

## INFORMAL RESOLUTION

*For informal resolution of matters under University's [Policy on Title IX Sexual Harassment](#) or [Policy on Harassment, Discrimination and Sexual Misconduct](#); for any question or dispute regarding this resource, see the policies.*



**Informal Resolution** is a process through which parties voluntarily 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 is a non-disciplinary process and does not include any factual investigation or substantive determination under University Policy. While parties may agree to restrictions, resulting in a binding agreement, resolution will not appear on any transcript or disciplinary record, subject to the acknowledgments outlined below. Informal resolution seeks to respond to allegations of prohibited conduct, prevent occurrence (or recurrence), and remedy impact in a manner that is acceptable to both parties while maintaining the safety of the campus community.

- **Fair.** The process, facilitated by an informal resolution facilitator, provides both parties with equal opportunity to participate and to access information relevant to their decisions regarding appropriate remedies. The informal resolution facilitator is impartial; they do not take sides or favor one party over the other. In advance of the process, EOP notifies parties of the name of the informal resolution facilitator and information on how to raise concerns regarding conflict of interest. The informal resolution facilitator is also required to disclose to EOP and the parties if they have prior knowledge of, or acquaintance with, a party.
- **Empowering.** The parties are the decision-makers within the parameters of the informal resolution process. Both parties must agree to participate in informal resolution and to any agreement resulting from the process and both may elect to end the process at any time before reaching agreement. The process is voluntary; the University will not pressure or compel any party to participate in informal resolution.
- **Trauma-informed.** Facilitators receive training on and understand the effects of trauma on the parties and work to facilitate a process that does not cause additional trauma.

**Your role.** Your role is to participate; your participation is voluntary and you may choose to end the process at any time and pursue formal resolution before entering into a resolution agreement. Should you enter into a resolution agreement, you waive your right to pursue formal resolution of the same matter. You may also bring an advisor of choice, who may be an attorney, to any meetings in the process.

**Your facilitator's role.** Your informal resolution facilitator's role is to assist the parties in opening dialogue regarding potential remedies for resolving a specific complaint.

**Support and resources** remain available to students throughout the process; for more information, contact the Office of Sexual Misconduct Prevention and Support. To request support and resources or learn more, contact the Director of the Office of Sexual Misconduct Prevention and Support ([titleix@uchicago.edu](mailto:titleix@uchicago.edu)) or your informal resolution facilitator for a referral.

## Confidentiality

- **Private.** As a general matter, information shared or obtained during Informal Resolution will be treated as private to the extent permitted by law and will not result in subsequent disciplinary actions by the University. Specifically, no documents or statements made in Informal Resolution may be used in a subsequent University process (Investigative Resolution or Resolution by a Hearing Body) about the same allegations. Further, EOP will not share the identities of the parties with anyone outside of the informal resolution process or EOP. The University does not restrict parties from discussing the allegations, however, retaliation is prohibited.
- **Exceptions to confidentiality.**
  - *Safety concerns.* The University will not treat as private information shared or obtained during Alternative Resolution that relates to an increased risk to the safety of the University community or an imminent risk of serious harm.
  - *Compliance with legal obligations.* The University may have an obligation to disclose information related to the matter consistent with the law, including for example to law enforcement or in response to a lawful subpoena.
- EOP does not allow any person to record in any manner (video, audio or other electronic means) any part of an informal resolution process.
- For additional questions regarding confidentiality, *see* the confidentiality sections in the University's [Policy on Title IX Sexual Harassment](#) (Section VIII) and the University's [Policy on Harassment, Discrimination and Sexual Misconduct](#) (Section XI).

## Retaliation.

University policy protects parties participating in informal resolution from retaliation and also expects that parties not engage in retaliatory behavior. Retaliation includes, but is not limited to, intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege under University policy. Parties may report retaliation to the University's Title IX Coordinator ([equalopportunity@uchicago.edu](mailto:equalopportunity@uchicago.edu)) or on the Equal Opportunity Programs website ([equalopportunity.uchicago.edu](http://equalopportunity.uchicago.edu)); allegations of retaliation may result in separate complaint and disciplinary action.

