



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

July 15, 2015

**Re: The Ohio State University Resolution Agreement
Ninth 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 ninth such report.

ITEMS IN PROGRESS

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 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 fourth quarterly update on the implementation of corrective actions related to the Marching Band.

On May 14, 2015, Dr. Christopher Hoch was named Interim Director of the Marching and Athletic Bands. Please see attached the university's news release for background information about Dr. Hoch. Dr. Hoch has been meeting with the Band Coordinating Committee to review plans and protocols for the upcoming Marching Band season. In addition to overseeing the implementation of the Marching Band Culture Task Force's recommendations, the Coordinating Committee will continue to assist Dr. Hoch and the Band staff with oversight of the performance needs and administrative accountability for the Band.

The university is in the process of hiring a Compliance Program Coordinator for the Marching and Athletic Bands. Please see attached the job posting for this position.

As we discussed with you previously, on April 23, 2015 the university was contacted by the Columbus Division of Police regarding an alleged sexual assault of an Ohio State student by Mr. Christopher (Stewart) Kitchen, Drum Major Instructor for the Marching Band. The student alleged that on April 16, 2015, Mr. Kitchen had non-consensual sex with her at his off-campus residence.

On April 24, 2015, the university placed Mr. Kitchen on administrative leave pursuant to university policy and began an investigation of these issues. Based on the preponderance of the evidence, the

university concluded that Mr. Kitchen violated the university's Sexual Harassment Policy 1.15 by engaging in sexual activity that was unwanted and unreasonably interfered with the complainant's living and learning on campus. Mr. Kitchen's position as Drum Major Instructor was a lecturer appointment with a term that expired on April 30, 2015. Mr. Kitchen's appointment was not renewed at the end of his term and he is no longer an employee of the university. As a consequence of the investigation's findings, and pursuant to university policy and procedure, Mr. Kitchen is not eligible for rehire.

The Columbus Division of Police opened a separate criminal investigation, and Mr. Kitchen was indicted on May 12, 2015 in Franklin County on two counts of rape, two counts of sexual battery, and offenses involving underage persons.

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 on the complainant and any others as appropriate. 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,

 p.p. Gates Garrity-Rokous

Gates Garrity-Rokous
Vice President and Chief Compliance Officer

Enclosures

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)
Erin Barker Brown, OCR Attorney (via email)
OCRCLMonitoringReports@ed.gov

News Room (<https://news.osu.edu/>)
614-247-4110

Christopher Hoch named interim director of Marching and Athletic Bands at Ohio State

Earned Ph.D. from Ohio State, has extensive academic experience

By: Chris Davey (<authors/chris-davey.html>)

Published on May 14, 2015

COLUMBUS, Ohio – Veteran music educator Christopher Hoch will assume interim leadership of The Ohio State University Marching and Athletic Bands through the upcoming season, Executive Vice President and Provost Joseph Steinmetz announced today.

Hoch has 15 years of experience teaching music and leading young people in various band and musical ensemble programs at the high school and college levels, including at Ohio State. As associate director of the Ohio State Marching and Athletic Bands during the 2013 and 2014 seasons, Hoch helped oversee show design, music rehearsals, student staff and other administrative responsibilities.



Christopher Hoch

"This is an important academic program for the university as we continue to focus on supporting and educating the students in our band programs and ensuring that they have another great season," Steinmetz said. "Chris already has a great reputation for his innovative and impressive show designs, and he continues to grow and evolve as a music educator, administrator and advocate of the student experience in and out of the classroom.

"I look forward to partnering with Chris in his continued work to optimize the bands and to provide a world-class experience for our students who will be recognized in the classroom, on the field, and as leaders in our campus community."

The university will continue its consideration of the director vacancy at the end of the coming season.

"I appreciate the university's support and trust," Hoch said. "The Ohio State University Marching and Athletic Bands are truly special, and I want to be part of continuing to build on our success and supporting our students. Our students deserve every opportunity to succeed and thrive."

Hoch will join Russ Mikkelson, director of university bands, and Scott Jones, associate director of university bands, as a critical member of the School of Music's Conducting and Ensembles area.

Among his technical accomplishments with the Ohio State Marching Band, Hoch designed and orchestrated the 2012 *Tribute to the Classic Video Games*, which became the band's first show to top 15 million hits on YouTube.

Hoch holds a bachelor's degree in music education and mathematics, as well as a master's degree and Ph.D. in music education, all from Ohio State. In addition to his marching and athletic band leadership, he is currently assistant director of bands and assists in music education courses and student-teacher supervision. Hoch joined Ohio State in 2012.

His teaching interests include brass, woodwind and percussion pedagogy; instrumental conducting; marching band history and administration; and marching band show design.

Related Images



(assets/uploads/Chris_Hoch.jpg)

Christopher Hoch - Download (assets/uploads/Chris_Hoch.jpg)

Contacts

Chris Davey

614-292-5962 | Email (<mailto:Davey.8@osu.edu>)

Position Information

Position Information

Top Message	Both current Ohio State employees and the general public may apply for this unclassified professional position.
Message to Applicants	
Number of Positions Available	1
University Title	Policy Analyst/Compliance Officer
Working Title	Compliance Program Coordinator
Department	Compliance Office
Department Location	Columbus
Requisition Number	409756

Summary of Duties

The Ohio State University, one of the nation's leading public universities, is seeking applications for the position of Compliance Program Coordinator for the Marching and Athletic Bands, as well as Minors Programs throughout the College of Arts and Sciences. The Ohio State University Marching Band is nationally recognized for its traditions and innovative programs. More than 400 students try-out annually for 225 spots in the Marching Band. During the football season, the Marching Band performs at all home football games and at multiple away games. The University's Athletic Band is separate from the Marching Band and performs at other non-football varsity sporting events. The number of participants in Athletic Band each semester varies between 250-300 members and any enrolled student is welcome to participate.

