because using the words guns and homeless in the same sentence terrifies most people.

However, the "unconventional" nature of the hoax may land the students in hot water with Ohio State.

The three men are scheduled to meet with university officials on Friday and may be subject to disciplinary action.

They said they could not comment on what might happen to them because they have not met with university officials yet.

Lenora Barnes-Wright, director of the Office of Community Development and Student Judicial Affairs, said the matter is currently under investigation, but no charges have been filed. Barnes-Wright said standard punishment ranges from a letter of reprimand to dismissal from the university.

The students said they are being used as scapegoats to avoid the real issues at hand. Everyone is angry at them the media because they were so easily fooled, and various charitable organizations for damaging their reputations and fund raising efforts.

Zimmerman said the prank has been free publicity for those legitimate organizations that help the homeless. He felt they have provided a golden opportunity for these organizations to plead their cases.

Lloyd noted that one of the interesting aspects of the entire project is the illustration of how reality is constructed by the media. Stories written about the Coalition, though there were some who were skeptical, were generally accepted.

Lloyd said they have been trying to direct the responses to the appropriate organizations.

Because they are art students one of the big questions most people are asking is what was the meaning of the entire project. Lloyd said there was not a “meaning” as most people would like to think. The idea was to induce critical thinking and incite people to action.
Students await charge from school officials

By Linda Clary
Lantern staff writer

The fate of the three Ohio State graduate students who perpetrated the Arm the Homeless Coalition hoax is now in the hands of university officials.

Paul Badger, Douglas Lloyd and Eric Zimmerman created the phony charitable organization to draw attention to social issues such as homelessness and violence. As a result of the hoax, the students might now be subject to disciplinary action by the university.

The three met with university officials on Friday. They were represented in the meeting by Robert Krivoshey, Supervising Attorney of the Clinical Program at the Ohio State Law School.

Officials say the students might have violated a section of the Student Code of Conduct.

Krivoshey said the situation is under inquiry to see if a section of the student code was violated. He added that he thought the students were covered in their actions by the First Amendment, but that the university would have complete cooperation during the inquiry.

No charges have been filed as a result of the hoax, Lloyd said. The students are planning to submit written statements to the university on Wednesday.

The students said they did not know how long it would be before they would know if charges would be filed.

Lenora Barnes-Wright, director of the Office of Community Development and Student Judicial Affairs, said she could not comment further on what the students had said. She did confirm that the students are planning to submit statements and would then be notified regarding discipline.

Barnes-Wright restricted her comments on the case because of provisions made by the Family Educational Rights and Privacy Act. FERPA protects the privacy of individual student educational records.

The students could receive punishments ranging from a letter of reprimand to expulsion.
University to investigate contracts awarded by Judicial Affairs

By Sandy Nelson
Lantern staff writer

The husband of a case manager in the Office of Student Judicial Affairs has been awarded several university contracts to counsel violators of the Student Code of Conduct.

In at least two instances, that case manager, Elizabeth Allan, recommended her husband's business to fraternity members who had been found in violation of the code, fraternity officials said.

Allan and Michael A. Parente, owner of Dublin-based Adventure Connections, Inc., were divorced in early March. However, they were married during the time contracts were awarded to Parente's business.

Ohio law prohibits public employees from authorizing or influencing the awarding of contracts to family members. Under the law, employees of a state university qualify as public employees.

Allan, in a letter to the Lantern dated May 14, said she never used her position to steer contracts to her husband.

"I never assigned sanctions to individual students or student organizations which directly increased revenue for Michael Parente or Adventure Connections," Allan said in the letter.

However, the situation has attracted the attention of top university officials.

David Williams II, vice president for student affairs, said he was unaware of Allan's relationship to Parente or familiar with contracts his company won.

"On its face, one must recognize that this will always look like a conflict of interest," Williams said. "I will have to have an explanation from them and they will have to show me why it is not a conflict."

Williams said his office is investigating the situation and will review all cases involving Greek organizations for the past two years.

In another instance, Williams said he would seek some answers at a meeting this morning.

"If Judicial Affairs has been farming out business to family members, we're going to have to look into this," he said.

Allan recommended Adventure Connections to fraternities seeking to fulfill sanction requirements, according to those organizations.

Chris Brinkman, former president of Kappa Sigma fraternity, said Allan recommended last year that his fraternity employ Adventure Connections.

"We were under sanctions that required us to have some type of leadership program," Brinkman said.

