



Title IX Policy

POLICY NO.	ISSUE DATE	EFFECTIVE DATE
01.45.02	September 2, 2016	February 20, 2025

1.0 Policy Purpose

This policy prohibits Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking, in addition to Retaliation against an individual for making a Report of conduct prohibited under this policy or for participating in an investigation of an alleged violation of this policy. It also defines Prohibited Intimate Relationships between individuals where one individual has power or authority over another which could create a hostile environment.

This policy is in accordance with Title IX of the Education Amendments of 1972; relevant provisions of the Violence Against Women Act; Title VII of the Civil Rights Act of 1964; the Jeanne Clery Campus Safety Act; their implementing regulations; and other applicable federal and Rhode Island state laws and regulations.

Concerns about Brown's application of this policy may also be addressed to the **United States Department of Education, Office for Civil Rights**, at OCR@ed.gov (<mailto:OCR@ed.gov>) or [\(800\) 421-3481](tel:8004213481) or the Rhode Island Commission for Human Rights.

2.0 To Whom the Policy Applies

This policy applies broadly to the entire Brown University ("Brown" or "the University") community including applicants, employees, invitees, students, and contractors collectively known as "Covered Persons." This policy pertains to acts of Prohibited Conduct committed by or against Covered Persons when:

- (i.) the conduct occurs, in the United States, on property owned, leased, or controlled by Brown University; and/or
- (ii.) the conduct occurs off-campus, in the United States, involving locations, events, or circumstances over which Brown exercises substantial control over both the Respondent and the context in which the alleged Prohibited Conduct occurred, including but not limited to off-campus research, internships, mentorships, summer sessions, clerkships, graduate student fellowships, or other affiliated programs.

3.0 Policy Statement

This policy aims to establish and maintain an inclusive learning, living, and working environment where healthy, respectful, and consensual conduct represents a campus cultural norm that is free from discrimination and harassment. To that end, this policy requires Covered Persons to act in a manner that does not intentionally or unintentionally discriminate against or create a hostile environment for another on the basis of their actual or perceived gender, gender-identity and gender-expression, and sexual orientation (**Sexual Harassment**). It also prohibits certain relationships of a sexual or intimate nature between Students and Employees (**Prohibited Intimate Relationships**). **Sexual Assault, Dating Violence, Domestic Violence, and Stalking** as defined in the Violence Against Women's Act (VAWA) are prohibited by this policy. This policy is written and interpreted broadly to include online and cyber manifestations of Prohibited Conduct. Additionally, this policy prohibits retaliation against an individual for making a report of conduct prohibited under this policy or for participating in an investigation of an alleged violation of this policy (**Retaliation**). These behaviors will be collectively known as Prohibited Conduct and are actions that undermine the character and purpose of Brown University and will not be tolerated.

It is the responsibility of every member of the Brown University community to foster an environment free from discrimination and harassment. Covered Persons must be respectful of power dynamics and privilege associated with their role, position, rank, or identity and avoid actions that would leverage that power to compel others to consent to unwanted behavior or deny others equal access to the programs and activities of Brown. Abusing or taking advantage of one's power, supervision, or authority over another is unacceptable and may create a hostile environment for the individuals involved, and the community at large, that seriously undermines the atmosphere of trust essential to the academic enterprise.

All University community members are encouraged to take reasonable and prudent actions to prevent or stop the conduct prohibited by this policy. This may include direct intervention when safe to do so, enlisting the assistance of others, contacting law enforcement, or seeking assistance from a person in authority. University community members who choose to exercise this positive responsibility will be supported by Brown University and protected from retaliation.

3.1 Reporting

3.1.1 Designated Reporting Locations

The University encourages individuals harmed or targeted by or witnesses of Prohibited Conduct to report incidents to Meaghan Borys, Brown's Title IX Coordinator. The Title IX Coordinator oversees the University's response to these reports. Individuals can report incidents directly to the:

Title IX and Gender Equity Office

20 Benevolent Street
 titleixoffice@brown.edu (<mailto:titleixoffice@brown.edu>)
[\(401\) 863-2026](tel:(401)863-2026)
[\(401\) 863-5140](tel:(401)863-5140)

Online reporting form (https://cm.maxient.com/reportingform.php?BrownUniv&layout_id=68)

Deputy Title IX Coordinators

Yolanda Castillo-Appollonio - Deputy Title IX Coordinator for Students
 Senior Associate Dean and Director of Student Conduct & Community Standards
[\(401\) 863-2653](tel:(401)863-2653)

Lindsay Orchowski - Deputy Title IX Coordinator for the Medical School
 Associate Professor of Psychiatry and Human Behavior (Research)
[\(401\) 444-7021](tel:(401)444-7021)

Maria E. Suarez - Deputy Title IX Coordinator for Graduate Students
 Associate Dean of Student Support Services
[\(401\) 863-1802](tel:(401)863-1802)

Anne Windham - Deputy Title IX Coordinator for Faculty
 Senior Associate Dean of the Faculty
[\(401\) 863-5410](tel:(401)863-5410)

Reports that involve an imminent safety risk should go to the:

Department of Public Safety

75 Charlesfield Street
 Emergency Line [\(401\) 863-4111](tel:(401)863-4111)
 Non-emergency Line [\(401\) 863-3322](tel:(401)863-3322)

In all cases in this process, when the term "Title IX Coordinator" or other University official is referenced, the term shall also mean a designee.

