

# Informal Resolution Facilitation Training

University of Scranton

3 U H V H Q W H G % \

Peter C. Lim, Member

Maureen P. Holland, Member

The Institutional Response Group | Cozen O'Connor

Gina Maisto Smith, Chair

Leslie M. Gomez, Vice Chair

March 22, 2022

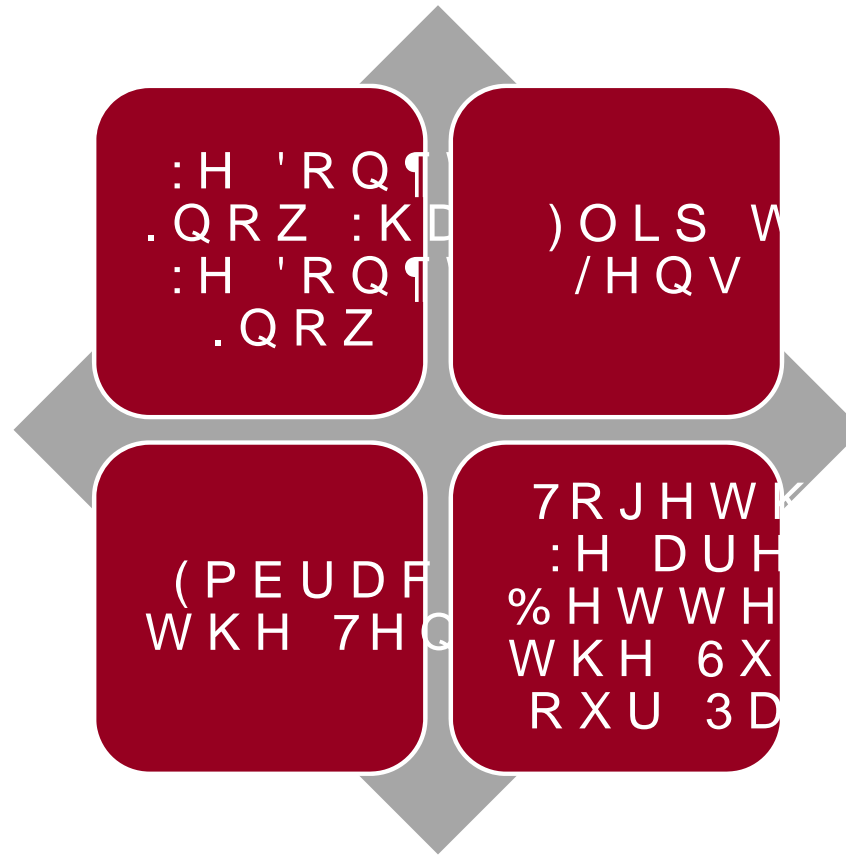


# Training Agenda

0RUQLQJ ± , QIRUP	DWLRQDO \$IWHU
± \$0 ‡ , QWURGXFWLRQ '\QDPL	± 30 ‡ V , GHQWLI\LQJ DQG SUDFWLF
5 minute break	5 minute break
± \$0 ‡ 3URFHVV 2f Small Resolution	± 30 ‡ :RUNVKRSSLQJ VKXWVOH GL IDFLOLWDWHG GLDORJXH
5 minute break	5 minute break
± \$0	



