



Erin Barker-Brown
Office for Civil Rights
Cleveland Office
U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115

January 15, 2017

**Re: The Ohio State University Resolution Agreement
Twentieth Progress Report**

Dear Ms. Barker-Brown,

Pursuant to the Resolution Agreement entered into by the U.S. Department of Education's Office for Civil Rights (OCR) and The Ohio State University (Ohio State), Ohio State committed to report on progress towards meeting the various requirements outlined in the Agreement. This letter serves as our twentieth such report.

Section V Reporting Requirement: Climate Assessments and Response (Agreement pp. 11-12)

Requirement: The third reporting requirement of Section V requires Ohio State to submit to OCR results of the climate assessment and written recommendations for any further action determined necessary.

Response: On September 22, 2016, Ohio State publicized its results of the second campus climate survey on sexual assault and sexual misconduct. The university released the results to members of the university community via email from President Drake and to the media via a press release. These communications and a copy of the climate survey report and data tables were attached to the nineteenth (10/15/16) progress report, and the university requested an extension to fully analyze the data for high-risk subgroups to determine which training is necessary in the coming academic year. Based on this analysis, the university identified the following subgroups as high-risk and in need of additional support, messaging, and/or training: Grad/Professional students; Greek Life; Non-heterosexual; ROTC members; Student athletes; Students with disabilities.

The university has engaged in extensive training of the incoming class of 2016-17, including the requirement of an online training module for all students and an instructor-led workshop on consent for students in First Year Success Series courses. The university continues to engage stakeholders from the graduate and professional schools, athletics, student life, ROTC, and ADA office to discuss training opportunities and awareness messaging drawing on the information learned from the climate survey about these high-risk subgroups. We are in the process of meeting with representatives from each area and sharing these data in preparation for programs and initiatives to be offered Spring Semester 2017 and beyond.

We believe this response constitutes full compliance with the third reporting requirement of Section V.

Section IV.H: Training (Agreement p. 10)

Requirement: Item IV.H of the Resolution Agreement requires the university to provide training on Title IX sex discrimination to groups identified as needing additional training based on the results of the university's climate survey annually.

Response: As discussed in our December 15, 2015 progress report to OCR, the groups identified as needing additional training based on our AY14-15 climate survey results included greek life, band, athletes, cheerleaders, LGBTQ students, ROTC, graduate and professional students, and students attending our regional campuses. In our October 15, 2016 progress report to OCR, although written recommendations were still in progress (see Section V, third reporting requirement above and as noted in the October 15, 2016 progress report) we submitted a full accounting of the discussions and trainings provided to those high risk groups based on the results from both the AY14-15 and AY15-16 climate surveys. As stated above, additional conversations are ongoing with stakeholders from these areas to further develop programming, training and messaging.

After the AY16-17 climate survey is administered and analyzed, the university will use such data to determine high risk groups and provided appropriate training as required by the Resolution Agreement, during or before January 2018.

We believe this response constitutes full compliance with all requirements in Item IV.H of the Resolution Agreement as they pertain to training high risk groups identified following both the AY14-15 and AY15-16 climate surveys.

Section IV Reporting Requirement: Training (Agreement p. 10)

Requirement: Item IV Reporting Requirement of the Resolution Agreement requires the university to submit to OCR documentation verifying all of the training it has conducted during the previous academic year, identifying which specific groups were trained using which materials, the date(s) of the training, and the name and position title of the trainer(s).

Response: OCR's August 27, 2015 letter requested that the university provide information regarding training conducted during the second semester of the 2015-2016 academic year and the first semester of 2016-2017 academic year in the January 15, 2017 progress report. Please find enclosed a spreadsheet identifying all training conducted during this period.

We believe this response constitutes full compliance with the reporting requirements of Section IV.

Section VII: University's Investigation of Marching Band (Agreement pp. 13-16)

Requirement: This section codifies the corrective actions identified by Ohio State in its report pursuant to the comprehensive Marching Band investigation and requires that the university meet its own stated objectives to evaluate and strengthen Marching Band leadership, review and revise Band policies, offer counseling and training to Band members and staff, conduct climate checks of the Band, and offer individual remedies to Band members subjected to the sexually hostile environment. OCR requires that the university provide quarterly updates on the progress of implementation of corrective actions.

Response: This report serves as our tenth quarterly update on the implementation of corrective actions related to the Marching Band.

The 2016 Marching Band season ended on January 1 when the Band returned from the Fiesta Bowl. There were no known Title IX violations within the Band this season.

In addition to the culture and life skills education sessions that were listed in our last update, the Marching Band received the following during the 2016 season:

- October 13: "Above the line" behavior model revisited (Band Director)
- October 25: Drug education (Student Wellness Center staff)
- November 14: Stress Management, resiliency, and conflict management for squad leaders (Counseling and Consultation Service staff)
- November 15: Stress Management and resiliency for whole band (Counseling and Consultation Service staff and squad leaders)
- December 28: Standards of behavior for travel (Student Advisory Council and Band Director)

The Student Advisory Council had a successful inaugural year. As explained in past updates, the mission of this newly-created student leadership group is to foster, strengthen, and steward a culture of respect and gratitude within Band, be a liaison between staff and students, and exemplify the ideals and behaviors of a model bandsperson on and off the field. Among other things, the Council members consulted with expert presenters from various Student Life units to improve the quality of each training, and also presented to the Band themselves on the topics of bystander intervention and appropriate behavior during travel.

Ohio State will continue to demonstrate its long-standing commitment to vigorously addressing sexual assault and sexual harassment on its campuses, including by taking effective steps to stop sexual misconduct, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects. We will continue to meet our requirements under the Resolution Agreement, and report progress to you.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Kellie Brennan
Compliance Director and Title IX/Clery Coordinator

Enclosures: 2016 Title IX training spreadsheet

cc: President Michael V. Drake, M.D.
Christopher Culley, Senior Vice President, General Counsel and Senior Advisor to the President
Gates Garrity-Rokous, Vice President and Chief Compliance Officer