The Director of the Marching and Athletic Bands is responsible for communicating clear expectations to and holding Band members and staff accountable for their conduct. The Director is also responsible for providing adequate training to all members and staff regarding legal and policy requirements. The Compliance Program Coordinator will oversee the Band's compliance efforts and help foster a positive culture within both the Marching and Athletic Bands. The primary responsibility of the Compliance Program Coordinator is to assist the Director with ensuring that all Band members and staff comply with federal and Ohio law, and University and Band policies. The Compliance Program Coordinator will be responsible for instituting and coordinating regular mandatory training for Band members, faculty and staff on matters of policy and law in coordination with the Office of University Compliance and Integrity, the College of Arts and Sciences, the Office of Student Life, the Office of Human Resources and other University departments as necessary. The Program Coordinator will be expected to assist the Director with the annual review of the Band's policies and procedures and Band internal practices to ensure clarity and compliance with University expectations. The Compliance Program Coordinator will assist the Director with the monitoring of the conduct of Band members and staff in accordance with the expectations communicated by the Director and found within University and Band policies, and state and federal law.

Additionally, the Compliance Program Coordinator will work with the College to ensure that programs in the College that interact with minors comply with University and College guidelines and policies. The Compliance Program Coordinator will assist with collecting and managing data, will provide reports and summaries, will create, establish and conduct training, and may provide administrative office support.

	The Compliance Program Coordinator will be located at the Steinbrenner Band Center and will attend most activities relating to the band. Additional responsibilities may be assigned as needed. The Compliance Program Coordinator's primary day-to-day activities will be overseen by the Director of the Marching and Athletic Band or other Program Directors overseeing Minors Programs, and will report both to the Director of Bands and to the Office of University Compliance and Integrity.
Additional Information for Applicants:	Position requires a flexible work schedule, including late evenings, weekends, and holidays, as needed; same-day and overnight travel required with various modes of transportation: vehicle, bus, and airplane; position may be required to work on game days (Saturdays) with early morning report time for noon games; must be able to work in loud environment; may be exposed to extreme weather conditions on game days and during rehearsal, including hot and cold temperatures, rain, and snow.
Pre Employment Screening	Requires successful completion of a background check
Required Qualifications	Bachelor's degree or an equivalent combination of education and experience, two years of experience or equivalent, proven ability to manage groups and assist individual students, strong organizational skills, ability to work well with multiple stakeholders within a team environment, excellent written and oral communication skills, ability to maintain confidentiality and manage highly sensitive information.
Desired Qualifications	Master's degree or an equivalent combination of education and experience, experience in delivering training and monitoring compliance efforts, familiarity with specific reporting protocols and procedures, at least three years of experience working in a college, university, or academic setting.
Target Salary	\$45,000 - \$65,000 Annually
Job Category	Administrative and Professional
Job Appointment (FTE%)	100.0
Full/Part Time	Full-time
Temporary or Regular	Regular
Posting Start Date	06/27/2015
Posting End Date	07/12/2015
Dept Contact Name	Kahl, Beth Holly
Dept Contact Phone	614/247-5832

Supplemental Questions

Required fields are indicated with an asterisk (*)

1. * Select the box which best represents your educational training
 - Attended school but did not receive high school diploma or GED
 - High school diploma or GED, but no college credit hours
 - Completed less than 45 college credit hours, but did not graduate
 - Completed 45 college credit hours, but did not graduate
 - Completed 90 college credit hours, but did not graduate
 - Completed 135 college credit hours, but did not graduate
 - Completed 180 college credit hours, but did not graduate
 - Completed an Associate's degree
 - Completed a Bachelor's degree
 - Completed a Master's degree or higher
 - No Response

2. * Select the box that best represents your number of full years paid employment:
 - Some, but less than one full year of employment
 - 1 full year or more of employment
 - 2 years
 - 3 years
 - 4 years
 - 5 years

- 6 years
 - 7 years
 - 8 years
 - 9 years
 - 10 or more years
 - No Response
- 3 * Select one box that best represents your number of full years paid employment
- Some, but less than one full year of employment
 - 1 full year or more of employment
 - 2 years
 - 3 years
 - 4 years
 - 5 years
 - 6 years
 - 7 years
 - 8 years
 - 9 years
 - 10 or more years
- 4 * Select the box that best represents your educational training:
- Attended school but did not receive high school diploma or GED
 - High school diploma or GED, but no college credit hours
 - Completed less than 45 college credit hours, but did not graduate
 - Completed 45 college credit hours, but did not graduate
 - Completed 90 college credit hours, but did not graduate
 - Completed 135 college credit hours, but did not graduate
 - Completed 180 college credit hours, but did not graduate
 - Completed an Associate's degree
 - Completed a Bachelor's degree
 - Completed a Master's degree or higher
5. * Are you related in any way to a faculty/staff member in the unit of the position for which you are applying?
- Yes
 - No
6. * What prompted you to apply for this position at The Ohio State University? Please select an answer below.
- Referred by personal contact
 - Referred by OSU recruiter
 - Job/Career Fair
 - JobsatOSU.com
 - LinkedIn
 - Twitter
 - Monster.com
 - Columbus Dispatch
 - Dice.com
 - Professional organization
 - HERC (Higher Education Recruitment Consortium)
 - Local newspapers
 - Other
7. * Do you have at least two years of relevant work experience?
- Yes
 - No
8. * Do you have at least one year of experience in delivering training and monitoring compliance efforts?
- Yes
 - No
9. * Do you have at least three years of experience working in a college, university, or academic setting?
- Yes
 - No

Required Documents

Required Documents

None

Optional Documents

1. Resume
2. Cover Letter
3. Other