

Requirements of Informal Resolution Process

What is informal resolution?

- Informal resolution is an alternative procedure for resolving a Title IX matter.
- Informal resolution does not involve a full investigation and does not result in a determination of whether a policy was violated. Determinations of responsibility are only made at the conclusion of formal investigation and adjudication processes.
- Parties involved in informal resolution have the right to withdraw from the informal resolution process and resume the standard adjudication process at any time prior to the conclusion of the informal resolution process.
- Informal resolution is a confidential process and communications or other information disclosed during the process will be treated as confidential by the college and cannot be introduced as evidence in any formal resolution process involving the same allegations should the informal resolution be unsuccessful.
- Records pertinent to the informal resolution process will be maintained for a period of seven years, and may include correspondence and communication between the parties and the College, related materials and notes.
- Records preserved from the informal resolution process will not be used or admitted into evidence in any formal adjudication process involving the same allegations should the informal resolution be unsuccessful

When is informal resolution possible?

- A formal complaint must have been filed in order to proceed with informal resolution.
- A complainant or the respondent may request informal resolution at the time of filing a formal complaint.
- Informal resolution is never available to resolve allegations that an employee engaged in sexual misconduct with a student.
- The Title IX Coordinator must deem the matter appropriate for informal resolution.

What does the informal resolution process involve?

- The Title IX Coordinator guides the parties through the informal resolution process, including serving as the intermediary between the parties and others who may be involved.
- Either party, complainant or respondent, may reach out to the Title IX Coordinator to learn more about the options for informal resolution.
- The Complainant and Respondent must reply to the Title IX Coordinator in writing whether they agree to resolve the complaint using the Informal Resolution process.
- Informal resolution may be facilitated at any point before a determination regarding responsibility is made (i.e. it may be requested at any point before or during the investigation or after the investigation is completed).
- Informal resolution may include, but is not limited to:
 - Training or education;
 - Restorative practices or facilitated dialogue;
 - Changes to work or academic arrangements;
 - Housing reassignment;
 - No contact directive to the parties;
 - Mediation.
- The Complainant or the Respondent may have an advisor of their choice attend any meetings as a support person during the informal resolution process. The advisors are not permitted to participate directly in the informal resolution process (e.g., they are not permitted to cross-examine or question any party).
- Informal resolution is completed reasonably promptly. The expectation is that an informal resolution agreement will be reached within 2 weeks, and if one is not reached by then, informal resolution will end and the parties will return to the formal complaint process unless they are cooperating in good faith and making progress towards completion.
- To conclude informal resolution, the parties will sign an agreement, which will be retained by the College for seven years. If the parties agree to an informal resolution, no formal complaint can be submitted on the same set of facts, and any ongoing investigation would be paused during the process and withdrawn if an agreement is entered. If there is a violation of the terms of the informal resolution the possibility of filing a formal complaint on the same set of facts may be reopened, in which case the investigation will start where it left off/at the point where it was paused.

- You may withdraw from the informal resolution process and resume the standard adjudication process at any time prior to the conclusion of the informal resolution process. If this occurs, the adjudication process will start where it left off/at the point it was paused.

Supportive Measures

- Supportive measures are non-disciplinary, non-punitive individualized services offered to either party, as appropriate and reasonably available, before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to the college's education program or activity without unreasonably burdening the other party.
- They include measures designed to protect the safety of all parties or the college's educational environment, or to deter sexual misconduct.

Please contact the Title IX Coordinator if you would like more information about informal resolution.