# Framing the Conversation



# The Context

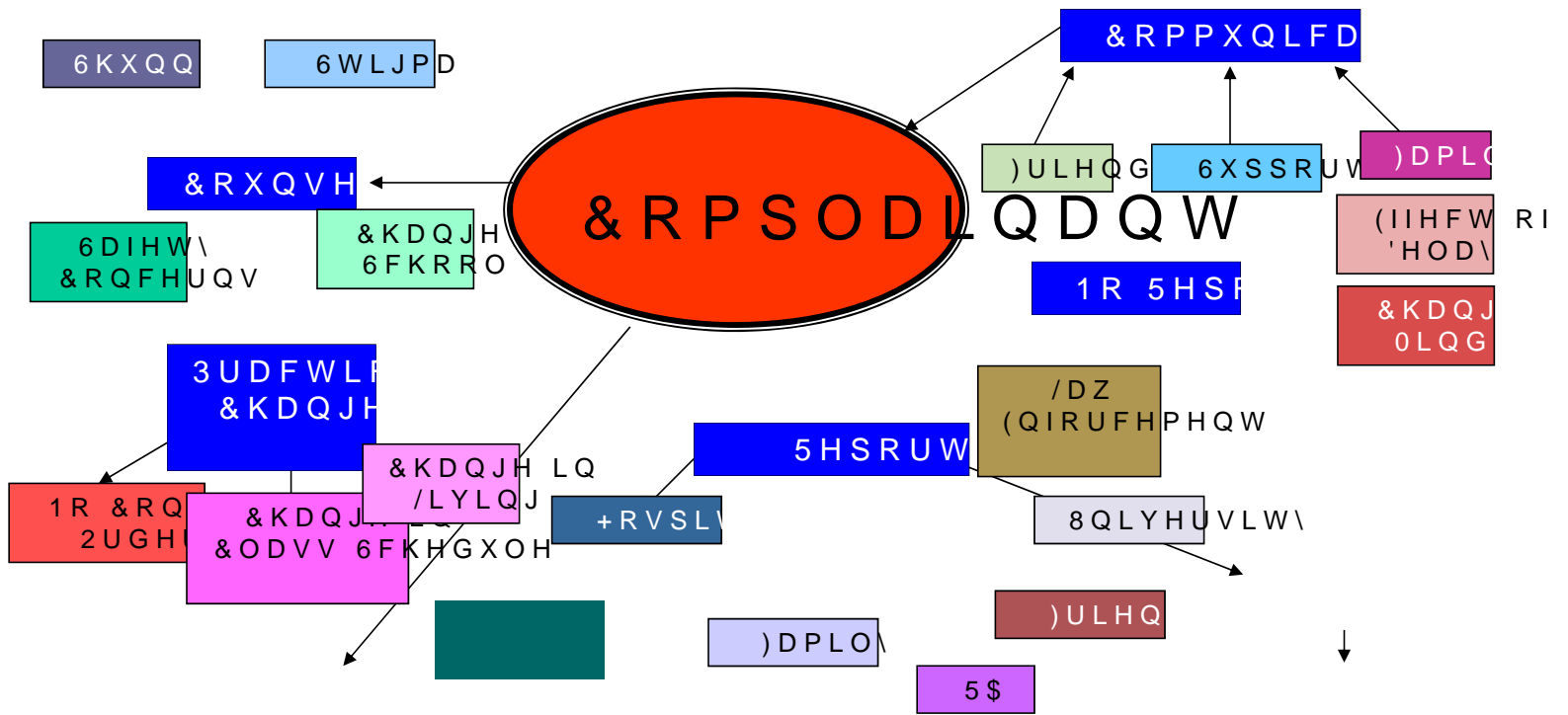
‡ 5HJXODWRU\ )UDP

‡ '\QDPLFV RI 7UDXF  
DQG \*HQQGHU %DVH  
+DUDVVPHQW DQG

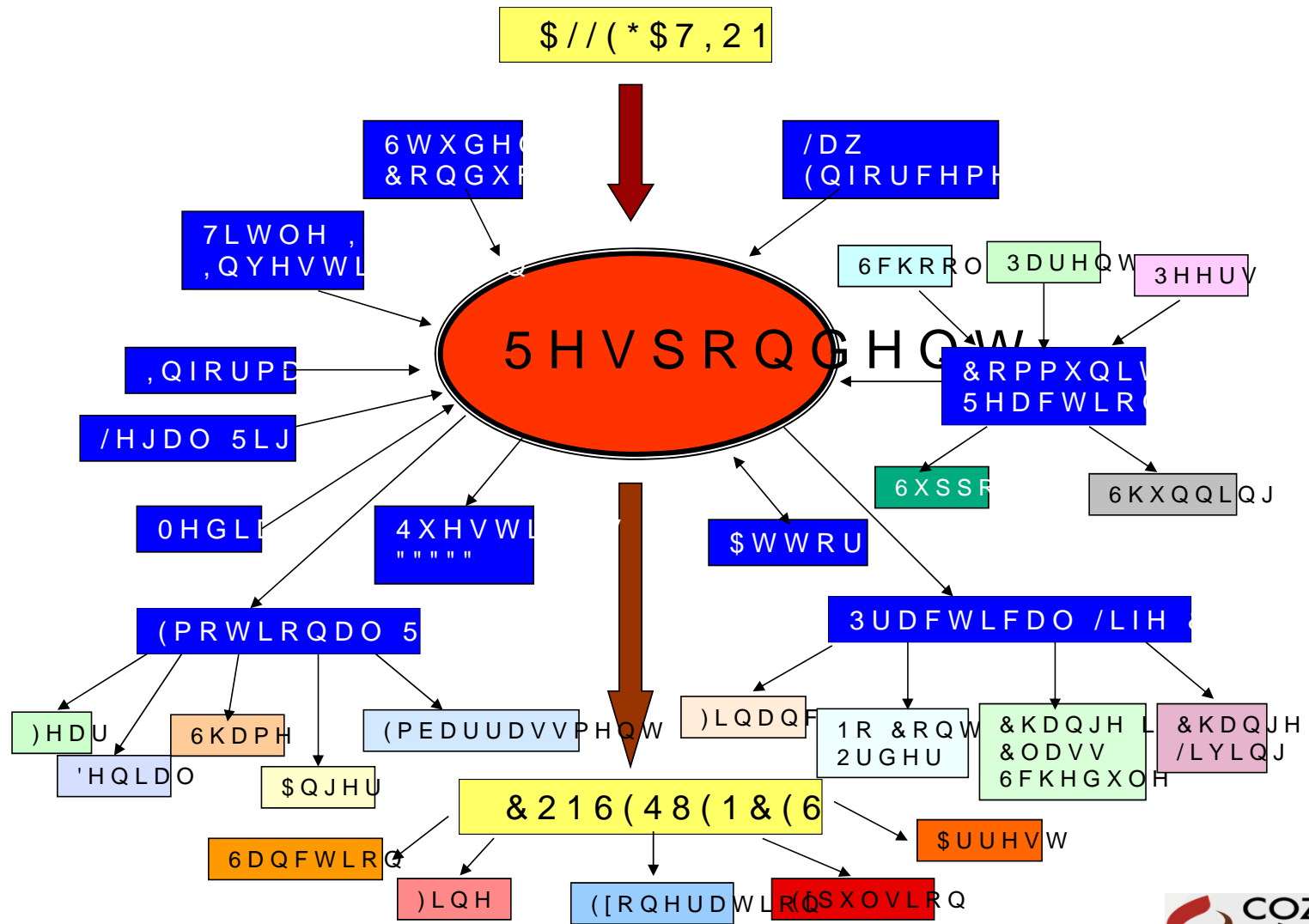
‡ ,QGLYLGXDO &XOW  
+LVWRU\ 5HVXRUF  
3URFHGXUHV 3HUV  
9DOXHV RI WKH ,Q\