## Questions?

Contact Equal Opportunity Programs at [equalopportunity@uchicago.edu](mailto:equalopportunity@uchicago.edu), the University's Title IX Coordinator, or any Deputy Title IX Coordinator.

## Informal Resolution Process

<p><b><i>Preparation for Informal Resolution Process: Request, Review, Intake and Consent</i></b></p>	<ol style="list-style-type: none"> <li>1. Complainant files a formal, signed complaint under Policy on Title IX Sexual Harassment or Policy on Harassment, Discrimination and Sexual Misconduct.</li> <li>2. Complainant or respondent requests the informal resolution process by contacting the University’s Title IX Coordinator.</li> <li>3. If informal resolution is appropriate, the University’s Title IX Coordinator communicates request to the other party and provides the name of the proposed informal resolution facilitator and information on how to raise concerns regarding a conflict of interest.</li> <li>4. Informal resolution facilitator makes outreach to parties with information regarding the process, proposed remedies, support and resources, and to schedule an initial process meeting.</li> <li>5. Informal resolution facilitator meets with both parties (separately) to discuss informal resolution process.</li> </ol>
<p><b><i>Agreement to Participate</i></b></p>	<ol style="list-style-type: none"> <li>6. Both parties consent to participate in informal resolution by signing Agreement to Participate in Informal Resolution.</li> </ol>
<p><b><i>Informal Resolution Process</i></b></p>	<ol style="list-style-type: none"> <li>7. Complainant submits written request for remedies to informal resolution facilitator.</li> <li>8. Informal resolution facilitator meets with parties (separately) to discuss written remedies requests and to identify and facilitate areas for agreement. Through shuttle diplomacy, informal resolution facilitator may engage in additional conversations with both parties (separately) to work towards agreement.</li> <li>9. If the parties reach agreement, informal resolution facilitator drafts proposed agreement for review of parties and Title IX Coordinator.</li> </ol>
<p><b><i>Informal Resolution Party Agreement</i></b></p>	<ol style="list-style-type: none"> <li>10. Both parties reach and memorialize enforceable agreement by signing Informal Resolution Party agreement (<i>also signed by Title IX Coordinator</i>).</li> </ol>

## Potential Remedies of Informal Resolution

- Voluntary restrictions from participation in particular registered student organizations or campus events;
- Changes to on-campus housing, subject to availability;
- Changes to patronage of specific dining facilities;
- Participation in educational offerings on topics including but not limited to: consent and communication, the use of alcohol or other drugs, healthy interpersonal relationships, stress management and wellbeing;
- Provision to the respondent to read an impact statement written by the complainant (describing the impact(s) that the respondent's alleged conduct had on the complainant);
- Other measures upon request, deemed appropriate by the Title IX Coordinator.

## Relationship of Informal Resolution to the Formal Complaint Process

- ***Before the conclusion of informal resolution.***
  - Either party may choose to end the informal resolution process and return to the formal process.
  - The Title IX Coordinator also may end informal resolution and refer back to formal resolution if they determine that informal resolution is no longer appropriate.
- ***If the parties do not reach agreement,*** then informal resolution will no longer be available as a resolution option for the conduct alleged in the underlying complaint, and the complainant has two options with respect to the complaint:
  - 1) Formal resolution. The complainant may request to reengage formal resolution process under relevant University policy, or
  - 2) Voluntary/ Mandatory Dismissal. If the complainant does not want to reengage the formal resolution process, the complaint must notify the Title IX Coordinator of their intent to withdraw the complaint in writing. The Title IX Coordinator will consider whether the complaint may be dismissed under University policy.
- ***After informal resolution agreement reached.*** Both parties are bound by the terms of the agreement and cannot pursue a formal resolution process based on conduct alleged in the underlying complaint.

## Additional Resources

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Office of Sexual Misconduct Prevention and Support.

<https://equalopportunityprograms.uchicago.edu/title-ix/>

Policy on Title IX Sexual Harassment. <https://titleixpolicy.uchicago.edu/policy/>

Policy on Harassment, Discrimination and Sexual Misconduct.

<https://harassmentpolicy.uchicago.edu/policy/>