

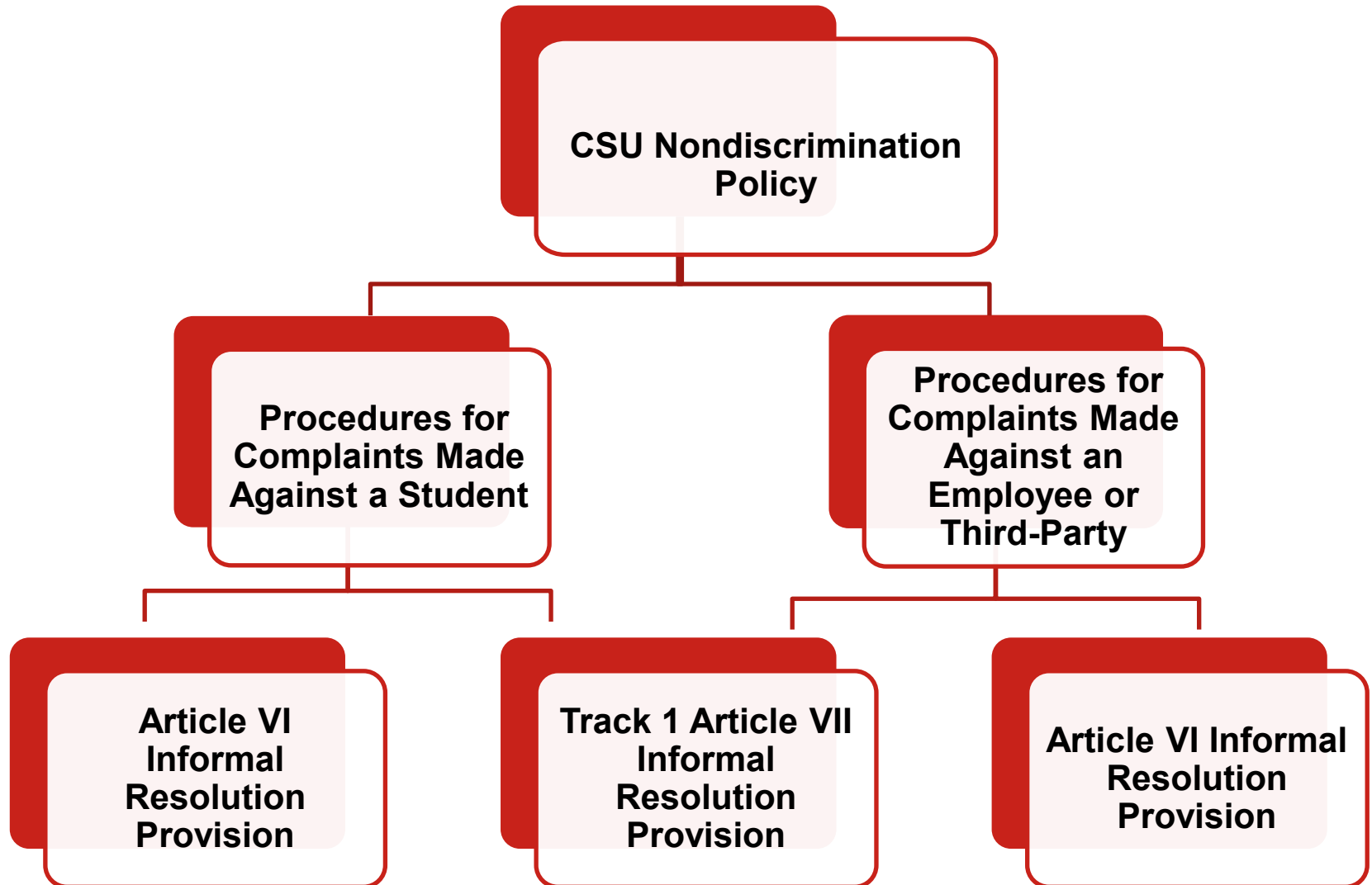
Informal Resolution and CSU Policy

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Highlights of Student/Employee Article VI Informal Resolutions

- May be employed instead of the formal resolution process and anytime before a determination of responsibility
- Parties must receive a notice of agreement to engage in informal resolution
- Prior to discussing the terms of a possible informal resolution agreement, the campus must obtain the Parties voluntary written consent

Student and Employee Article VI Informal Resolutions: The Agreement

- The Title IX Coordinator/DHR Administrator must approve the agreement
- Prior to signing any agreement, the Title IX/DHR Administrator must consult the student conduct administrator
- Any agreement must be in writing, signed by the Parties and the Title IX Coordinator/DHR Administrator
- Any agreed upon remedies or discipline have the same effect as remedies or discipline after hearing or investigation
- An agreement is not appealable

Important Differences Between Track 1 Informal Resolutions and Student/Employee Article VI

- Only applicable to Track 1 “sexual harassment” formal complaints
- Informal resolution **can only be offered** after a Formal Complaint has been filed
- Informal resolution **cannot** be used to resolve allegations that an employee sexually harassed a student
- The terms of the notice differ from the Student/Employee informal resolution notices

Notice Elements

Student/Employee Procedures

1. An explanation that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the investigation process.
2. The Parties' right to consult with an Advisor.
3. **Any resolution must be in writing and signed by both Parties and the Title IX Coordinator/DHR Administrator.**
4. Once the Informal Resolution process is finalized, neither Party is permitted to file another Complaint arising from the same allegations.

Track 1

1. **The allegations of Sexual Harassment, as defined under Article VII.C of the Nondiscrimination Policy.**
2. The requirements of the Informal Resolution process including that once the Informal Resolution process is finalized neither Party is permitted to file another Formal Complaint arising from the same allegations.
3. An explanation that at any time prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and resume the Formal Complaint process.
4. **An explanation of any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.**
5. The Parties' right to consult with an Advisor, if any.

Overseeing Informal Resolution

- Identify the applicable Track and informal resolution provision
- Ensure that the parties receive the correct informal resolution notice
- Ensure that the parties voluntarily provide written consent to engage in informal resolution process
- Assess the nature and/or severity of the allegations to determine if informal resolution is appropriate

Overseeing Informal Resolution

- Continuously assess the possibility of an informal resolution so that if there is no agreement, the formal process is not unduly delayed
- Review the proposed terms of the agreement; consult with student conduct and HR to ensure that the terms are enforceable

Steps in the Informal Resolution Process

Identification of applicable Track and applicable informal resolution provision

Provide notice to the parties

Secure signed consent to engage in informal resolution from each party

Discussion of proposed resolution agreement terms

Review and consult on terms with student conduct or HR

Secure agreement signatures