

**Title IX and Gender Equity Office**

# **Annual Outcome Report**

**Academic Year 2018-19**



**BROWN**  
Office of Institutional  
Equity and Diversity

# Title IX and Gender Equity Office

# Annual Outcome Report

## Academic Year 2018-19

Each year, the Title IX and Gender Equity Office at Brown University issues a report that presents data on sexual misconduct involving members of the Brown community. The data reflects incidents of conduct prohibited within Brown's Sexual and Gender-Based Harassment, Sexual Violence, Relationship and Interpersonal Violence and Stalking Policy, as well as the disposition of formal and informal complaint resolutions. The purpose of reporting these statistics and outcomes is to increase awareness and promote transparency. The data reported in this document reflect the period of July 1, 2018, through June 30, 2019.

The report also highlights campus-wide efforts to prevent gender-based harassment and discrimination. This year's report outlines Title IX and Gender Equity Office initiatives focused on training, assessment and procedure updates.

## I. Training

With the goal of reducing incidents of gender-based harassment and discrimination, including incidents of sexual violence, providing training for members of the Brown community remains a priority. The Title IX and Gender Equity Office trained responsible employees on their obligations under Title IX of the Education Amendment Act of 1972 and hosted sessions to increase awareness of Brown's policy and the prohibited conduct contained therein. Over the course of the year, the Title IX Program Officer facilitated 41 training sessions and workshops reaching more than 2,500 faculty, staff and student participants.

In addition to Title IX and Gender Equity Office trainings, campus partners including the LGBTQ Center and the Sarah Doyle Center for Women and Gender educate students about the concepts of gender in all of its forms. Colleagues in the BWell Health Promotion office provide comprehensive and diverse educational interventions on how to interrupt and prevent incidents across the spectrum of interpersonal violence, covering topics including consent and bystander intervention strategies. These programs reach a large portion of the campus community. In the 2018-19 academic year, BWell delivered approximately 150 in-person workshops, reaching more than 6,000 new and returning undergraduate, graduate and medical school students. One of the more widespread initiatives was the Sexual Assault Peer Education program, which reached 957 participants in 30 workshops last year.

Across all training efforts by the Title IX and Gender Equity Office and its partners, the goal is to educate students, faculty and staff on how to prevent sexual and gender-based misconduct, report issues, seek help and identify problematic behavior in themselves and others.

## II. Assessment

Assessing campus-wide efforts to prevent and respond to incidents of sexual and gender-based misconduct remains an essential part of Brown's approach to creating and maintaining a safe learning, living and working environment.

During the year, Brown's Steering Committee on Equity and Diversity conducted a three-year review of matters related to Title IX and gender equity. This committee includes student representatives from undergraduate, graduate and medical school programs as well as staff and faculty. The committee released a report, available on the Office of Institutional Equity and Diversity [website](#), that summarizes its review and offers additional recommendations.

In addition to this community-centered assessment, the University participated in the 2019 AAU Campus Climate Survey on Sexual Assault and Misconduct, organized by the Association of American Universities to assess the prevalence rates of sexual violence and harassment experienced by students, attitudes toward bystander intervention strategies and perception of campus resources. [Survey results](#) can be found on the Title IX and Gender Equity website.

## III. Policy and Procedures

In 2018-19, Brown made no revisions to its unified policy, titled the Sexual and Gender-Based Harassment, Sexual Violence, Relationship and Interpersonal Violence and Stalking Policy or the complaint procedures for students, faculty and staff. The University continues to await the U.S. Department of Education's release of new final regulations governing universities' obligations under Title IX.

## IV. Summary of Referrals and Reports to the Title IX and Gender Equity Office

The prevalence of sexual harassment, sexual violence and gender-based inequity remains a problem for campuses nationwide. While the Title IX and Gender Equity Office at Brown has seen an increase in individuals seeking support over the last three years, this increase may not directly correlate to an increase in incidents of sexual harassment, sexual violence and gender-based inequity. Instead, the increased number of reports<sup>1</sup> may be an indicator that community members are becoming increasingly aware of available campus resources and making use of support services across campus as a result of the Office's outreach efforts. Results of the 2019 AAU Campus Climate Survey on Sexual Assault and Misconduct support this understanding, indicating more awareness of campus resources among students and increased trust that Brown takes reports seriously and conducts fair investigations.

