



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

July 15, 2016

**Re: The Ohio State University Resolution Agreement
Seventeenth 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 seventeenth such report.

Section V.C: 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. OCR's May 11, 2016 letter states that this reporting requirement includes documentation verifying that the university implemented the recommendations from the previous year's assessment. To demonstrate full compliance with Item V.C., it states, the university should submit documentation verifying it has implemented the recommendations from the 2014-2015 assessment.

Response:

As OCR's May 11 letter states, Ohio State provided the written recommendations for further action based on the results of the 2014-15 climate survey in our October 15, 2015 progress report. The report outlined the university's comprehensive plan to combat sexual misconduct and relationship violence, named the BuckeyesACT Task Force, which developed the written recommendations. An update on the university's progress on the written recommendations since October 15, 2015 is as follows:

Action (prevention efforts and bystander intervention)

- The university continues to offer primary prevention programs to students, including the Buckeyes Got Your Back bystander intervention program and other instructor-led programs developed by the Title IX coordinator and the Sexual Civility and Empowerment program.
- The university created a dedicated team for investigating reports of student sexual misconduct and relationship violence on campus by hiring a Deputy Title IX Coordinator for students and two Title IX investigators in the Office of Student Life Student Conduct during Spring 2016. This

team will be the primary investigative unit for all Title IX complaints involving student-respondents as of Fall 2016.

- The university is in the process of hiring an additional sexual violence prevention coordinator, who should be in place by the start of Fall semester.
- The university conducted its second annual climate survey in Spring 2016 and will conduct the third survey in Spring 2017. The university hired a dedicated position in the Center for the Study of Student Life who will assist with analysis of the climate survey data and conduct assessment of other Title IX-related programs and initiatives.
- The BuckeyesACT Task Force including students, staff and faculty continues to meet regularly to identify best practices and explore innovative approaches to prevention and response.
- The university participated as a key partner in the Ohio Department of Higher Education's Changing Campus Culture initiative, a statewide effort to prevent and respond to sexual violence through benchmarking and training on bystander intervention and trauma-informed interviewing.

Counseling (advocacy and support services)

- The Ohio State Columbus campus is in the process of drafting an MOU with the Sexual Assault Response Network of Central Ohio (SARNCO), and several of Ohio State's regional campuses have entered into MOU's with local rape and domestic violence crisis centers to provide support and training for the campus community.
- Ohio State's Counseling and Consultation Service (CCS) hired a specialized mental health counselor to provide support to student victims of trauma, including sexual violence. CCS also greatly increased the number of general mental health counselors available for students and instituted a system to provide urgent appointments for victims of sexual violence.
- The university hired an additional Sexual Violence Support Coordinator in the Student Advocacy Center's Sexual Civility and Empowerment program.
- The university passed a revised Sexual Misconduct, Sexual Harassment, and Relationship Violence policy in September 2015 and will finalize the policy as of August 2016.

Training (awareness and prevention education)

- The university continues to support ongoing awareness initiatives to promote a culture of shared respect and responsibility, including the White House It's on US campaign, recognized last Fall in a visit by Vice President Joe Biden. The university is also creating a new consent campaign, based on the results of the climate survey and assessment of the prior consent campaign, to ensure the most effective and current messaging to students.
- The university launched the Campus Clarity *Think About It* online learning module to all students in the university community in September 2015, and completion of the module was made mandatory for all incoming students as of Fall 2016. The university will supplement the online module with an instructor-led consent training through the First Year Success Series, which will be mandatory for all freshmen. The university is developing additional curriculum to integrate into the Second-Year Transformational Education Program (STEP).
- The faculty advisory group to the BuckeyesACT Task Force is moving forward with the development of academic course work for students focused on issues related to sexual misconduct and relationship violence, in addition to other assessment projects around sexual violence.

We believe this constitutes full compliance with Item V.C. of the agreement.

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

As referenced in the university's last two progress reports, the 2015 Marching Band season concluded on January 3, 2016. Since then, the Marching Band has been inactive. Since the last quarterly update on April 15, 2016, Ohio State has done the following in preparation for next season:

- The Band director, in consultation with its compliance officer, created new student leadership training with a heavy emphasis on building a Band culture of integrity, respect, and accountability. All of the upcoming season's squad leaders and Student Advisory Council members have undergone this new training, which will be reinforced throughout the season.
- The Band compliance officer and Band director have revised the Band's Standards of Behavior for the 2016 season. Each Band member must agree in writing to follow these Standards to be eligible to participate. The revised Standards are enclosed with this Report.
- The compliance officer and members of the Band staff worked together to select the student leaders of the inaugural Student Advisory Council, which was described in the last Progress Report. The student-crafted mission of the Student Advisory Council is:
 - o to foster, strengthen, and steward a culture of respect and gratitude within The Ohio State University Marching Band program in which all participants have the opportunity to achieve both personal growth and performing excellence;
 - o to be a liaison between staff and students, holding the best interests of the Band in mind;
 - o to exemplify the ideals and behaviors of a model Bandsperson on and off the field.

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:

OSUMB 2016 Standards of Behavior

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