
Title IX Student Voluntary Resolution Process At-A-Glance

Voluntary Resolution is available only after a formal complaint has been filed, prior to a determination of responsibility, and if the Complainant and the Respondent voluntarily consent to the process in writing. Voluntary Resolution is not available in cases in which an employee is alleged to have sexually harassed a student. In all cases, the Title IX Coordinator and the Senior Official will have discretion to determine whether or not Voluntary Resolution, or any particular form of Voluntary Resolution, is appropriate to the circumstances.

Voluntary Resolution may involve agreement to pursue individual or community remedies including,

- targeted or broad-based educational programming or training;
- supported direct conversation or interaction with the Respondent;
- mediation;
- indirect action by the Title IX Coordinator;
- and other forms of resolution that can be tailored to the needs of the parties.

With the voluntary consent of the parties, Voluntary Resolution may be used to agreed-upon disciplinary sanctions. Disciplinary action will only be imposed against a Respondent where there is a sufficient factual foundation and both the Complainant and the Respondent have agreed to forego the additional procedures set forth in this Policy and accept an agreed upon sanction.

Any person who facilitates voluntary resolution will be trained and free from conflicts of interest or bias for or against either party.

The form of Voluntary Resolution may vary from case to case. Although the form of Voluntary Resolution will be tailored to meet the needs of the parties and is not limited to the approaches discussed below, there are three forms of Voluntary Resolution that have been commonly requested and implemented in response to reports under this policy:

1. Direct Approach by Complainant: After a discussion with the Title IX Coordinator, Senior Official, or other official designated by the College, a Complainant may choose to contact a Respondent directly. If a Complainant does not wish to engage in direct dialogue, the Complainant may choose to write a letter or create a video to be provided to the Respondent. A Complainant may choose to use a direct approach to inform the Respondent that the conduct is unwelcome, to request that the Respondent change their behavior, or to share the impact of the Respondent's behavior on the Complainant or others so that the Respondent may better understand the harms caused by their actions.

2. Third Party Facilitation: The Senior Official, Title IX Coordinator, or another trained and experienced individual designated by the College may facilitate a conversation or conduct shuttle mediation between the Complainant and the Respondent. This type of intervention may result in an agreement between the parties, no contact between the parties, referral for either or both parties to counseling programs, an agreement for corrective action, targeted training or educational interventions, or the implementation of supportive measures for the Complainant. Where the matter is resolved through third party facilitation, the Senior Official, Title IX Coordinator, or their designees will conduct a periodic review and individually follow-up with the parties to assure that the resolution has been implemented effectively.

3. Indirect Action by the Senior Official: The Complainant may choose an indirect approach which is intended to alter and stop the Respondent's behavior without requiring the Complainant to participate in the resolution. The Complainant may request Indirect Action through the appropriate Senior Official. Indirect Action may include intervention with the Respondent without identifying the Complainant; implementing targeted or broad-based training or educational programs/conversations designed to address the behavior at issue; revising or publicizing College policies or procedures; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; conducting climate assessments or surveys to evaluate similar concerns; and similar measures meant to eliminate the behavior, prevent its recurrence and address its effects.

If the parties are interested in pursuing Voluntary Resolution, the Title IX Coordinator will send written notices to the parties describing:

1. The allegations at issue;
2. The requirements of the voluntary resolution;
3. The circumstances under which the parties are precluded from resuming a formal complaint arising from the same allegations;
4. The right to end the Voluntary Resolution process at any time prior to resolution and resume the formal complaint process;
5. The consequences resulting from participating in the Voluntary Resolution, including that the records and communications created or maintained as part of the voluntary resolution process may be viewed by parties, or later used or considered in the formal complaint process, including during the investigation and hearing if the information is determined to be relevant to resolution of the allegations.

All parties will be required to return signed copies of the written notices agreeing to the Voluntary Resolution process.

If a resolution is reached between the parties, depending on the terms of the Voluntary Resolution, the matter may be considered closed, and the parties will be precluded from filing another formal complaint arising from the same set of facts or circumstances. Any final preclusion of this nature will be documented in the written notice. Prior to reaching a resolution, any party can withdraw from the Voluntary Resolution process and resume the formal complaint process. The College strives to complete Voluntary Resolution within thirty (30) days of the parties' written agreement to participate in the process.

The Title IX Coordinator will maintain records of all reports and conduct referred for Voluntary Resolution, which will typically be complete within 60-90 calendar days of the initial report.