3.1.2 On-Campus Resources

Individuals may speak with or seek services from on-campus resources to learn the available Support Measures. The following offices are considered private but not confidential:

Student Support Services (<https://www.brown.edu/offices/student-support/student-support-services>)
(401) 863-3145

Administrator On Call (AOC) (<https://campus-life.brown.edu/seek-support/administrator-call-247-support-students>)
(401) 863-3322
 Page-Robinson Hall, 5th Floor

Department of Public Safety (<https://dps.brown.edu/>)
(401) 863-4111
 Non-Emergency DPS Response
(401) 863-3322

Office of International Student and Scholar Services (OISSS) (<https://oiyss.brown.edu>)
(401) 863-2427
 Page-Robinson Hall, 4th Floor

3.1.3 Confidential Support Services

Individuals may also speak with a confidential resource to learn the available support measures and complaint options. The following offices are confidential resources and are under no obligation to disclose the content of conversations with the Title IX and Gender Equity Office. Disclosure to a confidential resource does not constitute a report or actual knowledge to the University. Confidential resources are:

Athletic Trainers (<https://brownbears.com/sports/2018/4/27/athletics-departments-sports-medicine-athletic-trainers>)
(401) 863-3851
 OMAC
 235 Hope Street

Counseling and Psychological Services (CAPS) (<https://www.brown.edu/campus-life/support/counseling-and-psychological-services/>)
(401) 863-3476
 Page-Robinson Hall 512

Brown Emergency Medical Services (EMS) (<https://www.brown.edu/campus-life/health/ems/>)
401-863-4111

Faculty and Staff Assistance Program (<https://www.brown.edu/about/administration/human-resources/benefits/health-and-wellbeing/facultystaff-assistance-program>)
(800) 624-5544

Office of the Chaplains and Religious Life (<https://www.brown.edu/campus-life/spiritual-life/chaplains/about/people>)
(401) 863-2344
 Page-Robinson Hall 410

Sexual Assault Response Line (<https://www.brown.edu/campus-life/health/services/promotion/sexual-assault-dating-violence-get-help/sexual-assault-response-line>)
(401) 863-6000

Sexual Harm Acute Response & Empowerment (SHARE) Advocates (<https://www.brown.edu/campus-life/health/services/promotion/sexual-assault-dating-violence-get-help-help-friend/share-advocates>)
(401) 863-2794
 450 Brook Street

Student Health Services (<https://www.brown.edu/campus-life/health/services/>)
(401) 863-3953
 13 Brown Street

University Ombuds (<https://ombuds.brown.edu/>)
(401) 863-6145
 Hillel Building, 3rd Floor

3.1.4 Community Resources

Brown University also strongly encourages anyone who becomes aware of an alleged incident of Prohibited Conduct which may constitute a violation of Rhode Island State Law to report the incident to local law enforcement, and will provide support, resources, and assistance to those who do so.

Providence Police Department

Emergency: 911

Non-Emergency: [\(401\) 272-3121](tel:(401)272-3121)

Day One (The Sexual Assault & Trauma Center) (<https://www.dayoneri.org/>)

Helpline: [1-800-494-8100](tel:1-800-494-8100)

Rhode Island Bar Association (Legal Assistance) (<https://ribar.com/>)

[\(401\) 421-5740](tel:(401)421-5740)

Email: info@ribar.com (<mailto:info@ribar.com>)

U.S. Citizenship and Immigration Services (Visa and Immigration Assistance) (<https://www.uscis.gov/citizenship/apply-for-citizenship/find-help-in-your-community>)

Find Help in Your Community website

American Immigration Lawyers Association (Visa and Immigration Assistance) (<https://ailalawyer.com/>)

Email: ils@aila.org (<mailto:ils@aila.org>)

3.1.5 Mandatory Reporters

Taking meaningful action when conduct prohibited by this policy occurs is a critical component to Brown's commitment to a campus that is free from discrimination and harassment. Brown asks faculty and staff in varying leadership roles who oversee the welfare of faculty, staff, students, and University programs to assist us in these efforts by reporting all disclosures or knowledge of Prohibited Conduct to the Title IX Coordinator. Such reports amplify the University's ability to know what is occurring within its programs and activities and to respond accordingly. The Title IX Coordinator will conduct an initial assessment of these Reports and will do so in a manner consistent with the privacy choices of the Complainant or reporting party.

