FACT SHEET – U.S. Supreme Court Petition

What is the petition?

- Ohio State has filed a petition to uphold the statute of limitations for Title IX claims, which is foundational to our shared rule of law, and to preserve the existing scope of Title IX for nearly all educational institutions.
- The petition asks the U.S. Supreme Court to preserve the core missions of the statute of limitations and Title IX by seeking review of two legal questions.
  - The first is to preserve the statute of limitations for Title IX claims, which prevents the filing of decades-old legal claims after witnesses and evidence are absent or destroyed, and encourages students to notify schools of harm in a timely manner.
  - The second is to maintain Title IX's protection of students who are denied educational opportunities or benefits on the basis of sex — rather than virtually anyone who steps foot on a school's campus.

Why is it important?

This erosion of the statute of limitations and broadening of Title IX would expand liability and the potential for lawsuits from decades ago against all universities that accept federal funds. The inevitable increase in costs associated with litigating Title IX claims from decades in the past could divert funds allocated for educational programs and activities, ultimately harming students themselves.

What's the context and connection to Strauss?


When the university decades later learned of a complaint about Strauss in 2018, Ohio State immediately commissioned an independent investigation and reported the matter to law enforcement. At that time, plaintiffs also began filing lawsuits against Ohio State. More than half of the plaintiffs have settled their claims. If the Supreme Court rules for Ohio State, the remaining lawsuits against the university would be dismissed. If the Supreme Court does not take the case or rules against the university, the suits would go back to the trial court.

Since 2018 Ohio State has:

- Led efforts to expose Strauss' abuse and Ohio State's failure at the time, decades ago, to prevent it.
- Condemned Strauss, apologized to survivors and praised their strength in coming forward.
- Covered the cost of third-party counseling and treatment — which will continue as long as needed, regardless of the outcome of this case.
- Provided survivors multiple opportunities to share their experiences with university leadership and the Board of Trustees.
- Established a task force on sexual abuse, which included national and Ohio State experts who partnered with survivors of sexual abuse, including a Strauss survivor.
- Took special action to revoke Strauss' emeritus status.
- Provided more than $60 million in monetary compensation to 296 survivors.
- Continued, separate and apart from its response to Strauss, a more than two-decade record of enhancing and investing millions of dollars to protect students, faculty and staff from abuse.
  - A comprehensive list of initiatives over the past 25 years is available online.
Ohio State is committed to continuing its larger efforts to support survivors and prevent sexual abuse. As part of this effort, the university is developing a new forum to allow individuals who have already settled to engage in further dialogue with Ohio State officials.

**Have plaintiffs had the opportunity to settle out of court?**

- Even though claims based on decades-old abuse are time-barred under the two-year statute of limitations, Ohio State offered survivors the opportunity to settle their suits for substantial amounts.

- Plaintiffs had the opportunity to settle through mediation, an individual settlement program, or separately negotiated group and individual settlements. Most settlements were managed independently by a third party who specializes in assessing damages and determining settlement amounts in sexual abuse lawsuits.

- The majority of the survivors settled their claims.

- Ohio State provided $60 million in settlements to 296 survivors through a trauma-informed approach that did not require individuals to prove they were harmed through any litigation process such as discovery or depositions.

- Ohio State has sincerely and persistently tried to reconcile with survivors through monetary and non-monetary means, and all male students who filed lawsuits have been offered the opportunity to settle.

- The remaining plaintiffs who were male students rejected monetary offers and continue to pursue their legal claims.

**Summary**


- When the university received a single complaint in 2018, we took immediate action, launching an external, independent investigation, which found that at least 177 male students were sexually abused and that the university at the time, decades ago, had failed to act meaningfully.

- Ohio State has repeatedly condemned Strauss' abuse, apologized to survivors, and worked to reach a resolution. We have paid more than $60 million to settle with 296 people through a trauma-informed approach that did not require survivors to prove they were harmed through any litigation process such as discovery or depositions. The remaining plaintiffs who were male students rejected monetary offers and continue to pursue their legal claims.

- Ohio State’s request for review by the U.S. Supreme Court does not question survivors’ accounts of sexual abuse or condone that abuse in any way.

- The university's petition to the U.S. Supreme Court does not diminish Ohio State’s commitment to supporting survivors, discovering and sharing the facts, and continuing its work to change the culture of the past — and prevent abuse in the future — as Ohio State has done over the past 25 years. Rather, it addresses a purely legal question in asking the Court to preserve the core missions of the statute of limitations and Title IX, with implications that will extend far beyond Ohio State.

- The petition stems from an unprecedented ruling from the U.S. Court of Appeals for the Sixth Circuit that erodes the statute of limitations to allow claims that are decades old to move forward and expands Title IX to anyone who steps foot on a campus — even the 100,000 visitors to a football stadium on game day.

- Allowing the Sixth Circuit ruling to stand and allowing decades-old claims to be brought forth could cause schools to refrain from doing exactly what Ohio State did in this case — launch a rigorous investigation into decades-old abuses to do everything it can to prevent such abuses in the future.

More information is available at: [supremecourt.osu.edu](http://supremecourt.osu.edu)