



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

April 15, 2016

**Re: The Ohio State University Resolution Agreement  
Fifteenth 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 fifteenth such report.

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

As referenced in the university's last progress report, the 2015 Marching Band season concluded on Sunday, January 3, 2016, upon the return of the Band from the Fiesta Bowl in Arizona. Since then, the Marching Band has been inactive. Ohio State has done the following in preparation for next season:

- Selected next season's squad leaders. The squad leaders are responsible for the day-to-day management of the Band's 16 rows of instrumentation. (The Band's student staff also has two squad leaders.) Prior to selection, the Band director and compliance officer revised the application materials and interview process to assess the squad leader applicants' attitudes toward and compliance with the "new band" culture. The Band director and compliance officer conducted the interviews together and agreed on the final selection of leaders.
- Convened a team of campus experts to review the Band's practices and procedures that affect student wellness in six areas: nutrition, hydration, heat/cold, injury prevention (musculoskeletal and auditory), safety/security, and time and stress management. The goal is to implement the experts' recommendations as budget, time, and performance constraints allow. The overall wellness of next season's Band students also will be addressed through training on sexual harassment and assault, the Code of Student Conduct, Band culture, counseling and other campus resources, time and stress management, alcohol and drug use, and hazing.

- Created the Student Advisory Council as a new student leadership group within the Band. The Council will be comprised of students from each marching class to promote and foster the core values of the Marching Band's Cultural Blueprint, particularly "Extraordinary Respect" and an "Attitude of Gratitude". Council members will work in close collaboration with Band staff in such areas as training, trip planning, peer support, community outreach, and media relations. Members also will act as communications liaisons between Band members and staff, ensuring that the voices of junior members and veteran members who are not squad leaders are heard.

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  
Title IX Coordinator

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