"When I went into Elizabeth Allan's office and asked her how to do it, she said her husband did a low ropes course and leadership program that would fulfill the sanction requirement."

According to Brinkman, Adventure Connections was the only company Allan suggested.

Kappa Sigma paid $300 to Adventure Connections for that leadership retreat, said Jason Thrush, another

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As director of Judicial Affairs, Barnes-Wright is ultimately responsible for making sure the contracts are awarded properly, Williams said.

"This does not necessarily say (Barnes-Wright) is wrong, but when the Lantern tells me that the person who is basically ... assigning these things, that her husband's firm was getting the contracts and the director of Judicial Affairs knew about it, then I've got some serious questions," Williams said.

Allan, a graduate student, investigates and reviews cases involving possible violations of the Student Code of Conduct.

As a case manager, Allan has been involved in handing down administrative sanctions against students and organizations, requiring them to attend aggression seminars paid for by the university or by the violators.

In at least two cases while she and Parente were still legally married, Allan recommended Adventure Connections to fraternities seeking to fulfill sanction requirements, according to those organizations.

"Elizabeth isn't anything but an individual that had told Lenora (Barnes-Wright) of my business and the programs that I do," Parente said.

"Lenora is the one that sought me out."
University attorneys to review procedures of Judicial Affairs

By Sandy Nelson
Lantern staff writer

University officials met with members of the Office of Student Judicial Affairs Monday to investigate allegations that a case manager had been involved in steering university business contracts to her husband's firm, said David Williams II, vice president for student affairs.

Williams said he is referring the allegations to OSU's legal bureau for further investigation.

"I have asked the university attorney to investigate the matter," Williams said. "If the legal office determines that a conflict of interest exists, we'll have to go on from there."

Williams said he expects to have an answer from university attorneys in the next few days.

Williams said Barnes-Wright admitted knowing that Elizabeth Allan, a case manager in her office, was married to Michael A. Parente when the contracts were awarded to his Dublin-based company, Adventure Connections, Inc.

Allan and Parente were divorced in early March. However, they were married during the time Judicial Affairs awarded contracts to Parente for anger-management seminars at Ohio State.

Allan, a graduate student, investigates and reviews cases involving possible violations of the Student Code of Conduct. Williams began investigating activities in Judicial Affairs after the Lantern reported on Allan's handling of a case involving the Tau Kappa Epsilon fraternity.

Ohio law prohibits public employees from authorizing or influencing the awarding of contracts to family members. Under the law, employees of a state university qualify as a public employee.

In a May 14 letter, Allan denied the allegations. She did not return phone calls made to her at home Monday after her office's meeting with Williams and Richard Hollingsworth, dean of students.

Williams also said he has asked the legal office to investigate allegations that Allan was recommending her husband's company to fraternities. The fraternities must contract with such business to fulfill disciplinary sanctions levied against them by Judicial Affairs and the judiciary panel.

"If there is no one else in the world providing this service, that would be a compelling reason to contract to that person," Williams said. "But where there's other people doing it, I would sincerely hope that we would not be encouraging people to hire relatives."

Allan said she didn't use her position as a case manager to send business to her ex-husband.

"I did not ever use my position as case manager for Judicial Affairs to mandate student organizations to participate in educational workshops or programs offered by Michael Parente or Adventure Connections," Allan said in the letter.

Two fraternities say they also were advised by Allan to contract with Parente's company.

Kappa Sigma and Beta Theta Pi contracted with Adventure Connections to perform workshops to fulfill disciplinary sanctions, fraternity officers said.
Judicial Affairs probe goes slowly despite break-ins

By Chad D. Lorch
and Greg Sovinski
Lantern staff writers

On May 16, the Lantern reported the possibility that a member of Judicial Affairs was steering business to her husband. The next day, a top university official promised an investigation.

Following that announcement, the office of Judicial Affairs was burglarized and computer equipment stolen.

A week later, the university has not coordinated a comprehensive investigation into these events.

While university police are looking into the break-in, Police Chief Ron Michele acknowledged Tuesday he was not aware of the allegations of contract steering.

Meanwhile, the attorney appointed by the university to investigate has been out of town and his boss said she knew nothing about the matter.

The break-in is just one in a series of bizarre incidents following on the heels of Lantern reports and a university investigation into Judicial Affairs.

On May 15, the Lantern reported that Judicial Affairs case worker Elizabeth Allan might have recommended her husband’s business to fraternity brothers who had to fulfill sanctions at一所 university.