Community members who are mandated to report allegations of Prohibited Conduct to the Title IX Coordinator are:

- Academic department chairs and directors of University institutes (e.g., Watson, ICERM, etc.)
- Athletic Team Head Coaches and Assistant Coaches including Strength and Conditioning Coaches
- Community Coordinators
- Deans and Directors in Campus Life
- Deans and Directors in The College
- Deans and Directors in the Graduate School
- Deans and Directors of Pre-College and Undergraduate Programs
- Deans and Directors in the Office of the Dean of the Faculty, Schools of Engineering, Public Health, and Professional Studies
- Deans and Directors in the Warren Alpert Medical School
- Department of Public Safety
- Deputy Title IX Coordinators
- Director of Athletics and Assistant, Associate, and Deputy Directors of Athletics
- Directors, Assistant Directors, and Area Coordinators in University Residential Life and Housing Programs, Centers' Assistant Directors and Program Coordinators
- Directors of Undergraduate Studies
- Directors of Graduate Studies

Any questions about the status of an employee as a 'Mandatory Reporter' should be addressed to the Title IX Coordinator.

All other faculty, staff, and students not designated as a Mandatory Reporter are strongly encouraged to report allegations of Prohibited Conduct to the Title IX Coordinator or a Deputy Title IX Coordinator. Before making this disclosure, employees should confer with the individual harmed or targeted by the Prohibited Conduct to make sure they are aware of the requirement to make this referral.

Upon receipt of a report or other knowledge of alleged Prohibited Conduct, the Title IX Coordinator will contact the individual(s) alleged to be harmed by or subjected to the Prohibited Conduct to inform them in writing of the (i.) available Support Measures, including options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures, (ii.) confidential resources and support services on-campus, (iii.) the importance of preserving evidence related to the Prohibited Conduct alleged, (iv.) the process of filing a Formal Complaint, (v.) the option to file a civil or criminal complaint, and (vi.) a written explanation of their rights. The University will make such accommodations or provide such protective measures if the individual(s) alleged to be harmed by or subjected to the Prohibited Conduct requests them and if they are reasonably available, regardless of whether the individual chooses to report an alleged crime to the Department of Public Safety or local law enforcement.

3.1.6 Time Frame for Reporting

There is no time limit on submitting a Formal Complaint to the Title IX Coordinator or designee. However, a Complainant pursuing a complaint resolution process associated with this policy must be participating in or attempting to participate in an educational program, employment, or other activity of Brown at the time of filing a Formal Complaint.

If the Complainant and/or Respondent is no longer affiliated with Brown (e.g., a report is made after a student is no longer enrolled or graduated or an employee is no longer employed by Brown), the ability to investigate, respond, and provide remedies may be more limited or impossible. The University will provide reasonably available and appropriate support measures, assist the Complainant in identifying external reporting options, and may take appropriate action to address the Prohibited Conduct.

The University applies the policy defining the Prohibited Conduct that was in effect at the time of the alleged conduct and the procedures that are in effect when the Formal Complaint is filed.

3.1.7 Amnesty

3.1.7.1 Personal Ingestion of Alcohol and Other Drugs

Brown University generally will offer amnesty to Complainants, Respondents, reporting parties, and witnesses who disclose the personal ingestion of alcohol or other drugs, in violation of Brown University Code of Student Conduct (<https://policy.brown.edu/policy/code-student-conduct>), when making a report of Prohibited Conduct and/or participating in a complaint procedure associated with this policy. Although amnesty safeguards the individual from a disciplinary notation or finding of responsible for a policy violation for drugs or alcohol, it does not exempt the University from taking appropriate action to address the conduct and/or mitigate future violations.

3.1.7.2 Violation of Healthy Brown Public Health Protocols

Brown University generally will offer amnesty to Complainants, Respondents, reporting parties, and witnesses who disclose participating in activities that do not adhere to established Health Protocols when making a report of Prohibited Conduct or participating in a complaint procedure associated with this policy unless the University determines that there was malicious intent. Although amnesty safeguards the individual from a disciplinary notation or finding of responsible for a policy violation, it does not exempt the University from taking appropriate action to address the conduct and/or mitigate future violations.

3.2 Academic Freedom

Brown University is committed to the principles of free inquiry and expression. Vigorous discussion and debate are fundamental to this commitment, and this policy is not intended to restrict teaching methods. Nothing in this Policy will be construed to negate any rights afforded in the Faculty Rules & Regulations, Part 5, Section 12.I.C.

3.3 Confidentiality and Privacy

3.3.1 Confidentiality

Confidentiality is a legal concept prohibiting designated campus or community professionals from revealing identifiable information shared by an individual to any other person without express permission of the individual, or as otherwise permitted or required by law. Those campus and community professionals who maintain information confidentially are:

- Health care providers in Brown University Health Services including EMTs,
- Clinicians in Counseling and Psychological Services (CAPS),

- the Sexual Harassment and Assault Resources and Education (SHARE) Advocate(s),
- Ordained clergy with privileged confidentiality recognized by Rhode Island state law, and
- University Ombuds.