# Evolution of Federal Legislation and Guidance

7LWOSD,VVHG DV  
 SDUW RI WKH (GXFDWLRQ  
 \$PHQGPHQWV RI

0DUFK  
 9LROHQFH \$JDLQVW  
 :RPHQ  
 5HDXWKRUL]DWLRQ \$FW  
 RI 9\$:  
 DPHQGHU \$FW



2FWREHU  
 'HSDUWPHQW RI  
 (GXFDWLRQ LVVXH  
 ILQDO QHJRWLDWHG  
 LPSOHPHQWLQJ 9\$:  
 HIIHFWLYH -XO\

\$SULO 2&5  
 UHOHDVHV 4XHVWLRQV DQG  
 \$QVZHUV RQ 7LWOH ; DQG  
 6H[XDO 9LROHQFH



# SETTING THE CONTEXT: DYNAMICS OF SEXUAL AND GENDER- BASED HARASSMENT AND VIOLENCE



# Nature of the Conduct

‡ 6H[XDO DQG JHQQGHU EDVHG KDUD  
± 2IWHQ LQYROYH SHRSOH ZKR DUH NQ  
± 2IWHQ LQYROYH WKH XVH RI DOFRKRO  
± 5HOXFDQFH WR UHSRUW WR ODZ HQ  
± :RUG DJDLQVW ZRUG FUHGLELOLW\  
± 'HOD\ LQ UHSRUWLQJ  
± %DUULHUV WR UHSRUWLQJ DQG SURF  
‡ 7KH IRUPDO SURFHVV UHTXLUHV D  
DYDLODEOH LQIRUPDWLRQ

# Potential Impacts of Trauma

‡ \$3\$ '60 GHILQHV WUDXPD DV <sup>3</sup>([SRVXGH DWK D V WUXIDROX  
RU VH[XDO YLROHQFH LQ RQH RU PRW\ RI [SHKUH HQDQ  
WUDXPDWLF HYHQW V

‡ 'XULQJ D WUDXPDWLF HYHQW WKH YELUDLOQ PD\ GHWHFW

‡ 7KH ERG\ PD\ UHVSRRG WR WKLV WKUH\ DW BIBEHWGDX ISH  
UHDFWLRQ WR WKH HYHQW GXULQJ DQG DIWHU

‡ ,W PD\ DOVR DIIHFW D SHUVRQ\ DELOLW\  
± 7R UHPHPEHU GHWDLOV VRPH GHWDLOV UDDQ EH UMXDU SHBM  
± 7R UHFRXQW LQFLGHQW PHPRU\ RI VHG\ XDDQ LPVSDXOW GP D\ I  
± 7R SURYLGH D FKURQRORJLFDO DFFRXQW

‡ .H\ 7DNHDZD\ ,WSURSHU DW R EPVH BQVQGLQUWI RQH V\$  
&RPSODLQDQW DSSHUV WR H[KLELW HIIHFWV RI WUDX



# Key Takeaways

‡ , QGLYLGXDOV UHVSRRQG WR† W:KDXDPDZGLGRUHQWV\SLFDO  
2XU UROH LV QHYHU WR FRQF5HXGRVQKDWV SHSHVURIQHQFL  
KDV RU KDV QRW H[SHULHQFHGHXWURDEXLPRDORJLFDOLPSDFW  
PD\ H[SHULHQFH VWUHVVRU  
ZD\ WKH\ SUHVHQW WKHPVH  
‡ :H OHDUQ DERXW WKH SRWHQWLDOLPSDFWVRI  
WUDXPD VR WKDW ZH DYRLG VKDUHLQIRUPDWLRQ :H V  
SUHMXGJPHQWV DERXW D SHUVRRUWKH SUHMXGJPHQWV  
LQIRUPDWLRQ WKH\ VKDUH DQG WKH LQIRUPDWLRQ WK  
‡ -XVW DV LW LV LPSURSHU † \$JDIQ HDFK LQGLYLGXDO  
PDNLQJ WR VWDWLWLVV LW HYDOXDWHGRQVWV IDFWV  
ILQGLQJ RI UHVSRRQVLELOLW\ RQ ZKHWKHU WKH  
&RPSODLQDQW DSSHUV WR H[KLELW HIIHFWV RI  
WUDXPD



# Reactive Coping Mechanisms

‡ 8 Q G H U V W D Q G W K D W S H R S O H ¶ V U H  
‡ : K L O H P D Q \ U H V S R Q V H V I D O O Z L W  
D Q \ U H V S R Q V H P X V W E H X Q G H U V W  
L Q G L Y L G X D O ¶ V F L U F X P V W D Q F H V F  
D Y D L O D E O H U H V R X U F H V D Q G V X S S

# Reactive Coping Mechanisms



# Reactive Coping Mechanisms

‡ 4XHVWLRQLQJ RI HYHQW DQG DFW  
± , VKRXOG VKRXOGQW KDYH  
± :K\ GLG GLGQW ,

‡ 'HOD\ LQ UHSRUWLQJ  
± ([SHFWDWLRQ RI SURPSW IUHVK FRPSC  
± 'LG WKH SHUVRQ XQGHUVWDQG WKH V  
‡ &RQVLGHU EDUULHUV WR UHSRUWLQJ