Michael A. Parente, owner of Duluth-based Adventure Connection Inc., conducts leadership and aggression workshops that can satisfy the penalties imposed on those who have violated the university Student Code of Conduct.

The Lantern also reported that a top official in Judicial Affairs knew Parente’s company was being awarded contracts but said she saw no conflict with state law.

Ohio law prohibits public employees from authorizing or influencing the awarding of contracts to family members. Under the law, employees of a state university qualify as public employees.

Parente and Allan, who were recently divorced, deny any wrongdoing.

"I never assigned sanctions to individual students or student organizations which directly increased revenue for Michael Parente or Adventure Connections," Allan said.

Nonetheless, David Williams II, vice president for student affairs, vowed the university would investigate the matter.

His announcement was another step in a story that appears to have taken on a life of its own.

Added to a series of strange occurrences surrounding the case, the office of Judicial Affairs, where contract records are stored, was burglarized on May 17.

University officials will not say whether contract records were among the stolen items, and police say they have no suspects.

Missing from the office was a computer and laser printer worth an estimated $5,521, according to police reports.

On May 16, Cynthia Devese, coordinator of the office of Community Development and Judicial Affairs, notified University Police of the theft. She stated that she left and locked the doors to the office at 9:30 p.m.

The office was opened and the computer was discovered to be missing by a staff member at 9 a.m., May 17. There was no evidence of forced entry into the office, according to police reports.

The Judicial Affairs office was not the only place burglarized.

Lantern reporter Sandy Nelson, who has been covering events in Judicial Affairs, has on two occasions had her apartment broken into and documents stolen.

On May 11, Nelson reported to Columbus police that three microcassettes and computer files containing information about the case were stolen from her apartment.

On three occasions, Nelson filed complaints with Columbus police about the break-ins and harassing phone calls. She said University Police would not make a record of the incidents because they did not occur on university property. They have since made a record of the incidents.

On May 22, Nelson reported that her apartment was again broken into. This time, paint was poured on top of her computer and the hard drive was damaged. Also, the words, "WE KNOW" were painted on her bedroom wall.

In an interview Tuesday, Michele said he will begin to look at the possible irregularities in the awarding of Judicial Affairs contracts.

"I'm sure we will be doing a cooperative investigation with the legal bureau to anticipate the thrust of this," Michele said.

David Williams II, vice president for Student Affairs, said the university will look into the conduct of Judicial Affairs when the attorney assigned to the case, Steve McDonald, returns to the university.

Williams said he does not know when McDonald will return, nor does he know when the investigation will be completed.

When asked about the case, Vice President for Legal Affairs Virginia Treherewey said she was not aware of any action that has been taken in the investigation.

The bedroom of Lantern reporter Sandy Nelson was ransacked sometime late Monday night or early Tuesday morning.

Damon Taylor/The Lantern

Chronology of Events

May 3 - Tau Kappa Epsilon fraternity reinstated pending second judicial hearing.

May 4 - Lantern writer Sandy Nelson reports university will investigate circumstances surrounding TKE case.

May 5 - University drops all charges against TKE, after party in case reach outside settlement.

May 11 - House of Lantern writer Nelson broken into, microcassettes of interviews stolen. Threatening phone calls begin.

May 12 - Nelson reports prowler trying to enter her home.

May 15 - Lantern reports possible illegal contract steering in Office of Student Judicial Affairs. Anonymous letter accusing Nelson and Vice President of Student Affairs David Williams II of smear campaign distributed on campus.

May 16 - University officials announce investigation into possible contract steering at Judicial Affairs.

May 17 - Computer containing Judicial Affairs files stolen from locked office sometime during early morning hours. Williams announces he will review all Judicial Affairs cases for the previous two years.

May 22 - Second break-in at Nelson's house; intruder(s) vandalize her room and computer.

May 23 - University police made aware by Lantern of possible connections between stories and break-ins.
Judicial Affairs probe gets underway

By Martha McCray
Lantern staff writer

Two weeks after the university said it would investigate possible problems in the Office of Judicial Affairs, a lawyer for the university is picking up the case after a week-long hiatus.

"I started this investigation before going on vacation and now that I'm back I am continuing to look into the issues Williams asked me to," said Steve McDonald, an attorney for Ohio State.

Vice President for Student Affairs David Williams said his office was not investigating the case because they had turned it over to Ohio State's legal affairs department.

The investigation was ordered by the office to see whether or not Judicial Affairs caseworker Elizabeth Allen or other members of the office violated Ohio's ethics laws by influencing the awarding of contracts to Allen’s husband, Michael A. Parente of Adventure Connection, Inc.