These individuals are prohibited from breaking confidentiality unless (i.) given permission to do so by the person who disclosed the information; (ii.) there is an imminent threat of harm to self or others; (iii.) the conduct involves suspected abuse of a minor under the age of 18; or (iv.) as otherwise required or permitted by law or court order.

3.3.2 Privacy

Privacy means that information related to a report of Prohibited Conduct will be treated with the utmost discretion and will be shared only with a limited circle of individuals who “need to know” in order to assist in the review, investigation, and resolution of the report, and/or other disclosures necessary to fulfill University operations.

3.4 Conflict of Interest

The Brown University Conflict of Interest and Commitment Policy (<https://policy.brown.edu/policy/coic>) and its related guidelines apply to all members of the Brown community and to all processes and procedures, including all investigative and disciplinary procedures in place to support and implement this policy. A conflict of interest may arise when a member of the Brown community may be able to use the authority of their position to influence a University decision, action, or outcome with regard to the implementation and enforcement of this policy, including associated investigative and disciplinary procedures. It is the responsibility of all members of the Brown community involved in any aspect of a report of Prohibited Conduct to read the University's Conflict of Interest and Commitment Policy and to disclose potential or actual conflicts as they arise to the Title IX Coordinator or University Human Resources for employees.

3.5 Training and Education

As part of its commitment to the prevention of Prohibited Conduct, Brown University offers education and awareness programs to bring awareness to and reduce the occurrence of Prohibited Conduct. Incoming Students and new Faculty and Staff receive prevention and awareness programming as a requirement of their orientation.

The Title IX Coordinator and Investigators receive annual training on identifying and mitigating implicit and explicit bias, the definitions of Prohibited Conduct, the scope of a recipient's education program and activities, how to conduct investigations, and managing a complaint resolution process including hearings, appeals, and informal resolution processes.

Everyone involved in the handling of Title IX matters, including Deputy Title IX Coordinators, Title IX Council members, and Hearing Officers, receives annual training from the Title IX and Gender Equity Office to hear cases on conduct prohibited by this policy. The training provides an overview of identifying and mitigating implicit and explicit bias, applying the preponderance of evidence standard, the definition of Prohibited Conduct, and understanding key concepts such as consent, incapacitation, and hostile environment. The training also strengthens panelist skills in asking questions, reviewing the investigation Report, and determining discipline.

4.0 Definitions

For the purpose of this policy, the terms below have the following definitions:

Administrative Leave: Administrative Leave is when the institution places an Employee on an interim work, supervision, leadership, or teaching suspension after the filing of a Formal Complaint against the Employee.

Advisor: An advisor is an individual of the Complainant's or Respondent's choosing, including an attorney, to provide support during the complaint process. *More on the role and responsibility of an advisor can be found in the Title IX Grievance Procedure* (<https://www.brown.edu/about/administration/title-ix/Title%20IX%20grievance%20Procedure>).

Coercion: Coercion is verbal and/or physical conduct, including intimidation, unwanted contact, and express or implied threats of physical, emotional, or other harm, that would reasonably place an individual in fear of immediate harm and that is employed to compel someone to engage in sexual contact.

Complainant: A Complainant is the individual(s) who is alleged to be the victim of behavior that could constitute Prohibited Conduct. A Complainant seeking to use the Title IX Grievance Procedure (<https://www.brown.edu/about/administration/title-ix/Title%20IX%20grievance%20Procedure>) associated with this policy must have been participating in or attempting to participate in an educational program, employment, or activity of Brown at the time the formal complaint is submitted.

Consent: Consent is an affirmative and willing agreement to engage in specific forms of sexual contact with another person. Consent requires an outward demonstration, through mutually understandable words or actions, indicating that an individual has freely and affirmatively chosen to engage in sexual contact. Consent cannot be obtained through: (1) the use of coercion or force or (2) by taking advantage of the incapacitation of another individual. Silence, passivity, incapacitation from alcohol or drugs, or the absence of resistance does not imply Consent. It is important not to make assumptions; if confusion or ambiguity arises during a sexual interaction, it is essential that each participant stops and clarifies the other's willingness to continue. Consent can be withdrawn at any time. When Consent is withdrawn, sexual activity must cease. Prior Consent does not imply current or future Consent; even in the context of an ongoing relationship, Consent must be sought and freely given for each instance of sexual contact. An essential element of Consent is that it be freely given. Freely given Consent might not be present, or may not even be possible, in relationships of a sexual or intimate nature between individuals where one individual has power, supervision, or authority over another. In evaluating whether Consent was given, consideration will be given to the totality of the facts and circumstances, including but not limited to the extent to which a Complainant or reporting party affirmatively uses words or actions indicating a willingness to engage in sexual contact, free from Coercion; whether a reasonable person in the Respondent's position would have understood such person's words and acts as an expression of Consent; and whether there are any circumstances, known or reasonably apparent to the Respondent, demonstrating Incapacitation.