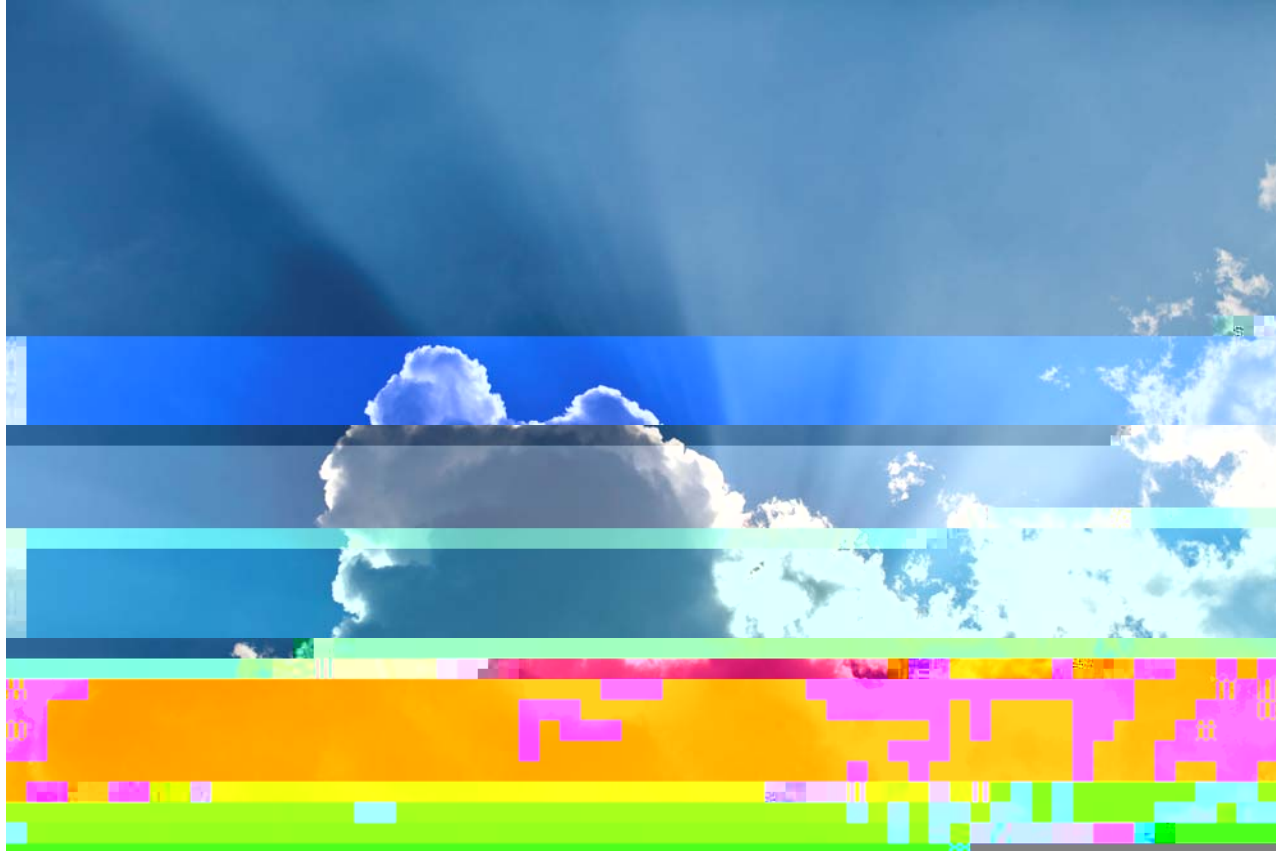
‡ )H DU RI QRW EHLQJ EHOLHYHG  
‡ )H DU RI UHWDOLDWLRQ  
‡ )H DU D ORVV RI SULYDF\

# False Reports

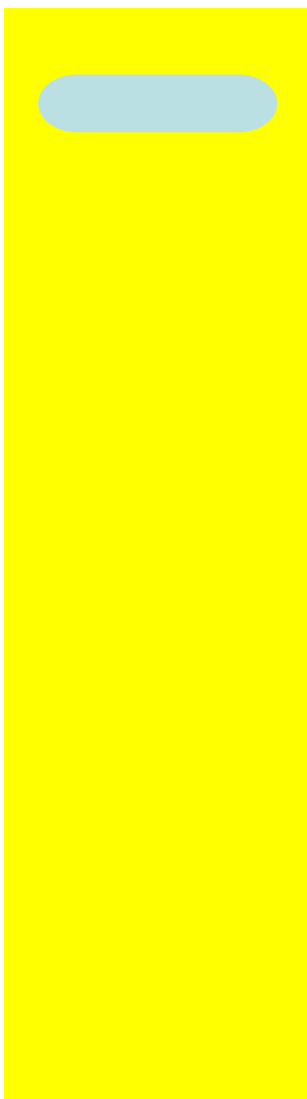
‡ 6WDWL VWL FV YDU\

± 'HILQLWLRQV FUHGLELOLW\ RI UHYLH

‡ )DOVH UHSRUW YV XQVXE VWDQWL



# FORMAL RESOLUTION



1RWLFH



# Investigation Requirements



)RUPDO1RWLFH RI QYHVWLJDWLRO (YLGHQFH :ULWWHQ QYHVWLJDWLRO :ULWWH  
&RPSODLQW HJDWLRO 5HYLHZ 5HVSQRQV 5HVSQRQV 5HVSQRQV 5HVSQRQV  
WR (YLGHQFH 5HSRUW WR 5HSRUW

