

**RESOLUTION AGREEMENT**  
**Brown University**  
***OCR Complaint No. 01-24-2116***

Brown University (University) has voluntarily entered into this resolution agreement (Agreement) to resolve the allegations in the above-referenced complaint of discrimination based on national origin under Title VI of the Civil Rights Act of 1964 (Title VI). The University denies that it violated Title VI in its handling of the matters alleged in the complaint. This Agreement is not an admission in whole or in part of any liability by the University, and the University expressly denies liability with regard to all of the allegations in the complaint. The University has agreed to take the following actions set forth in the Agreement to resolve the complaint.

**Action Item 1: Policies and Procedures**

The University will review and revise as necessary its [Nondiscrimination and Anti-Harassment Policy](#) and [Discrimination and Harassment Complaint Resolution Standard Operating Procedures](#), which set forth the University's obligations under Title VI to prohibit discrimination, including antisemitism, when based on national origin, including actual or perceived shared ancestry and ethnic characteristics, and its [Protest and Demonstration Policy](#) (collectively, "Policies and Procedures"). During its review, the University will revise the Policies and Procedures, as described below, and adopt and disseminate the revised Policies and Procedures to all University employees and students. The dissemination will include a web link to the Policies and Procedures and a clear explanation of any changes.

The University will ensure its Nondiscrimination and Anti-Harassment Policy and Discrimination and Harassment Complaint Resolution Standard Operating Procedures include:

- A. the following additions to the description of the procedures that will be used to receive, investigate, and resolve complaints:
  1. an explanation of how the University will determine when a report about a faculty matter involves a question of academic freedom, and how the University will conduct the initial assessment of such reports;
  2. how the University will respond to allegations that, if substantiated, would violate the Nondiscrimination and Anti-Harassment Policy, but the respondent is not a Covered Person, as defined in the Nondiscrimination and Anti-Harassment Policy;
  3. a statement that, if the individual against whom the alleged Nondiscrimination and Anti-Harassment Policy violation was directed will not proceed with a formal complaint, the University may proceed as the complainant if it has actual or constructive notice of a potential hostile environment or potential discriminatory conduct in violation of the Nondiscrimination and Anti-Harassment Policy; if the University decides not to proceed as the complainant, it will document its rationale and the actions it has taken to eliminate any hostile environment or discriminatory conduct;
  4. an explanation of how the University will determine whether an informal resolution of an alleged Nondiscrimination and Anti-Harassment Policy violation is appropriate;

- 5. addition of timeframes for the University's determination regarding whether it will proceed as the complainant following notice to the University of alleged discrimination; issuance of sanctions following receipt of a disciplinary recommendation; and adjudication of an appeal to the existing list of timeframes for completion of major stages of the University's resolution process;
- 6. subject to any state and federal confidentiality obligations, including but not limited to the Family Educational Rights and Privacy Act (FERPA), notice of the outcome of the complaint to the complainant, including whether a Nondiscrimination and Anti-Harassment Policy violation was found and, if so, the appropriate remedial action the University has taken, or will take, to eliminate the discriminatory conduct, to prevent its recurrence, and to address its effects on the complainant and any other affected individuals; and
- 7. clarification regarding when and how notice of the outcome of the complaint (as described immediately above) is provided to the respondent; and

B. a statement that retaliation is prohibited against persons who report harassment or participate in related proceedings, and how to report retaliation.

The University will include in its Protest and Demonstration Policy the following:

- C. a statement that it will be applied equitably and in a manner that complies with Title VI;
- D. a statement of the University officials, including the University's Department of Public Safety (DPS), who have authority and responsibility to implement and enforce the policy and request on behalf of the University that DPS or the Providence Police Department (PPD) respond to a protest or demonstration, and a clear statement that University officials will do so in a manner which is equitable and complies with Title VI;
- E. a statement that University officials will apply the policy in a nondiscriminatory manner in making determinations under the policy, including but not limited to University conduct proceedings and/or arrest in response to violations of City ordinances and/or State law.

The University will provide a copy of the Protest and Demonstration Policy to the PPD and notify the PPD that the University expects that the PPD will act in accordance with the policy if and when invited onto University property to assist in the response to a protest or demonstration.