Covered Persons:

- **Applicants:** Individuals who have expressed an interest in applying or have applied for employment or enrollment as a student.
- **Contractors:** Independent contractors, vendors, or other third parties contractually obligated to perform services for Brown University.
- **Employees:** Individuals employed by Brown University, including faculty, affiliates, visiting faculty, postdoctoral fellows, and all staff (including all exempt and non-exempt, bargaining unit, and senior administrative positions), as well as those physicians and health scientists who are not employed by Brown University but have Brown University faculty, affiliate, postdoctoral, or house staff appointments for the purpose of teaching and/or research in the Division of Biology and Medicine.
- **Invitees:** Visitors or guests of Brown University.
- **Students:** Individuals enrolled in the College, the Graduate School, the Warren Alpert Medical School, the School of Public Health, the School of Engineering, and/or the School of Professional Studies.
 - For RISD students who are not dually enrolled at Brown, the Title IX and Gender Equity Office will work with the RISD Title IX Office to determine jurisdiction.

Day: All references in this Policy to days refer to business days unless specifically noted as calendar days. A business day is when the University is in normal operation.

Discipline: A consequence imposed on a Respondent following a determination that the Respondent violated this Policy. A Respondent who is found responsible for violating the Policy is subject to one or more of the following disciplinary actions:

- A verbal or written warning
- Probation
- Suspension
- Expulsion
- Revocation of or withholding a degree
- Academic transcript notation (see Note below)
- Restitution for damage to property
- Reflection or research papers or other academic assignments
- Letters of apology
- Restorative circles
- Attending or presenting educational programs or training
- No Contact Orders
- Referrals to other offices and resources on campus
- Administrative leave with or without pay
- Termination of employment
- Termination of relationship with the University
- Change in job description

Emergency Removal: Emergency Removal is the process where the institution places a Respondent on an interim suspension, interim leave of absence, and/or interim removal from campus. The Title IX Coordinator will bring reports that may necessitate an Emergency Removal to the Behavioral Assessment and Response Team in the case involving Student Respondents, or convene a risk assessment group for cases involving Employee Respondents to determine whether there is reasonable cause to believe that the Prohibited Conduct is likely to continue and/or the Respondent poses a significant threat of harm to the health, safety, and welfare of others or the University community. If the Behavioral Assessment and Response Team determines that an Emergency Removal of a student is warranted, it will recommend that action to the Associate Vice President for Campus Life and Dean of Students who will decide whether to implement the Emergency Removal. Emergency Removals of a student can be appealed to the Vice President of Campus Life. Brown may remove a student on an emergency basis with or without the completion of a complaint resolution process.

Force: Force is the use or threat of physical violence to overcome an individual's freedom of will to choose whether or not to participate in sexual contact.

Formal Complaint: A written and signed document submitted by a Complainant (or the Title IX Coordinator in lieu of a Complainant) alleging that a Covered Person has engaged in conduct prohibited by this policy. A Formal Complaint should include the identities of the parties involved (if known), the Prohibited Conduct alleged, the date and location of the alleged incident (if known), and the details of the incident. The Formal Complaint will be shared with the Respondent and the investigator upon the initiation of an investigation.

Incapacitation: An individual who is incapacitated lacks the ability to make informed judgments and cannot consent to sexual contact. Incapacitation is the inability, temporarily or permanently, to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. Mentally helpless means a person is rendered temporarily incapable of appraising or controlling one's own conduct. Physically helpless means a person is physically unable to verbally or otherwise communicate consent or unwillingness to an act. Where alcohol or other drugs are involved, Incapacitation is a state beyond impairment or intoxication. Where alcohol or other drugs are involved, evaluating Incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects a person's: decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of Incapacitation when viewed from the perspective of a sober, reasonable person.

Interim Action: A course of action taken by the University in response to a report of Prohibited Conduct. These measures may be both restorative (designed to address a Complainant's safety and well-being and continued access to educational opportunities) and remedial (involving action against a Respondent without unreasonably burdening a Respondent.) Interim actions may include housing relocation, on-campus housing restriction, change in work location or modification of work hours, restricted access to certain buildings or locations of campus, course reassignment or shift to remote course access, interim suspension and/or interim removal from campus, or interim administrative leave of absence. Interim action may be taken with or without a Formal Complaint or the implementation of a complaint resolution process and is individualized to protect the safety of all parties, the broader campus community, and/or prevent future Prohibited Conduct.

Prohibited Conduct: Includes Dating Violence, Domestic Violence, Prohibited Intimate Relationships, Sexual Assault (Rape, Fondling, Incest, Statutory Rape), Sexual Harassment, Retaliation and Stalking.

