

 BROWN	Non-Retaliation SOP	SOP 08.15.07
		Effective Date: February 12, 2021

1.0 Standard Operating Procedure (SOP) Purpose

The purpose of this SOP is to explain the University’s Non-Retaliation Policy which complies with applicable federal, state and local laws prohibiting Retaliation and to protect staff, faculty, students, contractors, visitors and other members of the University community who make Good Faith Reports of potential violations of laws, regulations or University policy.

2.0 SOP

2.1 Reporting Retaliatory Action

University employees are required to report, in good faith and in a timely manner, all information regarding alleged improper or wrongful activity that may constitute, but is not limited to:

- Noncompliance with University policies/procedures
- Discrimination or harassment
- Fraud
- Unethical or unprofessional business conduct
- Academic, scientific or research misconduct
- Circumstances of substantial, specific or imminent danger to an employee or the public’s health or safety
- Violations of local, state or federal laws and regulations
- Illegal or improper practices of policies

Employees are required to report evidence of alleged improper activity as described in Section 2.2.

2.2 Procedure for Reporting Misconduct

Internal avenues for reports and complaints of misconduct include the following:

- Reports of alleged employee misconduct that is harassing or discriminatory in nature and based on membership in a protected class should be made to the Office of Institutional Equity and Diversity at oied-intake@brown.edu.
- Reports of alleged misconduct of an employee or student that is harassing or discriminatory on the basis of gender should be made to the Title IX Office at titleixoffice@brown.edu or Office of Institutional Equity and Diversity at oied-intake@brown.edu.
- Allegations of violence or criminal conduct that occurs within the geographic jurisdiction of the University should be made to Brown University’s Department of Public Safety at F
- Allegations of violence or criminal conduct that occurs outside the geographic jurisdiction of the University should be made to local law enforcement and the Department of Public Safety at campus_safety@brown.edu.

- Reports about fiscal matters, fraud, conflict of interest, or other concerns about the mismanagement of University resources should be made to the Finance Division at finance-division@brown.edu, or University Risk Management, Audit and Compliance at browncompliance@brown.edu.
- Reports of academic misconduct should be made to the Office of the Dean of Faculty or relevant Dean's Office at faculty_governance@brown.edu.
- Reports or complaints about inappropriate workplace behavior or work conduct should be made to University Human Resources at employeeandlaborrelations@brown.edu or, for faculty, the report/complaint will be submitted to the relevant Dean or their designee.
- Reports of research misconduct should be made to the Office of Research Integrity at ORI-admin@Brown.edu.
- Complaints about student misconduct or alleged violations of the Code of Student Conduct should be made to the Office of Student Conduct and Community Standards in Campus Life at student-conduct@brown.edu.
- All other complaints alleging a violation of federal law, state law, governmental regulations, or University policy not otherwise covered above should be made to University Risk Management, Audit and Compliance at browncompliance@brown.edu.

For employees that don't feel comfortable using one of the above reporting options, they can make a report through [Brown's Anonymous Reporting Hotline](#) (Hotline). The Hotline is an anonymous, free, 24-hour, reporting service. The Hotline is staffed and managed by a third-party provider and all reports are given careful attention by the appropriate Brown University Administrators. The Hotline is not a 911 or Emergency Service. Reports submitted through the Hotline may not receive an immediate response. Do not use the Hotline to report events presenting an immediate threat to life or property.

2.3 Procedure for Reporting Retaliation

Except in cases involving – (1) physical harm or threat of physical harm, which should be reported immediately to Brown University's Department of Public Safety and/or local law enforcement, or (2) the redress of a student's academic grievance, which should be processed according to Brown's policies governing grievances for undergraduate and graduate students, an individual alleging Retaliation under this policy is encouraged to discuss the allegation with the appropriate representative in the department in which the alleged Retaliation occurred to pursue an informal resolution of the issue. If the department head is the person alleged to be retaliating, the individual will contact the appropriate office listed below.

