SUMMER WEBINAR SERIES

INFORMAL RESOLUTION

AND THE TITLE IX COORDINATOR'S ROLE IN IT

TITLE IX SOLUTIONS

SUMMER WEBINAR SERIES

JOIN US EVERY WEDNESDAY IN JUNE AS WE DISCUSS A VARIETY OF TOPICS!

JUNE 11

WORKING WITH STUDENTS WITH DISABILITIES

JUNE 18

THE APPELLATE DECISION MAKER

JUNE 25

TITLE IX AND ATHLETICS

SPEAKERS

C.J. LARKIN

JIM REEVES

AGENDA

1. OVERVIEW OF THE PROCESS & ROLE OF THE COORDINATOR
2. PRE-MEDIATION & SCREENING
3. WRITING & REVIEWING THE AGREEMENT
4. IMPLEMENTATION & ENFORCEMENT
5. PROS & CONS OF COORDINATOR'S PARTICIPATION
6. Q&A

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OVERVIEW OF THE PROCESS & ROLE OF THE COORDINATOR

INFORMAL RESOLUTION PROCESS

1. Initial Screening
2. Retention of the Informal Resolution Facilitator
3. Pre-Informal Resolution Meeting
4. Parties sign an agreement to participate in Informal Resolution
5. Informal Resolution Meeting
6. Agreement, Implementation, and Enforcement

REVIEW YOUR SCHOOL'S TITLE IX & STUDENT CONDUCT POLICIES

WHAT IS THE COORDINATOR'S DESIGNATED ROLE IN:

- Screening and recommending IR per case
- Notifying parties and explaining process
- Involvement in the IR pre-meeting
- Attendance at the IR joint meeting
- Participation at the IR joint meeting
- Participation/Advising during formation of written agreement
- Review and approval of written agreement
- Monitoring and Enforcement of written agreement

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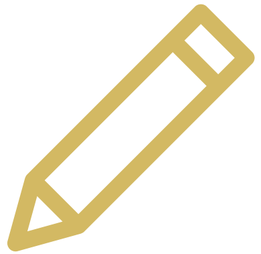
PRE-MEDIATION AND SCREENING

IMPORTANCE OF THE MEETING

PREPARATORY	INFORMATIONAL	INTENTIONAL
Talk about how the informal resolution process will typically unfold	Listen to Parties' perspectives, hopes, desired outcomes, concerns, etc.	 Assess Parties' safety concerns, ability to communicate effectively and sincerely

PRE-INFORMAL RESOLUTION MEETING CHECKLIST

- [ ] INTRODUCE YOURSELF
- [ ] EXPLAIN THE CONFIDENTIAL NATURE OF THE PRE-INFORMAL RESOLUTION MEETING
- [ ] EXPLAIN YOUR ROLE, DUTIES AND NEUTRALITY
- [ ] EXPLAIN THE PURPOSE, PROCESS AND GROUND RULES OF THE INFORMAL RESOLUTION MEETING
- [ ] ASK ATTENDEES IF THEY HAVE ANY QUESTIONS, CONCERNS AND GOALS FOR THE PROCESS
- [ ] ASK PARTIES TO SIGN THE AGREEMENT TO PARTICIPATE

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QUESTIONS TO CONSIDER:

- What would each party want to say to the other party?
- What questions might each party want to ask the other party?
- What questions might they anticipate the other party to ask?
- “What if...”
- Do you want an apology or do you want to give an apology?
    - If yes, what are the elements of a good apology?

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WRITING & REVIEWING THE AGREEMENT

REVIEWING THE AGREEMENT

IN MOST POLICIES, THE COORDINATOR HAS FINAL REVIEW AND APPROVAL OF ANY AGREEMENT.

- Reviewing for adherence to school policies, legality, practicability, and ability to enforce/monitor
- Can make suggested edits to address these concerns

Questions to Consider:

- Is the final decision still with the parties?
- Will the Title IX Coordinator review prior to the parties signing the agreement?

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IMPLEMENTATION AND ENFORCEMENT

POTENTIAL OUTCOMES

1. Complaint is resolved using the informal resolution process.
   - Parties agree upon terms and sign a written agreement to abide by.
2. Complaint is not resolved using the informal resolution process.
   - Parties return to the formal grievance process.
     - ⚠ Complainant has the option to withdraw the formal complaint in writing if they do not wish to proceed with the formal grievance process.

TERMS OF THE AGREEMENT

SPECIFIC

FEASIBLE

CLEAR

- The agreement should be clear on who does what
- The agreement should have clear deadlines
- The Title IX Coordinator usually works with the parties to enforce the agreement

CONSULT SCHOOL POLICY TO DETERMINE A VIOLATION OF THE AGREEMENT AND CONSEQUENCES

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PROS & CONS OF THE COORDINATOR'S PARTICIPATION

PROS

- Knowledge of and experience with school community
- Knowledge of and experience with parties and investigation
- Practical information – class scheduling, course and degree requirements, etc
- Providing “eyes and ears” of administration and policies
- Providing appropriate support to both parties
- Educational experience for Coordinator

- Possible negatives of all the pros
- One or both parties may have negative feelings toward Coordinator
- Advocates for parties may be concerned about “bleed-over” information
- May limit party self-empowerment
- May limit disclosure and apologies
- May result in Coordinator learning about additional reports (actual knowledge)

CONS

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QUESTIONS & ANSWERS

WE ARE HERE TO HELP!

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