- **Dating Violence:** Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating Violence includes but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence. This definition is prescribed by the Violence Against Women's Act as defined in the Uniform Crime Reporting (UCR) Program's National Incident-Based Reporting System (NIBRS).
- **Domestic Violence:** Domestic Violence is violence committed (i.) by a current or former spouse or intimate partner of the victim; (ii.) by a person with whom the victim shares a child in common; (iii.) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (iv.) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (v.) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Domestic Violence includes, but is not limited to, physical, sexual, emotional, economic, and/or psychological actions or threats of action, including threatening to reveal personal or confidential information (including, but not limited, to information regarding one's gender identity and/or sexual orientation), that are intimidating, frightening, terrorizing, or threatening. Prohibited Conduct under this definition includes threats of violence or harm to one's self, one's family member(s) or friends, and/or one's pet. This definition is prescribed by the Violence Against Women Reauthorization Act of 2022.

- **Economic Abuse:** The term 'Economic Abuse,' in the context of Domestic Violence, Dating Violence, and abuse in later life, means behavior that is coercive, deceptive, or unreasonable controls or restrains a person's ability to acquire, use, or maintain economic resources to which they are entitled, including using Coercion, fraud, or manipulation to
 - (1) Restrict a person's access to money, assets, credit or financial information;
 - (2) Unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or
 - (3) Exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.
- **Technological Abuse:** An act or pattern of behavior that occurs within Domestic Violence, Sexual Assault, Dating Violence or Stalking and is intended to harm, threaten, intimidate, control, stalk, harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces ad platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.
- **Prohibited Intimate Relationships:** No Employee shall request or accept sexual favors from or engage in a romantic, sexual, or intimate relationship with any Brown University undergraduate Student. This prohibition includes intimate relationships between student supervisors and supervisees, and undergraduate, graduate, or medical student teaching or research assistants, teaching fellows, or proctors, and any undergraduate student who is enrolled in a course or section taught by that individual or otherwise subject to that individual's academic supervision.

Relationships of a sexual or intimate nature between Employees and graduate and medical Students where the Employee has power, supervision, or authority over the student is prohibited. No faculty, graduate or medical Student, medical resident or fellow, postdoctoral fellow or associate, teaching or research assistant, fellow, or proctor shall request or accept sexual favors from or engage in a romantic, sexual, or intimate relationship with any graduate or medical Student who is enrolled in a course or section taught by that individual or otherwise subject to that individual's academic supervision.

Academic supervision includes teaching, advising, supervising research, serving on a dissertation or other academic committee, grading, and/or having an influence upon funding and/or academic progress, and/or otherwise occupying a position of influence or power over a Student's academic program.

Even when both parties have consented at the outset to the development of such a relationship, it is the person in the position of greater authority who may be investigated for or charged with Prohibited Conduct.

Pre-existing relationships of a sexual or intimate nature with a Student or relationships between individuals who are faculty and staff must be disclosed on the Conflict of Interest Form and may require a Management Plan.

- **Retaliation:** Retaliation is any action, statement, or behavior meant as reprisal or retribution against an individual in response to the individual's good-faith report or participation in a proceeding related to this policy. Any retaliatory action taken directly or indirectly against a person who has made a report, filed a complaint, or participated in an investigation is prohibited.

Retaliation includes but is not limited to, intimidation, threats, harassment, and other conduct that would discourage a reasonable person from engaging in activity protected under this policy, such as seeking services, receiving protective measures and accommodations, and/or reporting Prohibited Conduct. This prohibition against Retaliation protects Complainants, Respondents, reporting parties, witnesses, hearing panelists, decision-makers, advisors, investigators, and other individuals who provide information relating to a Title IX investigation or participate in a complaint process associated with this policy.

- **Sexual Assault:** Sexual Assault is defined as a sexual act directed against another person, without the Consent of the other person, including instances where the target is incapable of giving Consent due to age or temporary or permanent mental or physical incapacity. Sexual Assault is the umbrella term for actions that constitute Rape, Fondling, Incest, and Statutory Rape. *This definition is prescribed by the Violence Against Women Reauthorization Act.*
 - **Fondling:** Forcible or non-forcible touching of the private body part (breast, buttocks, groin, genital, or other intimate part) of another person for the purpose of sexual gratification without Consent.
 - **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Rape:** Attempted or completed anal or vaginal penetration of another person, no matter how slight, by a body part or object without consent and/or completed or attempted oral penetration by a sex organ of another person.
 - **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of Consent.
- **Sexual Harassment:** Conduct on the basis of sex that occurs in Brown's education program or education activity and satisfies one or more of the following:
 - (i) An employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (quid pro quo);
 - (ii) Unwelcome conduct determined by a reasonable person to be so **severe**, pervasive, and objectively offensive that it effectively denies a person equal access to the Brown's education program or activity (Hostile Environment); and/or
 - (iii) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a) (10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a) (30).

