



May 10, 2004

BY FIRST CLASS MAIL

Gordon F. Rainey, Jr.  
Rector  
University of Virginia  
c/o Hunton & Williams  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219-4074

**Re: Status of the Virginia Pep Band**

Dear Mr. Rainey:

As I'm sure you recall, Ed Hardy and I met with you last August to discuss the situation of the Virginia Pep Band.

During the past academic year, we have tried unsuccessfully to facilitate a role for the Pep Band at second-tier athletic events at which the new marching band will not perform. Enclosed is a statement we issued to our supporters summarizing the events of the past year and FVPB's current position.

The Pep Band served the University by providing music at athletic events from the early 1970s until April 2003. Like the University Guides, the Honor Committee, and the Cavalier Daily, the Pep Band has been one of the premier student-run service organizations at UVa. The Pep Band desires to continue serving the University and should be provided this opportunity.

There is a clear and simple niche to be filled by the Pep Band. The marching band cannot supply musicians at *all* of the scores of home games of UVa's athletic teams. The Pep Band only seeks to play at those games at which the marching band will not appear (such as soccer, lacrosse, field hockey, *etc.*). There is no possibility of controversy because the Band is only seeking to perform music.

Mr. Littlepage is charged with running the Athletic Department. The scope of his duties do not necessarily require him to focus on larger issues affecting the University, such as alumni relations and the role of student-run organizations in the educational experience offered to students. It is hard to put into words the deep alienation felt by alumni who served in the Pep Band or enjoyed its performances because UVa is unwilling to make even a modest compromise. We think that someone in the UVa administration outside the Athletic Department should look at the Pep Band issue in the context of UVa's broader interests.

It is sad to think that the Pep Band's thirty years of volunteer service did not earn it at least a little "good will" with the University. As we said in our statement, having a marching band is not a zero-sum game. UVA can and should provide the Pep Band the opportunity to play music at UVA's second-tier "Olympic" sports.

We hope the University will exercise some leadership on this issue soon and do the right thing.

Very truly yours,

A handwritten signature in black ink, appearing to read "David S. Black". The signature is fluid and cursive, with the first name "David" and last name "Black" clearly distinguishable.

David S. Black

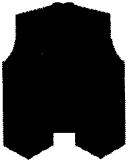
President, FVPB

E-mail: [david.black@hklaw.com](mailto:david.black@hklaw.com)

Telephone: 703-851-7944

Enclosure

cc: John T. Casteen, III



May 5, 2004

**Let the Pep Band Play —  
Because Two Bands Would Be Better Than One**

April 24 marked the one-year anniversary of what fans of the Virginia Pep Band refer to as "Black Thursday" — the day on which the Athletic Department changed the locks on the Pep Band's instrument closet without notice and surprised the Pep Band's leadership with the news that the Pep Band was being excluded from future athletic events. The Pep Band's abrupt ouster occurred on the second-to-last day of classes (when student press coverage was minimal) and at a meeting misleadingly called for the purpose of "planning for the upcoming year." As we reflect upon this anniversary, we continue to be upset by the Athletic Department's harsh treatment of the all-volunteer Pep Band after nearly thirty years of service. We are also dissatisfied with the University's failure to find some role for the Pep Band at athletic events, despite pleas from several corners of the UVa community for a reasonable compromise.

Since April 2003, the University has offered unconvincing justifications for why the Pep Band cannot play at at least some athletic events. President Casteen has spoken of a desire to improve the performing arts at the University. How is this goal accomplished by shutting out from athletics a thirty-year-old performing arts organization?

The Athletic Department has said that it wants to throw all of its financial resources behind the new marching band. This, too, is a hollow rationale for excluding the Pep Band. The Pep Band has made clear that it does not require any funding from the Athletic Department in order to support UVa's athletic teams. Thanks to the help of Friends of the Virginia Pep Band (FVPB), a support group of more than 1,000 alumni, the Pep Band has resources to remain well equipped.

Last Fall, the Athletic Department took initial steps in the right direction but reversed course. Athletic Director Craig Littlepage met with the Pep Band's leaders several times about the Band playing at Olympic sports (*i.e.*, sports other than football and basketball) but delayed a decision until Bill Pease, the new marching band director, arrived on Grounds. Then, after Mr. Pease's arrival, Mr. Littlepage abruptly changed direction and announced that the new marching band would send smaller bands to perform at Olympic sports. Meanwhile, UVa's various Olympic sport teams (*e.g.*, men's and women's lacrosse) have played dozens of home games without so

much as a note of musical support from Mr. Pease's band. The Pep Band has attended numerous Olympic sports in uniform but without instruments, unable to play because of the Athletic Department's line drawing. Sadly, those bearing the brunt of the Athletic Department's questionable exclusion of the Pep Band are its own student athletes, who are deprived of the atmosphere and excitement that only a college band can bring.

The issue is not whether to have a marching band. The Athletic Department's largest benefactor (Carl Smith) has spoken, and the University will understandably not disappoint him. The issue is whether or not the Pep Band and the new marching band can co-exist supporting UVa athletics as part of a two-band system. Despite all of the excuses wrapped in policy talk, there is no good reason why a two-band system can't work at UVa. Both the Pep Band and Mr. Pease have said they are willing to work together, if permitted by the Athletic Department. Many other universities, including at least one right here in the Commonwealth (Virginia Tech), have two bands supporting their athletic teams. The University needs to realize that having a marching band is not a zero-sum game.

And there is no question that the Pep Band can still play. This year, the Pep Band regularly played for UVa's rugby and ice hockey club teams; put on a well received field show at a University of Pennsylvania football game; played at a Columbia University football game and in New York's Central Park; and performed to rave reviews at a Washington Capitals hockey game.

It is also clear that the public desires a compromise. Last summer, a lead editorial in The Cavalier Daily recommended a two-band system with the Pep Band playing at Olympic sports ("Preserving Pep," 06/26/03). In February 2004, the UVa Student Council passed a resolution supporting the co-existence of two bands at athletics. In March 2004, the Virginia House of Delegates passed a resolution recognizing the Pep Band as "a unique and valued tradition in the history of the University of Virginia and the Commonwealth" and commending the Pep Band on its 30<sup>th</sup> Anniversary. Finally, the University's alumni, through FVPB, have rallied to support the Pep Band in its time of need.

The unfair treatment and needless exclusion of the Pep Band reflect poorly on UVa. It is time for the University to address the situation and afford the Pep Band some relief. We hope that the Athletic Department (or, if necessary, those who supervise the Athletic Department) will at last pursue a compromise that allows both the new marching band and the Pep Band to

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support UVa athletics. A compromise will achieve a "win-win" for everyone involved and ultimately benefit UVa's student athletes and fans of Olympic sports. After the University's ungracious treatment of the Pep Band during the past year, such an arrangement would be a welcome, if not timely, resolution.

— **The FVPB Board of Directors**

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