



INFORMAL RESOLUTION AT THE UNIVERSITY OF CHICAGO

FACILITATOR TRAINING

MARCH 11, 2021



OBJECTIVES

- Understand shuttle diplomacy framework
- Identify potential challenges to shuttle diplomacy framework in informal resolution practice
- Practice opening statement and answering questions regarding process

OVERVIEW

- Informal Resolution as a form of shuttle diplomacy: finding options grounded in parties' needs and interests
- Opening Statement: discussion & practice



INFORMAL RESOLUTION PROCESS

INFORMAL RESOLUTION IS A FORM OF SHUTTLE DIPLOMACY



INFORMAL RESOLUTION (AT U. CHICAGO) IS

Informal Resolution

is a fair, empowering, and trauma-informed process through which parties engage with an impartial informal resolution facilitator to discuss remedies with the goal of resolving a formal complaint of Title IX Sexual Harassment under the Policy on Title IX Sexual Harassment or matters under the Policy on Harassment, Discrimination, and Sexual Misconduct.

INFORMAL RESOLUTION PROCESS: NUTS & BOLTS

Preparation.

1. Request (following Formal Complaint).
2. Title IX Coordinator Review.
3. Notification & Conflict of Interest Review.
4. Initial Outreach.
5. Initial Process Meeting

Parties Consent to Informal Resolution: Agreement to Participate.

Process.

6. Written Request for Remedies.
7. Remedies Meeting(s).
8. Agreement.

Parties (and Title IX Coordinator) Sign Informal Resolution Agreement.

SHUTTLE DIPLOMACY

**“It is difficult for a person in conflict
to fully comprehend another party’s story
until they feel their own story is fully understood.”
(Meyer-Schrage 2020)**

- **History.** Term “shuttle diplomacy” (or shuttle negotiation) originated in 1970s, negotiations for peace in the Middle East.
- **Informal Resolution at U. Chicago.** Remedies-based engagement with parties.
 - **What do you envision parties sharing at these meetings?**
 - **What opportunities and/or challenges might this present?**

AN “INTEGRATIVE NEGOTIATION MINDSET”: NEEDS & INTERESTS

- I. **Work with each party to identify their needs and interests.**
 - Focus parties needs & interests over their positions.
 - There may be many ways to satisfy a party’s need or interest; while there is usually only one way to satisfy a position.
 - **Facilitator tools, some examples:**
 - Ask ”Why”? (and “Why Not”?)
 - Active listening.
 - Summarizing.
 - Neutralizing Language.

IN PRACTICE: NEEDS AND INTERESTS

- What are other facilitator tools to identify needs and interests?
- What are limitations to these approaches that we discussed?
- What else might be missing here?

AN “INTEGRATIVE NEGOTIATION MINDSET”: OPTIONS

2. **Work with parties to identify options that may be mutually agreeable.**

- There may be more than one way to satisfy party's needs.
- Successful options include the other party's needs.
- **Facilitator tools, some examples:**
 - Break down issues into manageable components.
 - Separate deciding from brainstorming.
 - Encourage parties to focus on future, rather than assignment of responsibility for past conduct.
 - Identify shared interests.
 - Reality testing.

IN PRACTICE: OPTIONS

- What are other facilitator tools to identify options?
- What are limitations to these approaches that we discussed?
- What else might be missing here?

OPENING STATEMENT (PROCESS MEETING)

- What are key components to include in opening statement?
- What questions do you anticipate that parties might have?
 - Written complaint requirement
 - Information sharing
 - Confidentiality
 - Harm to broader campus community
 - Safety concerns
- What questions do you still have?



OPENING STATEMENT IN PRACTICE