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

- **Stalking:** Stalking is a course of conduct on the basis of sex directed at a specific person that would cause a reasonable person to (i.) fear for the person's safety or the safety of others; or (ii.) suffer substantial emotional distress.

For the purposes of this policy, Stalking refers to actions "on the basis of sex" that would constitute Sexual Harassment such as surveillance of a former intimate partner.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require, medical or other professional treatment or counseling.

Stalking includes the concepts of cyber-stalking, a form of Stalking through electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact. This definition is prescribed by the Violence Against Women's Act.

Respondent: An individual(s) who has been reported to be the perpetrator of behavior that could constitute Prohibited Conduct.

Report: Information shared with the Title IX Office that includes details of alleged Prohibited Conduct. A Report is made when a Complainant, reporting party, or third party seeks information or support measures or informs the University of Prohibited Conduct, but such party is not making a Formal Complaint or pursuing a complaint resolution process to address the alleged Prohibited Conduct.

Support Measures: Non-disciplinary, non-punitive measures provided to a Complainant or Respondent designed to restore or preserve equal access to Brown's programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties and deter future Prohibited Conduct. The Title IX Coordinator will oversee the implementation of support measures that are individualized to respond to the effects of the Prohibited Conduct, and that are appropriate, reasonably available, and free of charge. Support measures may include a no-contact order, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Use of support measures is private and is available with or without a Formal Complaint. Brown will also provide reasonably available support measures for third-party reporters, provided that the accommodations are within the scope of that individual's relationship to Brown University.

5.0 Responsibilities

All individuals to whom this policy applies are responsible for becoming familiar with and following this policy. University supervisors and employees with student oversight duties are responsible for promoting the understanding of this policy and for taking appropriate steps to help ensure and enforce compliance with it.

Title IX Coordinator: The Title IX Coordinator oversees the review of reports and Formal Complaints associated with this policy. The Title IX Coordinator also oversees the implementation of interim actions, support measures, the investigation process, and administration of the hearings associated with alleged violations of this policy. The Title IX Coordinator is also charged with monitoring compliance with Title IX; providing education and training; tracking and reporting annually on all incidents in violation of this policy. *More on the Title IX Coordinator.*

(<https://www.brown.edu/about/administration/title-ix/coordinators>)

6.0 Consequences for Violating this Policy

A Student or Employee determined to be responsible for an act of Prohibited Conduct in violation of this policy is subject to discipline as provided for in the Title IX Grievance Procedure.

Applicants, Affiliates, Contractors, or Invitees who violate this policy may have their relationship with Brown University terminated and/or their privilege of being on Brown University premises withdrawn.

Academic Transcripts: Discipline of suspension and expulsion include a permanent notation on the student's official academic transcript that is maintained by the Office of the Registrar. A Respondent's access to a copy of their academic transcript will be suspended, and the University will not release a copy of the Respondent's academic transcript to any other institution or third party during an investigation and adjudication of a Formal Complaint. Requests to release an academic transcript must be submitted to the Title IX Coordinator, who will determine (i.) whether to release the academic transcript; and (ii.) whether a notation indicating that serious disciplinary investigation and/or charges are pending should be included on the academic transcript.

Leave of absence with a Formal Complaint pending: If a Complainant or Respondent takes a leave of absence from Brown after the University has given notice to the Respondent but before a finding or final resolution, the complaint resolution process may be put on hold or continue as appropriate. The Title IX Coordinator will make an individualized assessment to determine whether to hold or continue with the complaint resolution process.

If the process is held due to the leave of absence of a Student Respondent, their transcript will be held in accordance with the process provided for above, and a temporary entry may be made on their academic transcript indicating that the Student has taken a leave of absence with serious disciplinary investigation or charges pending.

If the process is held due to the leave of absence of an Employee Respondent, a temporary entry will be made in their personnel file that indicates that the employee has taken a leave of absence with disciplinary charges pending.

Withdrawal/Permanent separation with a Formal Complaint pending: The University will assess the allegations and make an individualized assessment to determine whether to continue or end the complaint resolution process upon the separation from the University of the Complainant and/or Respondent. A Complainant or Respondent may appeal a decision to dismiss (close) a Formal Complaint:

- If a Complainant withdraws or separates from Brown after the University has given notice to the Respondent but before a finding, the University may dismiss the Formal Complaint or continue as the Complainant.
- If a Student Respondent withdraws from Brown after the University has given notice to the Respondent but before a finding or final resolution, the Formal Complaint may be dismissed, and an entry will be made on their academic transcript maintained by the Office of the Registrar that indicates the Student has withdrawn with a disciplinary investigation and/or charges pending.
- If an Employee Respondent separates or is terminated from Brown after the University has given notice to the Respondent but before disciplinary a finding or final resolution, the Formal Complaint may be dismissed and an entry will be made in their personnel file that indicates that the employee separated with the disciplinary investigation and/or charges pending or employment terminated with a disciplinary investigation and/or charges pending.
- If a Complainant or Respondent withdraws or permanently separates from the University after submitting an appeal on the finding and/or sanction of a hearing panel but before the appeal is decided, the University will dismiss the appeal and uphold the finding of the hearing panel as the final resolution to the complaint. The University may make a retroactive entry on the Respondent's academic transcript or the employee's personnel file indicating the original sanction issued by the hearing panel (if applicable).

