



BROWN

# OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY & AFFIRMATIVE ACTION

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## I. POLICY

Brown University's mission is "to serve the community, the nation, and the world by discovering, communicating, and preserving knowledge and understanding in a spirit of free inquiry, and by educating and preparing students to (in the words of the College charter) 'discharge the offices of life with usefulness and reputation.'"<sup>1</sup> It is incumbent upon the University to foster an atmosphere of trust and respect in order to meet the goals set forth in this mission statement. Discrimination and unlawful harassment are inimical to fostering such an atmosphere and cannot be tolerated in a community aspiring to achieve an open learning environment.

Brown University is committed to creating and maintaining an educational, working, and living environment that is free of any form of unlawful discrimination and harassment. Unlawful discrimination is defined by federal and/or state statutes to include unfavorable or unfair treatment of a person or class of persons because of race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, and gender expression.

Unlawful harassment is harassment that refers to or is based upon the protected status of the person or persons being harassed. Unlawful harassment in the work and educational environment is created if conduct of another person is sufficiently serious that it interferes with an employee's ability to perform their job or denies or limits a student's ability to participate in or benefit from the University's programs. Factors to be considered in determining whether and the extent to which a hostile work or learning environment has been created include, but are not limited to, the frequency, severity and pervasiveness of the conduct, whether it is physically threatening, the degree to which the conduct interfered with an employee's work performance or a student's academic performance and/or full enjoyment of the academic/campus programs and services, the relationship between the alleged harasser and the subject or subjects of the harassment, the welcomeness or unwelcomeness of the conduct, etc. The severity and pervasiveness of the conduct is considered from both subjective and objective perspectives (the conduct is viewed as hostile and abusive by both a "reasonable person" and the person who is subjected to the conduct). See [Appendix A](#) and [Appendix B](#) for relevant University policies and federal and state statutes.

The University has, therefore, created guidelines and procedures for the resolution of grievances/complaints alleging violation of its discrimination and harassment policy and the Standards of Student Conduct. While these procedures provide sanctions for behaviors that violate state and federal law and University conduct standards, more importantly, they also describe ways of resolving informally the various conflicts and disagreements that inevitably arise in a community distinguished by its diversity. These guidelines and procedures are available to anyone who, at the time of an alleged violation, is either employed or enrolled at Brown University. They are intended to provide a fair, prompt, and reliable mechanism for determining whether Brown University's discrimination and harassment policy has been violated and, if so, to provide appropriate

resolution. No university faculty member, staff member, or student (undergraduate, graduate or medical) is exempt from the jurisdiction of this policy as it applies to their status. The availability of these procedures to all individuals does not limit the responsibility of the University to insure that the protections of this policy prevail throughout the University community and these guidelines and procedures are not intended to impair or limit the right of any individual to seek a remedy available under state or federal law (See [Appendix C](#) for a listing of federal and state offices).

These procedures are not intended to inhibit or restrict free expression or exchange of ideas. The faculty and Corporation, in 1966, adopted the following statement of principles regarding academic freedom and freedom of expression:

“Academic freedom is essential to the function of education and the pursuit of scholarship in universities. Therefore, Brown University, mindful of its historic commitment to scholarship and to the free exchange of ideas, affirms that faculty and students alike shall enjoy full freedom in their teaching, learning, and research. Brown University also affirms that faculty and students shall have freedom of religious belief, of speech, of press, of association and assembly, of political activity inside and outside the University, the right to petition authorities, public and university, to invite speakers of their choice to the campus and that students and faculty as such should not be required to take any oath not required of other citizens. The time, place and manner of exercising these rights on campus shall be subject to reasonable regulation only to prevent interference with the normal functions of the University.”

Adhering to this tradition, procedures contained herein are designed to address unlawful discriminatory or harassing behavior. In an academic community the response to ideas believed to be distasteful or offensive should be other ideas and relevant evidence rather than administrative sanctions. Speech or expression protected by the University's statement on academic freedom and freedom of expression, as well as speech protected by state and federal laws are not subject to sanction under these procedures.

\*. From the Foreward of the *Bulletin of the University for the Years 2001-2003*.

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