



Meena Morey Chandra  
Office for Civil Rights  
Cleveland Office  
U.S. Department of Education  
1350 Euclid Avenue, Suite 325  
Cleveland, OH 44115

December 15, 2014

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

Dear Ms. Morey Chandra,

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 fourth such report.

#### **COMPLETED REQUIREMENTS**

##### **Section II: Document Maintenance (Agreement p. 4)**

**Requirement:** This section requires Ohio State to provide verification by December 15, 2014, that it maintains comprehensive documentation of its receipt, investigation, and resolution of all Title IX complaints, including documentation of any interim measures and corrective action steps.

**Response:** Ohio State maintains comprehensive document management systems as part of its investigative processes, which are detailed below.

Title IX complaints against students are investigated and resolved by Student Conduct and University Housing in the Office of Student Life. Student Conduct and Housing complaints are comprehensively documented and tracked through the university's Student Conduct case management database, which is provided by Maxient, a leading web-based student conduct software vendor. The Maxient database is secure and password protected, with varying levels of access restriction. Documentation of the receipt, investigation, and resolution of Title IX complaints against students is maintained in this database. This includes correspondence, meeting notes, hearing outcomes, interim measures, and corrective actions taken.

Title IX complaints against faculty, staff, and student-employees are investigated and resolved by the Office of Human Resources (OHR). Corrective actions against faculty, staff, and student-employees are implemented by the relevant academic or administrative unit(s) and tracked by OHR. Documentation of the receipt, investigation, and resolution of Title IX complaints against faculty, staff, and student employees is stored in a physical case file for each complaint, which is maintained in OHR offices and tracked through a database. Documentation includes interim measures, corrective actions taken, and follow-up with responsible academic and administrative units.

Criminal complaints related to Title IX made to the Police Department are tracked within a comprehensive database, including documentation of receipt, investigation, and resolution.

The Office of University Compliance and Integrity (Compliance), which houses the Title IX Coordinator, also investigates complaints upon the request of University leadership or investigative units on campus. Corrective actions resulting from such investigations are implemented by the relevant department(s) and tracked by Compliance.

The Title IX Coordinator partners with Student Conduct, OHR, and the Police to manage and track all Title IX complaints throughout the university. The Title IX Coordinator is notified of incoming Title IX reports to ensure the Ohio State is meeting its obligations to support victims of gender discrimination and harassment and to promptly, thoroughly, and effectively investigate all complaints, eliminate any hostile environment, and remedy discriminatory effects as appropriate. The Title IX Coordinator has access to case files in each of these units and reviews open investigations regularly to look for patterns of discrimination and potential preventative remedies, as well as to oversee the implementation of interim remedies and corrective actions.

#### **Section IV.A: Training (Agreement p. 9)**

**Requirement:** Section IV.A of the Agreement requires the university to provide comprehensive Title IX investigator training, overseen by Title IX Coordinator, to deputy coordinators and any other university officials and administrators directly involved in processing, investigating, and/or resolving complaints of sex discrimination, or who will otherwise play a role in coordinating the university's compliance with Title IX. The university is required to submit proposed training to OCR by December 15, 2014 for approval.

**Response:** Ohio State, during the spring semester of 2015, will host a comprehensive on-campus Title IX investigator seminar, overseen by the Title IX Coordinator, which will be attended by the university's deputy Title IX coordinators and all university investigators with responsibility for responding to Title IX complaints. A detailed agenda of the spring seminar is enclosed.

#### **Section IV.C: Training (Agreement p. 9)**

**Requirement:** Section IV.C of the Agreement requires the university to provide training on Title IX sex discrimination to all administrators, professors, instructors, residential assistants, coaches, University police, all housing staff including student employees, and staff who interact with students on a regular basis. The university is required to revise its training materials and submit this proposed training to OCR by December 15, 2014 for approval.

**Response:** Ohio State currently engages in robust training for the campus community on awareness and prevention of sexual harassment and sexual violence, and we are in the process of strengthening and broadening those training initiatives for the identified groups. To support the effective implementation of Title IX training, university leadership approved the procurement of an Enterprise Learning Management System (LMS). The LMS will allow the university to assign and track completion of Title IX training courses for all relevant university personnel. In addition, Ohio State is moving towards the procurement of Title IX training content from LawRoom/CampusClarity for delivery through the university's LMS. The LawRoom/Campus/Clarity training modules on campus sexual violence were developed to meet the requirements of both Title IX and the Campus SaVE Act. A detailed description of the training content is enclosed for your review.

#### **Section IV.D: Training (Agreement p. 10)**

**Requirement:** This section requires the university, by December 15, 2014, to review and revise its freshman orientation programs and materials (including information sent to students after acceptance) to ensure they include information specifically targeted to effectively raise student awareness about a number of Title IX-related topics. The university is required to submit proposed freshman orientation materials to OCR by December 15, 2014 for approval.

**Response:** Ohio State currently hosts a robust orientation program for all incoming freshman, and provides extensive information to incoming students on a broad array of topics, including those required by the Resolution Agreement. For example, a video on alcohol, sexual violence, and bystander intervention developed by the Office of Student Life has been recognized as a model tool for orientation programs and requested by over 60 higher-education institutions for use in their programs. Enclosed with this letter is a detailed breakdown of how Ohio State's current orientation materials, as well as proposed modifications to current orientation materials, align with the specific requirements of Section IV.D of the Resolution Agreement.

#### **ITEMS IN PROGRESS**

#### **Section V.A and C: Climate Assessments and Response (Agreement p. 10-11)**

**Requirement:** This section requires the university to review all Title IX-related complaints since 2012 for patterns of sex discrimination by December 15, 2014. The university must also conduct a climate check with students to assess the effectiveness of steps taken by the university to achieve its goal of a campus free of sexual harassment and violence by June 15, 2015. The summary report and climate check tool are required to be submitted for review by January 15, 2015.

**Response:** In the course of the proactive compliance review that included site visits, interviews with staff and students, and extensive reviews of complaints made to the university, OCR determined that, as stated in the Resolution Agreement, Ohio State had "[d]emonstrated responsive and appropriate actions taken against students, faculty and staff who violate Title IX as it relates to sexual harassment and sexual violence." Nonetheless, as required by Section V, we have completed a review of such complaints and are compiling the results. We will provide a summary of the written recommendations subsequent to the review by January 15, 2015, as required by the Agreement

Per email communication with you on November 20, 2014, we shared that Ohio State was considering participation in the American Association of Universities (AAU) climate survey on campus sexual assault. Due to provisions in the AAU timeline, you kindly granted our requested date extensions for the progress report pertaining to the climate check tool if this approach was taken. We have since decided to proceed with the AAU survey. As such, our revised deadline for submission of the university's climate check tool is January 26, 2015 and we will provide the required materials by that date for your review and approval.

As we proceed with the requirements outlined in the Agreement, Ohio State will continue to demonstrate its long-standing commitment to vigorously addressing sexual assault and sexual harassment on its campuses, including taking effective steps to stop sexual harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects. We look forward to providing our next scheduled progress report on January 15, 2015.

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

Sincerely,



Gates Garrity-Rokous  
Vice President and Chief Compliance Officer

Enclosures: Title IX Investigator Seminar Agenda  
Detailed description of Lawroom/CampusClarity Training Content  
Freshman Orientation Current Practices and Proposed Revisions

cc: President Michael V. Drake, M.D.  
Christopher Culley, Senior Vice President, General Counsel and Senior Advisor to the President  
Kellie Brennan, Title IX Coordinator  
Kelly Marie Johnson, OCR Team Leader (via email)  
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