<p>)LOHG E\ :LWK VXII FZKRWXJK VHDUFIKDQ\ &amp;RPSODLQW DLO DOGIRMLRHHOHYOHWLGHQFH RU IRU D SDUW DQ HYLGHQFH 6LJQHG EV LWHOH RU DQ ,; &amp;RRUGLQW DO LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>	<p>)LOHG E\ :LWK VXII FZKRWXJK VHDUFIKDQ\ &amp;RPSODLQW DLO DOGIRMLRHHOHYOHWLGHQFH RU IRU D SDUW DQ HYLGHQFH 6LJQHG EV LWHOH RU DQ ,; &amp;RRUGLQW DO LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>	<p>)LOHG E\ :LWK VXII FZKRWXJK VHDUFIKDQ\ &amp;RPSODLQW DLO DOGIRMLRHHOHYOHWLGHQFH RU IRU D SDUW DQ HYLGHQFH 6LJQHG EV LWHOH RU DQ ,; &amp;RRUGLQW DO LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>	<p>)LOHG E\ :LWK VXII FZKRWXJK VHDUFIKDQ\ &amp;RPSODLQW DLO DOGIRMLRHHOHYOHWLGHQFH RU IRU D SDUW DQ HYLGHQFH 6LJQHG EV LWHOH RU DQ ,; &amp;RRUGLQW DO LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>	<p>)LOHG E\ :LWK VXII FZKRWXJK VHDUFIKDQ\ &amp;RPSODLQW DLO DOGIRMLRHHOHYOHWLGHQFH RU IRU D SDUW DQ HYLGHQFH 6LJQHG EV LWHOH RU DQ ,; &amp;RRUGLQW DO LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>	<p>)LOHG E\ :LWK VXII FZKRWXJK VHDUFIKDQ\ &amp;RPSODLQW DLO DOGIRMLRHHOHYOHWLGHQFH RU IRU D SDUW DQ HYLGHQFH 6LJQHG EV LWHOH RU DQ ,; &amp;RRUGLQW DO LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>	<p>)LOHG E\ :LWK VXII FZKRWXJK VHDUFIKDQ\ &amp;RPSODLQW DLO DOGIRMLRHHOHYOHWLGHQFH RU IRU D SDUW DQ HYLGHQFH 6LJQHG EV LWHOH RU DQ ,; &amp;RRUGLQW DO LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>
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# Investigation Requirements

1RWLFH RI  
\$OOHJDWLRQV  
QYHVWLJDWLRQ  
(YLGHQFH  
5HYLHZ  
ULWWHQ  
5HVSQRVHV  
WR (YLGHQFH  
QYHVWLJDWLYH  
5HVSQRV  
WR 5HSR

	7KRURXJK V HDUFIKDQ\ IRU UHOHYDQW LQGHQFH DQG HYLGHQFH &RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR	WHDUFIKDQ\ GLUHFWOV WR WKH DOOHJDWLRQV E\ D ZKR	GD\ UHYLHZ )DLUO\ WKS SWULRG UHODWHG 3DUWLHV PD\ VXEPLW ZULWV UHVSQRVHLQFXOSDW	VXPPDUL UHOHYDQW FOOXGH HLQFXOSDW HFXOSD HYLGHQ	GD\ UHY SHULRG 3DUWLHV VXEPLW Z UHVSQRV
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# Investigation Requirements

1RWLFH RI QYHVWLJDWLRQ (YLGHQFH ULWWHQ QYHVWLJDWLYH  
\$OOHJDWLRQV 5HVSQRQV 5HVSQRQV 5HVSQRQV 5HVSQRQV  
5HYLHZ WR (YLGHQFH 5HSRUW WR 5HSRUW





1RWLFH RI QYHVWLJDWLRQ (YLGHQFH :ULWWHQ QYHVWLJDWLYH  
\$OOHJDWLRQV 5HYLHZ 5HVSQRVHV 5HSRUW  
WR (YLGHQFH





1RWLFH RI QYHVWLJDWLRQ (YLGHQFH :ULWWHQ QYHVWLJDWLYH  
\$OOHJDWLRQV 5HYLHZ 5HVSQRVHV 5HSRUW  
WR (YLGHQFH



# Investigation Requirements

1RWLFH RI QYHVWLJDWLRQ (YLGHQFH ULWWHQ QYHVWLJDWLYH  
\$OOHJDWLRQV 5HVSQRVHV 5HVSQRV 5HVSQRV  
5HYLHZ WR (YLGHQFH 5HSRUW WR 5HSR



# Investigation Requirements

1RWLFH RI  
\$OOHJDWLRQV  
QYHVWLJDWLRQ  
(YLGHQFH  
5HVSQRVHV  
5HYLHZ  
WR (YLGHQFH  
ULWWHQ  
5HVSQRVHV  
QYHVWLJDWLYH  
5HVSQRV  
WR 5HSR

	7KRURXJK V HDUFIKDQ\ IRU UHOHYDQW LQGHQFH DQG HYLGHQFH &RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR	WHDUFIKDQ\ LQGHQFH GLUHFWOV WR WKH DOOHJDWLRQV E\ D WUDLQH	GD\ UHYLHZ )DLUO\ WKS SWULRG UHODWHG 3DUWLHV PD\ VXEPLW ZULWWRFO UHVSQRVHLQFXOSDW	VXPPDUL UHOHYDQW PD\ VXEPLW ZULWWRFO HLQFXOSDW HFXOSD HYLGHQ	GD\ UHY SHULRG 3DUWLHV VXEPLW ZULWWRFO UHVSQRV
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# Investigation Requirements