It is important to note that the data for reports in the charts on the following pages do not align with those found in the Annual Security Report issued by Brown's Department of Public Safety to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Clery Act requires reporting for specific categories of sexual violence that occur on or in the area immediately surrounding the campus. The data contained in this Annual Outcome Report reflect allegations of conduct prohibited within Brown's Sexual and Gender-Based Harassment, Sexual Violence, Relationship and Interpersonal Violence and Stalking Policy. This report includes

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<sup>1</sup>For the purpose of this document, "report" means any notification or information submitted to the Title IX and Gender Equity Office.

conduct reported to have occurred on- or off-campus, including during University-sanctioned activities or programs abroad. This report also includes allegations against individuals not affiliated with the University. As such, some but not all of these data are embedded within the University’s Annual Security Report, which has a different scope. The Annual Security Report and this Annual Outcome report provide a different context and way in which the University seeks to understand what is occurring within the Brown community.

**Incidents Reported to the Title IX Office**

The Title IX and Gender Equity Office received 99 referrals between July 1, 2018, and June 30, 2019. The 99 referrals reported 104 allegations of prohibited conduct or inappropriate behavior. The incidents reported represent conduct alleged to have occurred between 1986 and 2019, but first reported to Brown between July 2018 and June 2019. The information came from self-reports, third parties who witnessed or were concerned for another individual dealing with the effects of sexual violence, and responsible employees. Responsible employees are designated individuals across campus who are required to share information directly with the Title IX and Gender Equity Office regarding incidents.

These incidents are categorized using the language of the reporting party. The Title IX and Gender Equity Office aligned reported information to the prohibited conduct within the Sexual and Gender-Based Harassment, Sexual Violence, Relationship and Interpersonal Violence and Stalking Policy. In certain circumstances, the Office did not receive enough information to determine whether an incident constituted prohibited conduct as defined in Brown’s policy. This may have been because the reporting party did not have that information or chose not to share certain details. Twelve of the 104 allegations reported fell into the category of “unable to categorize.” Ten of the 99 referrals involved respondents not affiliated with the University. In six of the 99 referrals, the name of the respondent(s) or affiliation with the University was not disclosed.

As outlined in the University’s complaint process, the Title IX Program Officer engaged in an initial assessment for each reported incident to evaluate any ongoing risk to the community and to implement interventions and support measures as needed. Twenty-two of the 99 referrals to the Title IX and Gender Equity Office were resolved through the formal or informal complaint process in instances in which a complaint resolution procedure was requested by the reporting party or the Office identified a pattern of prohibited conduct involving the same respondent.

The chart below represents allegations reported to the Title IX and Gender Equity Office.

**Incidents Reported to the Title IX and Gender Equity Office, July 2018 to June 2019**

| Prohibited Conduct   | # of Complaints |
|--|-----------------|
| Sexual or Gender-Based Harassment  | 30              |
| Sexual Assault (including non-consensual touching, non-consensual penetration and sexual assault undefined by the reporting party)   | 37              |
| Sexual Exploitation and Sexual Coercion  | 2               |
| Relationship and Interpersonal Violence  | 6               |
| Stalking   | 5               |
| Provision of Alcohol and/or Other Drugs for Purposes of Prohibited Conduct<br>(This figure does not indicate whether alcohol or drugs were used by individuals involved in an incident, but whether such substances were used as a means to engage in prohibited conduct.) | 0               |
| Retaliation  | 3               |
| Prohibited Consensual Sexual or Intimate Relationship with a Student   | 1               |
| Unable to Categorize   | 12              |
| Conduct outside of the scope of the Sexual and Gender-Based Harassment, Sexual Violence, Relationship and Interpersonal Violence and Stalking Policy   | 8               |
| <b>Total</b>   | <b>104*</b>     |

\*Does not total 99 as some referrals included more than one type of prohibited conduct.

## A. Complaint Process

Twenty-two individuals used Brown’s complaint procedures associated with the Sexual and Gender-Based Harassment, Sexual Violence, Relationship and Interpersonal Violence and Stalking Policy. Eleven complainants used the formal procedure and 11 complainants used the informal procedure. The informal and formal resolution procedures are defined in Brown’s respective complaint processes for faculty, staff and students.

### Formal Complaints

The charts below provide an overview of the prohibited conduct alleged in the 11 formal complaints, along with data on case outcomes. As in previous charts, reports that described multiple allegations of prohibited conduct are counted in each category.