Parente's company puts on leadership and aggression workshops that can fulfill sanctions Judicial Affairs hands down to violators of the Student Code of Conduct.

Williams said he is confident the investigation will not take long and that the proper steps will be taken to make sure this kind of situation doesn't happen again.

"I think that after McDonald has the opportunity to really look at all the facts involved, it won't be long before we get some kind of results," Williams said. "One important fact we should recognize is that whatever went on, Elizabeth Allen did make her actions known to her supervisor."

McDonald said he would not speculate on how the investigation will conclude but he did say steps need to be taken to improve the current system.

"We have a problem, no matter what my investigation finds, because there is an appearance of a problem, and that should not happen," McDonald said.

McDonald said he will only look at possible violations of the Ohio Revised Code. A committee was formed to review the processes in Judicial Affairs to possibly add safeguards that would make it more difficult for even the appearance of misconduct to arise in the future.

"I mainly looking into whether or not there is a conflict of interest and whether the actions in question violated any of the statutes," McDonald said.

McDonald said he would look at the evidence and make his recommendation to Williams.

If the facts showed there was a violation of Ohio law he would contact the University Police and give the investigation over to them, McDonald said.

"I have already had a call from Ron Michalec today to go over the case briefly and I will contact him if I find a violation of the law," he said.
OSU investigation clears caseworker

By Greg Sowinski
Lantern staff writer

The university found "no intended misbehavior" in its investigation into allegations of illegal contract steering by a judicial affairs caseworker, a top university official announced Friday.

However, legal affairs investigators found that the director of judicial affairs had showed bad judgment in one incident involving the caseworker, the official said.

David Williams II, vice president for student affairs, said legal affairs completed an investigation into the possibility of illegal contract steering by caseworker Elizabeth Allan to her former husband’s company, and concluded there was no intended misbehavior.

Allan began working in judicial affairs in September 1993, gathering facts and recommending sanctions in cases against students and student organizations accused of violating the OSU Student Code of Conduct.

Allan’s contract expired Friday, and Williams said she would be leaving her position. Williams said he did not know whether Allan’s contract would be renewed later, but Allan was seen leaving her office Friday afternoon carrying the contents of her desk in boxes. She declined to answer any questions.

The investigation began in mid-May after published reports in the Lantern revealed that Adventure Connection Inc., owned by Allan’s former husband Michael Parente, had been awarded at least three contracts by judicial affairs. Parente and Allen divorced in March.

Adventure Connection conducts anger and aggression management workshops. As part of sanctions levied by judicial affairs, students and student organizations were required to attend workshops held by the company.

Ohio law prohibits public employees from authorizing or using their influence in the awarding of contracts to family members. Employees of a state university qualify as public employees.

Williams said the investigators found only one case in which Allan had made a recommendation to award a contract to Parente’s company.

Williams said Allan informed the director of judicial affairs, Lenora Barnes-Wright, of her relationship with Parente prior to the awarding of any contracts to Adventure Connection.

"While Allan’s involvement in these cases may have created an appearance of impropriety, there was nothing more than that," Williams said.

In her work, Allen would turn her findings over to the director of judicial affairs. The findings would then go to a panel made up of university faculty and students, which would hear the case and impose sanctions if needed, Williams said.

Williams attributed the incident to poor judgment by Barnes-Wright. He said she should have consulted with OSU attorneys before allowing Parente’s company to be used.

"I don’t want everybody trying to interpret what the ethics law says on their own," Williams said. "In the future we will be checking with our lawyers anytime we suspect that there could be any problem whatsoever."
Students, faculty build bridges outside of class

By Tracy Turner

"Contact with faculty is one of the single best predictors of college student retention and satisfaction with the college experience," said Cynthia McDonald-DeVese, program coordinator. "By offering these grants, students and faculty and the academic department are able to work together to improve departmental community by building on out-of-classroom learning."

Sapna Patel, a junior majoring in psychology, requested a grant to conduct a series of fireside chats with arts and sciences students at the University Honors House with deans from the Colleges of Arts and Sciences. The deans discussed themselves and their academic departments, and answered questions in a relaxed, informal setting.

Gary Floyd, dean and professor emeritus of biological sciences, took part in the fireside chats. He also invited 35 members of Hellax, the biological sciences honor society, to his house for pizza and discussion.