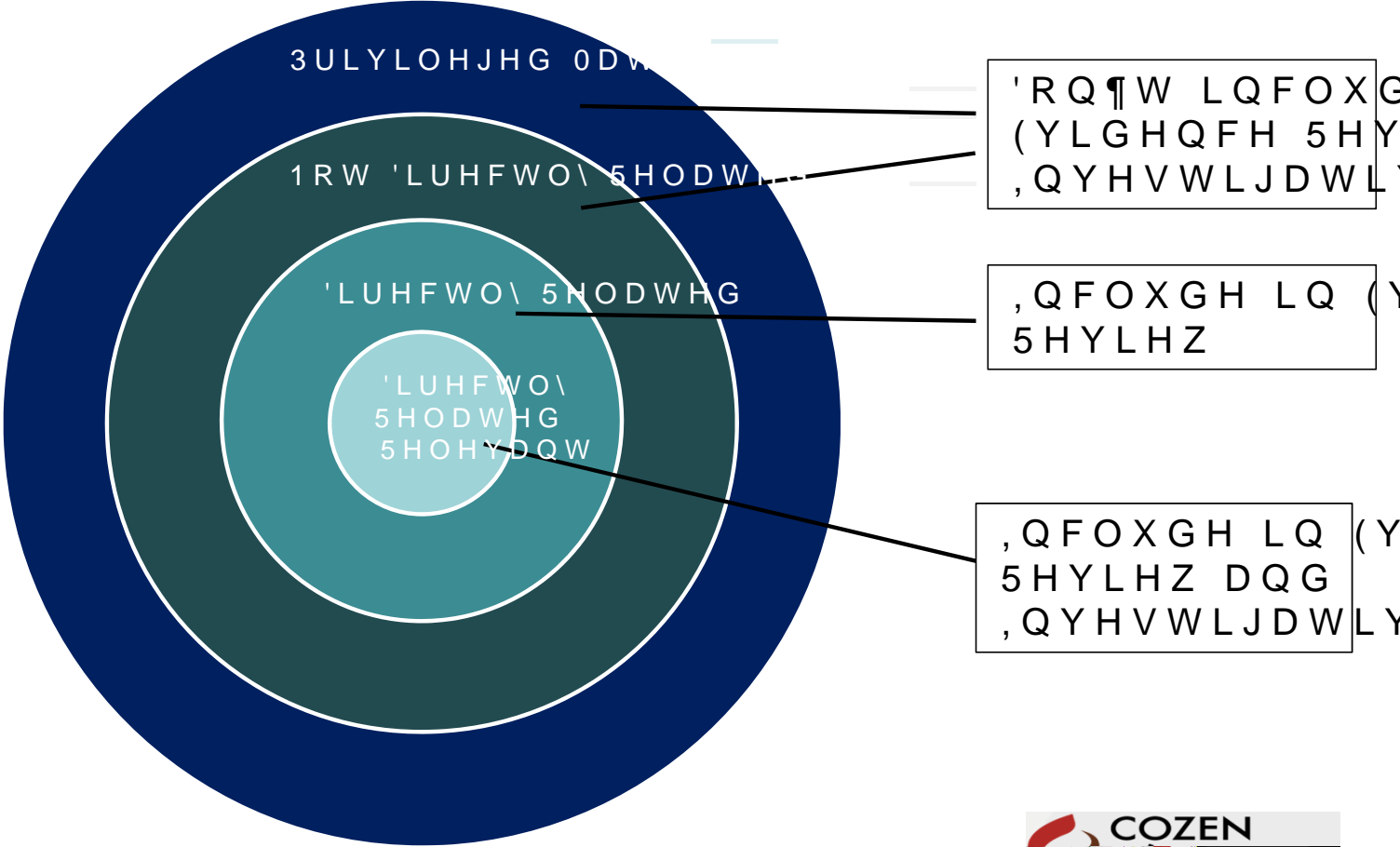
)RUPDO1RWLFH RI QYHVWLJDWLRO (YLGHQFH :ULWWHQ QYHVWLJDWLRO :ULWWH  
&RPSODLQOHJDWLRO 5HYLHZ 5HVSQRVHV 5HVSQRV 5HVSQRV 5HVSQRV  
WR (YLGHQFH 5HSRUW WR 5HSR

<p>)LOHG E\ :LWK VXII &amp;RPSODLQOHJDWLRO RU IRU D SDUW 6LJQHG EV LWHQ ,; &amp;RRUGLQWDO</p>	<p>FZKRWXJK VHDUFIKDQ\ GIRMLRHHOHYOHWLGHQFH RU DQ LQWHUYLHZ &amp;RQGXFWHG E\ D WUDLQH LQYHVWLJDWRU ZKR LV IUHH IURP FRQIOLFV RI LQWHUHVW RU ELDV</p>	<p>GDI UHYLHZ )DLUO\ WKS SWULRG VXPPDUL UHODWHG UHOHYDQW 3DUWLHV PD\ VXEPLW ZULWWHQ UHVSQRVHLQFXOSDW HIFXOSD HYLGHQ</p>	<p>GDI UHYLHZ )DLUO\ WKS SWULRG VXPPDUL UHODWHG UHOHYDQW 3DUWLHV PD\ VXEPLW ZULWWHQ UHVSQRVHLQFXOSDW HIFXOSD HYLGHQ</p>	<p>GDI UHYLHZ )DLUO\ WKS SWULRG VXPPDUL UHODWHG UHOHYDQW 3DUWLHV PD\ VXEPLW ZULWWHQ UHVSQRVHLQFXOSDW HIFXOSD HYLGHQ</p>	<p>GDI UHYLHZ )DLUO\ WKS SWULRG VXPPDUL UHODWHG UHOHYDQW 3DUWLHV PD\ VXEPLW ZULWWHQ UHVSQRVHLQFXOSDW HIFXOSD HYLGHQ</p>	<p>GDI UHYLHZ )DLUO\ WKS SWULRG VXPPDUL UHODWHG UHOHYDQW 3DUWLHV PD\ VXEPLW ZULWWHQ UHVSQRVHLQFXOSDW HIFXOSD HYLGHQ</p>
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# Evidentiary Levels for Inclusion