### Overview of Formal Complaint Procedures Initiated with the Title IX Office, July 2018 to June 2019

| Prohibited Conduct  | # of Complaints |
|---|-----------------|
| Sexual or Gender-Based Harassment   | 6               |
| Sexual Assault (as defined in the chart above, on page 6)   | 7               |
| Sexual Exploitation and Sexual Coercion   | 0               |
| Relationship and Interpersonal Violence   | 1               |
| Stalking  | 1               |
| Provision of Alcohol and/or Other Drugs for Purposes of the Prohibited Conduct (as defined in the chart previous) | 0               |
| Retaliation   | 0               |
| <b>Total</b>  | <b>15*</b>      |

\*Does not total 11 as some complaints included more than one type of prohibited conduct.

### Case Outcomes, July 2018 to June 2019

|                           | Not Responsible | Responsible | Withdrawn | Referred to Another Process |
|---------------------------|-----------------|-------------|-----------|-----------------------------|
| Prohibited Conduct Totals | 9               | 4           | 1         | 1                           |

### Case Sanctions for Responsible Findings, July 2018 to June 2019

|   | Reprimand | Probation | Deferred Suspension | Suspension | Expulsion/Termination |
|---|-----------|-----------|---------------------|------------|-----------------------|
| Prohibited Conduct Totals for Responsible Findings* | 0         | 3         | 2                   | 0          | 1                     |

\*Does not total four, as a Hearing Panel can assign one or more sanctions to a charge.

### Case Outcome Appeals

Brown’s unified policy allows complainants and respondents to appeal an outcome on the following grounds:

- 1) substantial procedural error that materially affected the outcome; and/or
- 2) material, new evidence not reasonably available at the time of the hearing.

Cases involving a student respondent can also be appealed on the grounds of a decision and/or sanction that is clearly contrary to the weight of the evidence.

No appeals were submitted in the 2018-19 academic year.

### Informal Complaints

The informal resolution procedure is a process that allows parties to propose their own resolution or terms as an appropriate outcome to a complaint. This process does not require the complainant to communicate directly with the respondent, nor does it involve an investigation, hearing or finding. Below is a chart that shows the prohibited conduct alleged in the 11 informal complaints.

### Overview of Informal Complaints Initiated with the Title IX Office, July 2018 to June 2019

| Prohibited Conduct  | # of Complaints |
|---|-----------------|
| Sexual or Gender-Based Harassment   | 3               |
| Sexual Assault (as defined in the chart above, on page 6)   | 6               |
| Sexual Exploitation and Sexual Coercion   | 0               |
| Relationship and Interpersonal Violence   | 1               |
| Stalking  | 0               |
| Provision of Alcohol and/or Other Drugs for Purposes of the Prohibited Conduct (as defined in the chart previous) | 0               |
| Retaliation   | 1               |
| <b>Total</b>  | <b>11</b>       |

Case outcomes from informal resolutions were varied and included interventions such as training on the concepts of implicit bias, consent and inclusive teaching practices; reflective conversations or clinical assessments to reduce repeated behavior; changes in academic program or concentration; letters of acknowledgement sent to the complainant; and restrictions on participation in leadership roles on campus.

## V. Conclusion

Sexual violence and gender-based discrimination are societal issues that plague communities and institutions of higher education across the globe. Reducing incidents of sexual violence and creating inclusive living, learning and work communities is central to Brown's commitment to inclusive excellence. This Annual Outcome Report is not an exhaustive account of the full work of the Title IX and Gender Equity Office, but rather a reflection of the University's approach to realizing those goals. Training and educating are key strategies to reduce incidents of sexual- violence and gender-based inequity. This approach has resulted in a steady number of community members giving voice to their experiences and seeking support. These reports also enable the University to develop training and intervention programs that reflect what is happening among community members.

In assessing this year's data, sexual and gender-based harassment and non-consensual sexual contact continue to be the predominant forms of prohibited conduct reported, and the 2018-19 academic year saw a subtle increase in the total number when compared to the prior year. The increase in community members making use of informal resolution procedures was notable and significant — this is a positive development, as informal procedures can address barriers to reporting incidents. This barrier was noted in the 2019 AAU Campus Climate Survey report, as some community members who experience incidents do not want to get someone in trouble or feel the matter is not serious enough to report.

Brown University will continue to advance prevention and intervention efforts as community members across campus strive to decrease prohibited behaviors from occurring. As the University addresses the changes the U.S. Department of Education is expected to make to the regulations governing response to reports of misconduct, Brown will maintain complaint procedures that are equitable, fair and accessible to all community members.



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