"I had such a good time. If we faculty and administrators aren't bringing students into discussion groups, then they need to push us into doing so," Floyd said.

"That kind of interaction is valuable as well as enjoyable. I learned much from the students." Floyd encouraged more faculty and students to get involved in the Building Bridges program. "It is one way to make Ohio State a smaller place, to meet and communicate face to face. When students can relax they are more apt to express themselves more freely," he said.

Donald Harris, dean of the College of the Arts and professor of music, said, "Any opportunity I get to meet with students I welcome. It is important to keep an open dialogue to hear what their interests are and share with them some of mine."

McDonald-DeVese said the Building Bridges program will be offered again winter quarter 1997, and she hopes to expand it to more college departments that show interest in participating.

For details, call 292-0748.
Suspended students await ruling

By Tina Daniel
Lantern staff writer

Ohio State President E. Gordon Gee suspended three students Tuesday, but now the investigation to determine any further action rests in Judicial Affairs.

OSU students Bill Garfield, Matthew Harding and Christopher Galgocy were suspended from attending classes after reportedly taking part in off-campus rioting on Saturday, September 28 following OSU's victory over Notre Dame.

"The students have not yet precisely violated the student code," said Steve McDonald, associate legal counsel. "That will be determined by Judicial Affairs upon investigation.

Appeals written by the three students have been filed and are being reviewed by David Williams, vice president of Student Affairs.

Williams said he was unable to release any further information on his decisions.

McDonald said the appeal and hearing process before the university is a complicated and individual one.

The suspension letters noted that Student Affairs had the "reason to believe" that Harding, Garfield, and Galgocy violated the code, and they were temporarily suspended because there was again "reason to believe" they posed a threat to campus, according to Williams and Gee.

At this time the students are appealing their suspensions only, not the specific charges listed in their suspension letters, McDonald said.

"Even if the appeal is granted, that doesn't mean probable charges are dropped," said Stephanie LeDuff, director of Student Judicial Affairs.

This is only the first stage in dealing with the students, McDonald said.

"This is kind of like a probable cause hearing," McDonald said. "We had a reason why to go ahead with the interim suspensions, and the charges will be dealt with independently."

A granted appeal only means students can return to classes, he said. The next step is to attend a panel hearing or administrative proceedings.

This is where each decision, whether permanent dismissal from OSU is the appropriate measure to take, will be finalized, McDonald said.

"Under-age drinking, for example, cannot set dismissal by itself," McDonald said. "I don't think we've ever suspended or dismissed anyone for that alone."

At this point, McDonald said he cannot determine what the future holds for the three OSU students.

"It's impossible to say what the final outcome will be," he said.
Privacy law hides hearing outcome

By Tina Daniel
Lantern staff writer

Almost two weeks have passed since three Ohio State students were suspended for reportedly violating the Student Code of Conduct. All three appealed their suspensions and were scheduled for a hearing, but the results of each case are inconclusive.

Facing possible expulsion for their involvement in the 12th Avenue rioting on Sept. 28 were William Garfield, 20, Christopher Galgoczy, 22, and Matthew Harding, 19.

Harding told the Lantern that his appeal was granted, and he was allowed to return to classes last Tuesday. However, he said he and his lawyer were preparing to appeal the charges Judicial Affairs investigations had imposed.

Prior to his Friday trial date, Harding said, "I'm just going to wait and see what happens."

What did happen cannot be released, said Stephanie LeDuff, director of Judicial Affairs.

Both the offices of Judicial Affairs and Student Affairs refused to comment on the outcome of Harding's trial or the charges with which he was cited.

"Information like this is protected by a federal law," LeDuff said. "It's called the FERPA amendment."

More commonly known as the Buckley Amendment, the Family Educational Rights and Privacy Act of 1974 prohibits colleges and universities from releasing information such as student records and enrollment status to individuals other than the student.

Ruth Gerstner, director of news services, said the fairness of these regulations can be questioned, but that universities must abide by them.

Attempts by the Lantern to reach Garfield and Galgoczy were unsuccessful, and Harding had no comment about the consequences of his hearing.

According to the student code, depending upon the nature of the charges, the three OSU students can face a maximum penalty of dismissal, a sanction that will take away their OSU student status for four quarters or more. In this case, reinstatement is not guaranteed.
OSU says control extends off campus

By Tina Daniel
Lantern staff writer

High Street is not the boundary that sets apart off-campus life from Ohio State University, and OSU can intervene when the situation calls for it.