In the event that an informal resolution is not reached, is not appropriate, or is not pursued, the person alleging the Retaliation should contact the appropriate office listed below to initiate a formal complaint:

- The Office of Institutional Equity and Diversity if the Retaliation is related to reporting discrimination or harassment based on membership in a protected class under the Policy; or
- The Office of Student Conduct and Community Standards if the Retaliation is based on reporting a violation of the Code of Student Conduct; or
- The Title IX Program Officer or a Title IX Deputy Coordinator if the Retaliation is related to an incident of gender-based discrimination or harassment; or
- The Office of the Dean of Faculty or relevant Deans Office if the individual who is allegedly retaliating is a faculty member and/or academic administrator; or
- The Office of University Human Resources for other employee cases.

2.4 Procedures for Investigation of the complaint

- The complainant submits a written or verbal complaint to the appropriate office which includes sufficient detail of the facts and circumstances, including dates of alleged retaliatory acts and names of relevant persons, to initiate an investigation into the alleged Retaliation. Complaint forms are available from the offices listed above.
- The Department receiving the complaint will acknowledge receipt of the complaint in writing and will notify the person alleged to have retaliated, their department head/director, dean, and vice president.
- An investigator will be appointed by the department head (or designee) of the appropriate office as listed above in 2.3.
- The person investigating the complaint will typically meet with the complainant, the person or persons named in the complaint and other persons who may have knowledge relevant to the investigation.
- The department head (or designee) of the appropriate office will resolve the matter in accordance to the appropriate office's investigation protocol.

2.5 Remedies

In the event that there is a finding of Retaliation under this policy for a student (not including graduate assistants), Brown's policies governing student grievances will determine appropriate sanctions.

In all other cases, in the event there is a finding of Retaliation under this policy, the vice president of the person alleged to have retaliated will determine appropriate disciplinary sanctions, in consultation with University Human Resources for staff members, the Deputy Dean of Faculty for faculty members, or the Dean of the Graduate School for graduate students.

3.0 Definitions

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

Good Faith Report: A report or complaint of an honest and reasonable belief of a violation to a University policy, law, incident of non-compliance, or misconduct.

Retaliation: An action that adversely affects a staff, faculty, student, contractor, visitor, or other member of the University community because of the individual's Good Faith Report. Such action may include intimidation, reprisal, coercion, threats, discharge, discipline, or discrimination in employment that result from the Good Faith Report.

4.0 Responsibilities

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

5.0 Related Information

The Office of Institutional Equity and Diversity is responsible for investigating and/or adjudicating reports of harassment and/or discrimination based on a person's membership in a protected class.

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

5.1 Related Policies:

- **Non-Retaliation**
- **Corporation Policy Statement on Equal Opportunity, Non-Discrimination and Affirmative Action**
- **Discrimination and Harassment Policy**
- **Sexual and Gender-Based Harassment, Sexual Violence, Relationship and Interpersonal Violence and Stalking Policy**
- **Americans with Disabilities Act (ADA)**
- **Performance Management and Corrective Discipline**
- **Code of Conduct**
- **Drug Free Workplace Policy**
- **Workplace Violence**
- **Conflict of Interest and Commitment**

5.2 Related SOPs: N/A

5.3 Related Forms: N/A

5.4 Frequently Asked Questions (FAQs): N/A

5.5 Other Related Information:

- **Brown Anonymous Reporting Hotline**

6.0 SOP Owner and Contact

6.1 SOP Owner: Vice President for University Human Resources

6.2 SOP Approved by: Vice President for University Human Resources

6.3 Subject Matter Contact: Senior Director of Employee and Labor Relations

- Telephone: 401-863-3896
- Email: employeeandlaborrelations@brown.edu

7.0 SOP History

7.1 SOP Effective Date: February 12, 2021

7.2 SOP Last Reviewed: N/A

7.3 SOP Update/Review Summary: N/A