

Message

From: Paxson, Christina [christina_paxson@brown.edu]
on behalf of Paxson, Christina <christina_paxson@brown.edu> [christina_paxson@brown.edu]
Sent: 6/9/2020 9:26:05 AM
To: Mencoff, Samuel M. [smencoff@mdcp.com]; Kevin A. Mundt '76 [REDACTED]
Subject: Fwd: Read this one

EXHIBIT
10
Mundt
8/17/2020

Sam, Kevin,

I wanted you to see the letter that we intend to send out after the students are told about reinstating men's track, field and cross country. I expect both of you may have wanted us to be more explicit about our intention to fight the consent decree. Our concern is that this could rile up the Cohens of the world and put us in a defensive posture. We need space to work out a rock-solid legal strategy and then go on the offensive. That said, I'd really value your reaction to the letter. Thanks.

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Christina H. Paxson
President
Professor of Economics and Public Policy
Brown University

Date for distribution: 8 p.m. Tuesday, June 9
Display name: President Christina H. Paxson
From: president@brown.edu

Subject: Decision on track and field and cross country

Dear Brown Community,

We have heard clearly from our community over the past couple of weeks that the University's decision to transition men's varsity track and field and cross country to club status will have real and lasting implications for efforts to build and sustain diverse and inclusive communities for our students at Brown, and particularly our community of black students and alumni.

Our students, alumni and parents took the time to share their deeply personal stories of the transformative impact that participation in track, field and cross country has had on their lives. Many noted that, through Brown's history, these sports have been a point of entry to higher education for academically talented students who otherwise would not have had the opportunity, many of them students of color. In addition, we heard from members of the women's track, field and cross country teams who made a compelling case that eliminating the men's program would adversely impact the women's program.

Considering these and other factors, the University has decided to reinstate the varsity status of men's track, field and cross country at Brown. This change is effective immediately and does not alter other decisions to reduce the number of varsity sports as part of the Excellence in Brown Athletics Initiative.

As I wrote in my letter to the community on Saturday, the primary reason for eliminating men's track, field and cross country was to help Brown remain in compliance with a 1998 settlement agreement stemming from a Title IX lawsuit. This was not the case for any of the other teams that were transitioned out of varsity status.

This settlement agreement created tight constraints specific to Brown regarding the balance of varsity athletics opportunities for women relative to men. The University has achieved the required balance historically by maintaining squad sizes of men's teams that, on average, are below Ivy League squad sizes. As a result, Brown has a larger fraction of athletics opportunities for women than most of its peers.

The reinstatement of men's track, field and cross country will have implications for the squad sizes of Brown's varsity teams. However, we have determined that with some modifications, Brown will be able to remain in compliance with the requirements of the legal settlement along with Title IX for the time being. In the coming year, the University will examine alternative strategies for addressing the issues that arise from the settlement agreement.

Maintaining and strengthening diversity was a foundational principle in considering the final makeup of varsity teams from the outset of the Excellence in Brown Athletics Initiative. The original revised roster of varsity sports maintained Brown's overall diversity in varsity athletics, but we now more fully appreciate the consequences of eliminating men's track, field and cross country for black students in our community and among our extended community of black alumni.

As I shared this weekend, members of the Brown athletics community will receive invitations in the coming days to participate in virtual meetings to hear directly from Director of Athletics Jack Hayes and me about the decisions underlying the athletics initiative. We hope to address common questions being raised and ongoing areas of concern.

Again, I remain committed to the decision to reduce the number of varsity teams to increase the competitiveness of athletics at Brown. We will do so while providing equal opportunities to participate in athletics, regardless of sex, and remaining true to our values of supporting diversity and inclusion.

Sincerely,

Christina H. Paxson
President