## **Reporting Requirements**

- 1. By September 30, 2024, the University will submit to OCR, for review and approval, copies of the Policies and Procedures, drafted and/or revised in accordance with Action Item 1, above.
- 2. Within 30 calendar days of OCR's approval of the revised Policies and Procedures, the University will provide documentation to OCR demonstrating that it complied with Action Item 1, including that it adopted the revised Policies and Procedures and disseminated them to University students and employees through its website, as well as by any other means the University deems effective to ensure that the information is widely disseminated.
- 3. For the duration of this Agreement, the University agrees to provide for OCR's review and approval any proposed revisions to its Policies and Procedures at least 60 days

before the University seeks to make such revisions. The University will respond to any feedback from OCR about those proposed revisions within 15 days and secure OCR's approval before adopting them.

## **Action Item 2: Training**

### *A. Annual Nondiscrimination Training*

The University will conduct annual nondiscrimination training for all University employees and undergraduate, graduate, and medical school students beginning in the 2024-2025 Academic Year. Each nondiscrimination training component and/or orientation session that the University offers to, or requires of, students shall include a section on discrimination and harassment based on national origin, including actual or perceived shared ancestry or ethnic characteristics. The training shall reference examples of discrimination and harassment, including antisemitism, when based on national origin, including actual or perceived shared ancestry and ethnic characteristics. The training will also include a section on the revised Policies and Procedures referenced in Action Item 1, above, and provide guidance on how to file a complaint of discrimination.

### *B. Annual Investigator Training*

The University will continue to provide training to its employees responsible for investigating complaints and other reports of discrimination and harassment, including antisemitism, when based on national origin, including actual or perceived shared ancestry and ethnic characteristics. The training will continue to address, at a minimum:

1. best practices for conducting thorough and impartial investigations of alleged violations of the Nondiscrimination and Anti-Harassment Policy and Discrimination and Harassment Complaint Resolution Standard Operating Procedures, including that the investigators know how to identify relevant witnesses and how to conduct interviews about such alleged violations and whether they created a hostile educational environment;
2. the University's obligations under Title VI to respond to alleged discrimination, including harassment, based on national origin, including shared ancestry or ethnic characteristics;
3. a review of the University's policies and procedures that focus on the investigation of complaints of discrimination, including harassment, based on national origin, including shared ancestry, including instructions on how to conduct and document thorough and impartial investigations of alleged discrimination, including harassment, based on national origin, including shared ancestry;
4. a statement that an individual who has reported alleged discrimination, including harassment, must be notified of the steps that the University is taking in response to the reported incident(s), and guidance to employees on how and when to provide this notification; and
5. a description of the steps the University will take in response to the alleged discrimination, including harassment, such as the offer of support for students who are subjected to harassment and the alleged harasser, where appropriate, and remedial measures to ensure that any hostile environment created by the harassment is eliminated.

## **Reporting Requirements**

By December 30, 2024 and December 30, 2025, the University will provide documentation to OCR demonstrating that it completed the trainings referenced in Action Item 2, above, and will provide OCR: the date(s) of the training(s); the name(s) and credentials of the trainer(s); copies of any training materials distributed; the agenda and/or a short summary of the material covered; and a list of University employees required to attend the training referenced in Action Item 2(B), by name and job title.

## **Action Item 3: Recordkeeping**

Within 30 days of the signing of this Agreement, the University will maintain documents relating to complaints or other reports that the Office of Equity Compliance and Reporting has determined to allege possible discrimination, including harassment, on the basis of national origin, including shared ancestry or ethnic characteristics, to ensure that its files contain all information necessary to process complaints under Title VI. The University agrees to maintain the following documentation:

- A. a copy of all written reports, and a narrative of all oral reports, of incidents involving allegations of discrimination, including harassment, on the basis of national origin, including shared ancestry;
- B. a narrative of all actions taken in response to the reports by University employees, including any written documentation;
- C. a copy of any and all disciplinary sanctions issued to students or employees for violations of the Nondiscrimination and Anti-Harassment Policy;
- D. documentation demonstrating any supportive and/or remedial services offered and provided to the complainant or alleged victim, the alleged harasser, and/or witnesses of the incident(s), such as counseling or other appropriate services; and
- E. a narrative of all actions taken to eliminate the discrimination, including harassment, and prevent its recurrence, including, where appropriate, for the broader University community.

## **Reporting Requirement**

By September 30, 2024, the University will provide to OCR a written description of the steps taken to comply with Action Item 3.

## **Action Item 4: Review for Academic Years 2023-2024 and 2024-2025**

- A. By September 30, 2024, and September 30, 2025, the University will provide to OCR an electronic sortable spreadsheet or other comparable file, indicating all complaints and reports received by the Office of Equity Compliance and Reporting alleging discrimination, including harassment, on the basis of national origin, including shared ancestry or ethnic characteristics, and the University's response, from the preceding academic year.

