



# INFORMAL RESOLUTION AT THE UNIVERSITY OF CHICAGO

FACILITATOR TRAINING

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# OBJECTIVES

- What is informal resolution? What is it not?
- How does the informal resolution process at U. Chicago work? What is expected of me?  
What is expected of participants?
- What's next?

# OVERVIEW

- Introductions
- Key Definitions & Context
- Philosophy
- Process
- Discuss



# INTRODUCTIONS

NAME, ROLE, AND EXPERIENCE WITH INFORMAL/ ALTERNATIVE RESOLUTION



# BACKGROUND



# WHAT IS INFORMAL RESOLUTION?

## Policy on Title IX Sexual Harassment.

- “Informal Resolution process is voluntary and is separate and distinct from the University’s Formal Resolution Process under this Policy or any resolution procedures under the University Policy on Harassment, Discrimination, and Sexual Misconduct.”
  - Voluntary;
  - Formal Title IX Complaint filed;
  - Title IX Coordinator approval (Title IX sexual harassment and appropriate)

## The Regs.

- “[T]he recipient may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication . . .” §106.45 (b)(9)
  - May include (though not limited) arbitration, mediation, or restorative justice. (Preamble p. 1370)
  - May result in disciplinary measures (Preamble p.1370)
- Unavailable “to resolve allegations that an employee sexually harassed a student.” §106.45 (b)(9)

## 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 (AT U. CHICAGO) IS NOT

- Required
- Disciplinary
- Policy-determinative
- Confidential
- Available for all matters
- Mediation or in-person facilitation



# INFORMAL RESOLUTION: PHILOSOPHY

Fair  
Empowering  
Trauma-informed

- What are other important elements to informal resolution?
- How does this differ from other processes?

# 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.***

# INFORMAL RESOLUTION PROCESS: OTHER CONSIDERATIONS

- **Confidentiality.**
- **Retaliation.**
- **Recordkeeping.**
- **Relationship to the formal complaint process.**
- **Timing.**

## IN PRACTICE: DISCUSSION

***Informal Resolution at U. Chicago is both an old and a new practice.***

- What are key elements of informal resolution?
- How compare with “formal” process?

# IN PRACTICE: DISCUSSION REGARDING OPPORTUNITIES & CHALLENGES

*Informal Resolution at U. Chicago is both an old and a new practice.*

- What are the opportunities in informal resolution?
- What are some of the challenges you anticipate in facilitating the process?

## IN PRACTICE: DISCUSSION REGARDING SKILLS

***Informal Resolution at U. Chicago is both an old and a new practice.***

- What are some of the skills you think are fundamental to this practice?
- What additional questions do you have?