1RWLFH

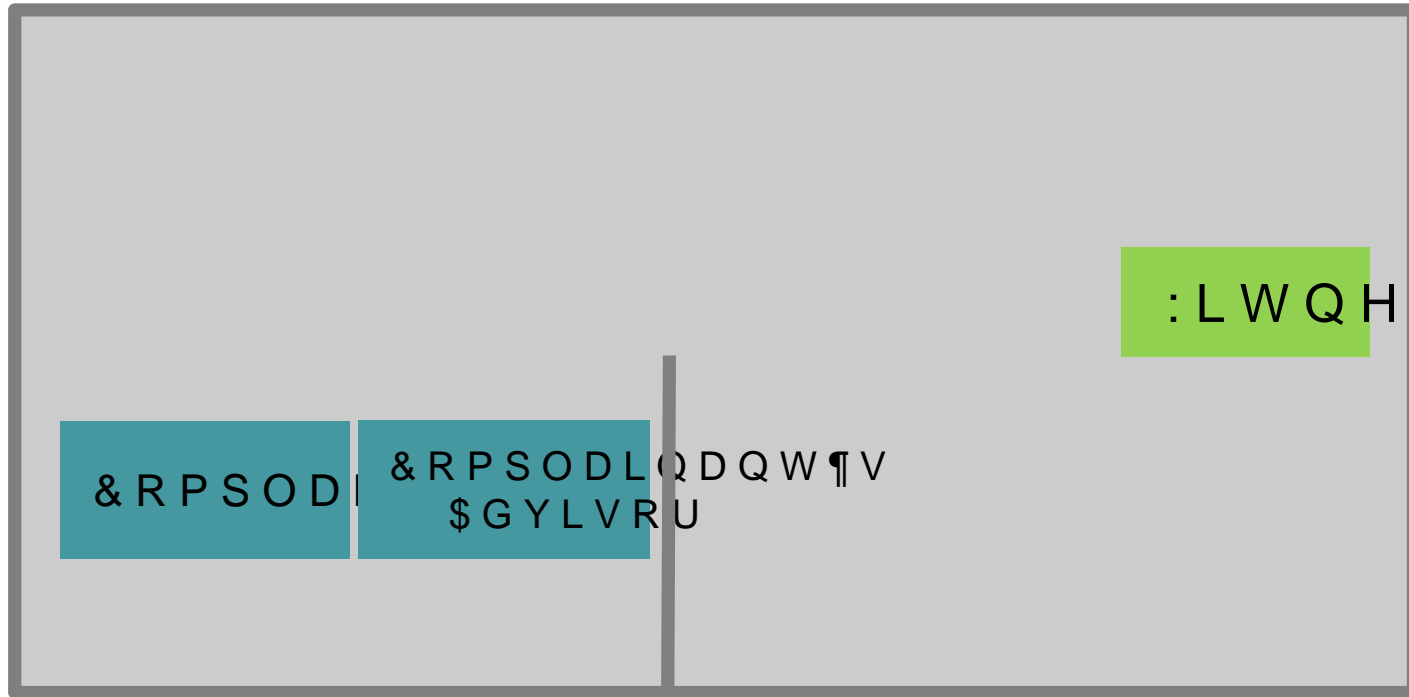
0DQGDWRU

# In-Person Hearing Option 1



3 D Q H O  
0 H P E H U

# In-Person Hearing Option 2





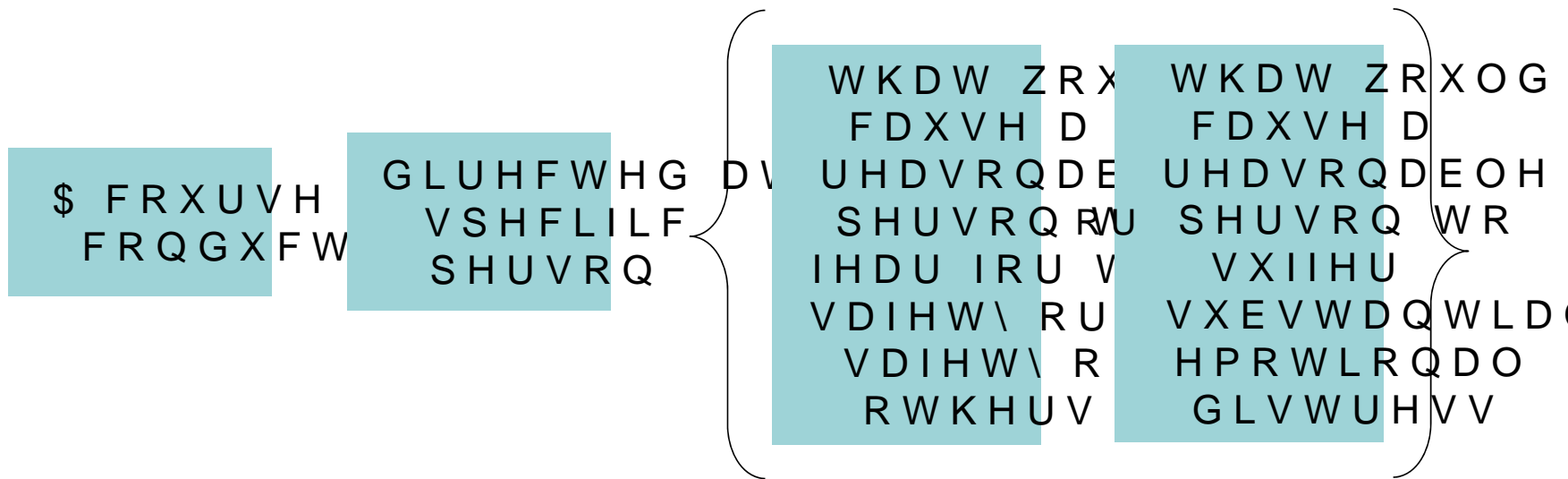