The Vice President for Campus Life will hear appeals of dismissal decisions.

7.0 Related Information

Brown University is a community in which individuals are encouraged to share concerns with University leadership. Additionally, Brown's Anonymous Reporting Hotline (<https://compliance.brown.edu/reporting-concerns>) allows anonymous and confidential reporting on matters of concern online (<https://compliance.brown.edu/reporting-concerns>) or by phone (877-318-9184).

The following information complements and supplements this document. The information is intended to help explain this Policy and is not an all-inclusive list of policies, procedures, laws, and requirements.

7.1 Related Policies:

- Corporation Policy Statement on Equal Opportunity and Nondiscrimination (</policy/nondiscrimination>)
- Nondiscrimination and Anti-Harassment Policy (</policy/discrimination-and-harassment>)
- Conflict of Interest and Commitment Policy (</policy/coic>)
- Non-Retaliation Policy (</policy/non-retaliation>)
- University Code of Conduct (</policy/code-conduct>)
- Pregnancy and Parenting Policy (</policy/pregnancy-and-parenting>)
- Code of Student Conduct (</policy/code-student-conduct>)

7.2 Related Procedures:

- Title IX Grievance Procedure (<https://www.brown.edu/about/administration/title-ix/Title%20IX%20grievance%20Procedure>)
- Sexual Misconduct Grievance Procedure
- Discrimination and Harassment Standard Operating Procedure for Addressing and Responding to Reports and Complaints (<https://campus-life.brown.edu/equity-compliance-reporting/title-ix/discrimination-and-harassment-complaint-resolution-procedure>)

7.3 Related Forms:

N/A

7.4 Frequently Asked Questions:

N/A

7.5 Other Related Information:

Rhode Island State Law

Behavior that violates this policy also may violate the laws of the local jurisdiction in which the incident occurred and subject a Respondent to criminal prosecution by the applicable jurisdiction. An individual can choose to make a report to external law enforcement at any time, and doing so does not preclude the individual from making a report to the University. Both processes can be pursued if an individual chooses to do so. Brown University encourages individuals to report an incident that may be a violation of Rhode Island State Law to external law enforcement. Prompt reporting to external law enforcement is important in a criminal prosecution.

- First-degree Sexual Assault (RIGL § 11-37-2 (<https://webserver.rilegislature.gov/Statutes/TITLE11/11-37/11-37-2.htm>))
- Second-degree Sexual Assault (RIGL § 11-37-4 (<https://webserver.rilegislature.gov/Statutes/TITLE11/11-37/11-37-4.htm>))
- Third-degree Sexual Assault (RIGL § 11-37-6 (<https://webserver.rilegislature.gov/Statutes/TITLE11/11-37/11-37-6.htm>))
- Stalking (RIGL § 11-59-2 (<https://webserver.rilegislature.gov/Statutes/TITLE11/11-59/11-59-2.htm>))
- Cyberstalking and Cyberharassment (RIGL § 11-52-4.2 (<https://webserver.rilegislature.gov/Statutes/TITLE11/11-52/11-52-4.2.htm>))

8.0 Policy Owner and Contact(s)

8.1 Policy Owner: Vice President for Campus Life & Student Services

8.2 Policy Approved by: President

8.3 Contact Information:

Title IX Coordinator

Email (<mailto:titleixoffice@brown.edu>)

[401-863-2026](tel:401-863-2026)

9.0 Policy History

9.1 Policy Issue Date: September 2, 2016

9.2 Policy Effective Date: February 20, 2025

9.3 Policy Update/Review Summary:

Previous policy version(s) superseded by this policy:

- Title IX Policy, Effective Date: August 1, 2024
- Sexual Harassment, Sexual Assault, Relationship and Interpersonal Violence, and Stalking Policy, Effective Date: October 18, 2023
- Sexual and Gender-Based Harassment, Sexual Assault, Interpersonal Violence, and Stalking Policy, Effective Date: March 19, 2021
- Sexual and Gender-Based Harassment, Sexual Assault, Interpersonal Violence, and Stalking Policy, Last Reviewed Date: February 23, 2021
- Sexual and Gender-Based Harassment, Sexual Assault, Relationship and Intimate Partner Violence, and Stalking Policy, Revision Date: September 2, 2016

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