At a minimum, the spreadsheet will include, to the extent such information is known and available, separate fields for:

1. the date(s) of receipt of the written complaint or oral report;
2. the name of the person who provided notice to the University (“the reporter”);
3. the status of the reporter (e.g., professor, student, friend);
4. the name of the individual who was allegedly discriminated against/harassed (“the complainant”);
5. the status of the complainant (e.g., student, professor, parent, advocate);
6. the name(s) of the individual(s) who engaged in discrimination/harassment (“the respondent(s)”);
7. the status of the respondent (e.g., student, professor, staff member), including if applicable, the respondent’s job title (if an employee);
8. the nature of the alleged discrimination/harassment (e.g., verbal harassment by students using antisemitic slurs);
9. the date(s) of the alleged discrimination/harassment;
10. the location(s) of the alleged discrimination/harassment (e.g., in a particular class, in the library);
11. the names of any witnesses;
12. the name(s) and job title(s) of the individual(s) who received and processed the complaint or oral report;
13. the date the investigation commenced;
14. if an investigation was not commenced or was not completed, the University’s rationale for that decision;
15. if an investigation was not commenced or was not completed, any other actions that the University took to respond to the report, or the University’s rationale for not taking any action;
16. any supportive measures offered to the complainant, respondent, and/or other persons;
17. the status of the investigation of the complaint or oral report (e.g., completed, ongoing);
18. the outcome of all completed investigations (i.e., the determination regarding whether or not discrimination, including harassment, on the basis of national origin, including shared ancestry, took place; and if so, whether the harassment created a hostile environment);
19. a description of the disciplinary sanctions imposed, if any, and date imposed;
20. a description of the remedial measures taken, including the remedies offered and provided to the complainant and/or other individual(s);
21. a description of any steps the University took to eliminate and/or prevent the recurrence of a hostile environment created by the incident(s);
22. the date(s) the University provided written notice of the outcome of the investigation to the parties;
23. the date of any appeal; and
24. the outcome of any appeal.

The University may use a unique identifier for each individual in place of their name or other personally-identifiable information (PII) and maintain a key/log, with the understanding that OCR may ultimately request the individual’s PII if OCR deems it relevant to complete its monitoring of the University’s compliance with this Agreement.

B. Upon request, the University will provide to OCR within 15 business days a copy of the complete investigative file(s), including all records (e.g., the complaint/report, investigative records, determination records, student disciplinary records, employee disciplinary records, and human resources/personnel files). The University will produce to OCR electronically the complete investigative files in a mutually agreed format and will separately organize the files for each investigation, including organizing and labeling all documents for each investigation as individual files.

### **Reporting Requirement**

The University will promptly address any OCR feedback until OCR notifies the University that no further reporting is required for Action Item 4.

### **Action Item 5: Climate Assessment and Analysis**

To the extent not already completed, the University will analyze the results of any Title VI compliance assessments conducted by or on behalf of the University since the beginning of the 2023–2024 academic year, including its 2024 campus climate survey, by the end of the fall 2024 semester to identify appropriate action(s) that the University will take to improve the climate at the University more broadly.

### **Reporting Requirements**

1. Within 45 days of the completion of the analysis of the assessment(s), the University will provide a report to OCR (the Report) that includes, at a minimum:
  - a. the analysis of the 2024 campus climate survey, including but not limited to survey responses;
  - b. conclusions the University was able to reach about the climate at the University, separately addressing the climate for students of shared Jewish, Israeli, Muslim, and Palestinian ancestry; and
  - c. for OCR's review and approval, the University's recommended changes, if any, to its policies, practices, training, and education programs regarding discrimination, including harassment, based on national origin, including shared ancestry, including any actions it intends to take to address any reluctance noted by individuals to report shared ancestry discrimination, including harassment, to the University, to continue communicating with University staff following an initial report, and/or to accept supports offered by the University following an initial report.
2. Within 60 days of OCR's approval of the University's proposed action(s), the University will provide documentation sufficient to show its implementation of those actions, including a description of the actions and how they were implemented.

By signing this Agreement, the University understands and agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the University understands that during the monitoring of the Agreement, if necessary, OCR may visit the University, interview staff and students, and request such additional reports or

data as are necessary for OCR to determine whether the University has fulfilled the terms of the Agreement.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has demonstrated compliance with all the terms of this Agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100, which were at issue in this case.

The University understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (“DOJ”) for judicial proceedings in the event of breach to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the University written notice of the alleged breach and 60 calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the University’s authorized representative below.

By:

7/3/24  
Date

/s/

Russell Carey  
Interim Vice President for Campus Life