After off-campus, post-football celebrations Sept. 28 on 12th Avenue, three students were arrested by Columbus police for disorderly conduct and later suspended from OSU.

The following weekend, another student was arrested for disorderly conduct by Columbus police, but there was no immediate disciplinary action taken by OSU.

Because of such discrepancies, some students are questioning OSU's jurisdiction and guidelines when it comes to off-campus activity.

"I think OSU needs to define its boundaries," said Penny LeMaster, a senior pre-med student. "They stuck their noses where they didn't belong."

The judicial system should take charge of the off-campus area because 12th Avenue is not university property, LeMaster said.

Williams said the line separating on- and off-campus areas cannot be clearly defined.

They stuck their noses where they didn't belong.”

— Penny LeMaster, pre-med student

the activity and the university, then we will feel there is jurisdiction," Williams said. "That could be on High Street, on Summit, that could be in Cleveland, that could be in Singapore."

The administration is now working on a draft to make OSU's code more clear for students, Williams said.

"We will try to clarify the language of the code," he said. "We don't want to be too vague, but at the same time we don't want to be too restrictive."

Taking disciplinary action in off-campus activity is not unique to OSU, Williams said.

"I don't care who sponsors the event, students need to conduct themselves in a way that doesn't violate the law," Powell said. "We do act on off-campus activity and take our community into consideration."

Williams said that because the arrests were treated differently after the Notre Dame game and after the Penn State game does not mean Student Affairs and Judicial Affairs are inconsistent.

(Notre Dame game) there was a high level of destruction and explosiveness," Williams said. "These people were involved in behavior that we found very detrimental to the safety of our campus. We did not see that in the Penn State case."

The suspensions were a last resort, Williams said.

Stephanie LeDuff, director of Judicial Affairs, said the circumstances after the Penn State game were different because there was no destruction of property, and no one's life was in danger.

"We have to put our action into the context of the situation," LeDuff said.

In the past, OSU has tried to prevent weekend riots on 12th Avenue by communicating with residents and holding a public forum, but these attempts were unsuccessful, Williams said.

"There were a lot of things we've done in the last year and a half that just weren't working," he said. "There was no way we could not step in. For too long a period of time, we (OSU) didn't play the role that we should have."

Not only must the university exert authority to protect students, but it also has a responsibility to the community, Williams said.

"For the safety of students, there is a responsible way to celebrate," he said. "We are going to play a vital role in making this a safe learning experience and environment, and if we have to enact jurisdiction to suspend students, we will. No doubt, I would
Natalie Warling, 05:02 PM 5/3/01 -0400, OHIO STATE 01-05-03 Arrest and Sanction Update

Date: Thu, 03 May 2001 17:02:42 -0400
Reply-To: warling.1@osu.edu
Sender: owner-release@lists.acs.ohio-state.edu
X-PH: V4.4@orb3
From: Natalie Warling <warling.1@osu.edu>
To: release@lists.acs.ohio-state.edu
Subject: OHIO STATE 01-05-03 Arrest and Sanction Update
X-Sender: nwarling@pop.service.ohio-state.edu
X-Mailer: QUALCOMM Windows Eudora Version 5.0

to:release@lists.acs.ohio-state.edu
subject: OHIO STATE 01-05-03 Arrest and Sanction Update
http://www.osu.edu/osu/newsrel/Current/01-05-03_Arrest_and_Sanctions_Update.htm

Arrest and Sanctions update 5/3/01

Of those arrested the past two weekends in regard to the disturbances in the campus area, only 2 have been confirmed as Ohio State students. The two arrested students have been referred to the Office of Judicial Affairs and have been charged with violations of the Code of Student Conduct. Their cases are now going through the judicial process and have not yet been resolved.

Several other students received citations from Columbus police for such offenses as underage drinking or excessive noise. Those charges do not fall under the jurisdiction of the Code of Student Conduct.

Eight other students have been identified from the Web photos as having participated in varying degrees in the disruptions. These have been referred to the Ohio State University Police Department for investigation. If their participation in these acts is substantiated, they will be referred to Judicial Affairs and/or Columbus Police for appropriate follow-up.

To date, we have received 3 videotapes and one set of still photos. Two rewards of $250 each have been paid for videotapes. Rewards of up to $250 are offered to those who provide tapes or photos or other information that leads to an arrest or a referral to Judicial Affairs. There is no reward for identifying those depicted on the Web site; persons are asked to provide that information in the spirit of civic responsibility. Numerous tips have been received and 8 students have been identified as a result of the Web postings.