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Ohio State band director's firing sets off clash

AP By JULIE CARR SMYTH
August 3, 2014 10:41 PM



COLUMBUS, Ohio (AP) — The new president of Ohio State University and supporters of the school's storied marching band are clashing over the unexpected firing of a band director with deep roots in the organization.

President Michael Drake dismissed Jonathan Waters on July 24 after a two-month investigation determined he knew about, but failed to stop, a "sexualized" culture of pranks, tricks and rituals that included students marching half-clad, feigning sex acts on buses and giving each other sometimes sexually explicit nicknames. The university says it had to move swiftly on a complaint against Waters under federal sexual discrimination laws.

The band's powerful and well-funded alumni association challenges the findings against Waters, whose elaborate halftime shows drawn on iPads revolutionized the field and have prompted millions of fan views on YouTube. **The band also generated more than \$30 million in ad revenue for the university last year.**

The alumni group has launched its own review and enlisted some of its most iconic figures to try to get Waters reinstated.

They asked football great Archie Griffin, who leads the university's overall alumni association, to help them get a meeting with Drake

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but Griffin says he supports the university president's actions.

Both sides have conceded to being shocked by some of university investigators' findings. They found new band members performed acts to earn sometimes obscene nicknames referencing orgasms, sex toys and body parts; carried on grabbing and groping rituals and a trick called the "Flying 69" on band bus trips; and published lewd songbooks and underground newsletters.

In a memo he submitted at the end of the investigation, Waters laid out ways he was trying to address problems with band culture, prompting Waters' defenders to question why Drake chose such a severe rebuke. At the time of the firing, Waters was traveling to raise money for the university.

"We want somebody to stand up for the history and reputation of the band, which is undergoing a large smear at this moment," said retired band director Paul Droste, a member of the committee appointed by the alumni association pushing to get Waters his job back. "The band is portrayed now as a bunch of 'Animal House' types, and there are a few scattered minority in the band that might fit that description, but the rest of them don't."

Drake, the university's first black president, took over for Gordon Gee, who retired after jabs he made at Roman Catholics and Southeastern Conference schools were publicized and not long after Buckeyes football coach Jim Tressel was forced out in 2011 over a memorabilia scandal. Two assistant cheerleading coaches were fired in 2013 after sexual harassment accusations from cheerleaders.

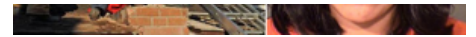
Drake says he will insist on zero tolerance — for the safety and well-being of the students and because federal law demands it.

"While some of the students may have engaged in such behavior and gave no indication that they objected, the interviews highlighted multiple situations in which students did not welcome this misconduct," investigators wrote in their report. "In a culture so sexualized for so long, students' acquiescence and failure to complain cannot be taken as evidence that the range of this misconduct was welcome."

Upon firing Waters, Drake immediately enlisted former state Attorney General Betty Montgomery to lead a task force whose job is limited to advising his administration on how the band's culture evolved to its current state and making recommendations for its future.

"We have not been tasked with reviewing the investigation and the disciplining of Jon Waters, nor can we under federal law reinvestigate that," she said.

Droste said Waters' backers were told in the meeting with Drake that they'd have the chance for input into that follow-up probe. He said Waters was not tenured, but his supporters hope to find other



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avenues — legal or political — for getting him reinstated.

"We're just riding highs and lows," Droste said. "We are trying to go through the proper channels. We want to tell our story and we want to tell it accurately."

Griffin said: "Our surest path forward in resetting the culture of the band while continuing its tradition of excellence is through pursuing clear, values-based decisions that support our students."

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