# Remote Hearing Logistics



# Mapping the Policy Elements & Case Facts

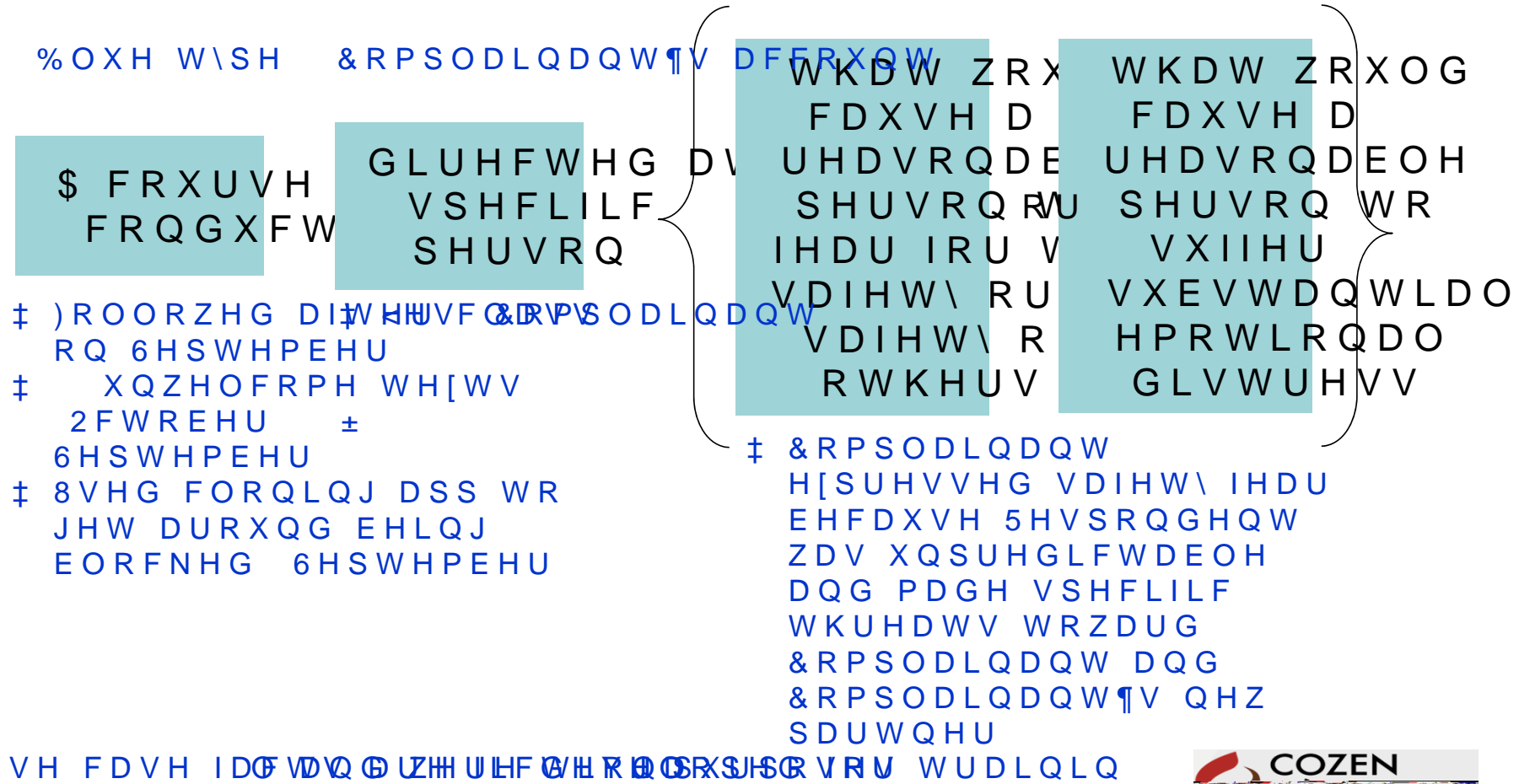
‡ 6WDONLQJ

± « > ( @ QJDJLQJ LQ D FRXUVH RI FRQG XFRQWGLDUL  
 ZRXOG FDXVH D UHVRQDEORUSWUWRQDWRIMW  
 RWKHUV RU VXIIHU VXEVDQWLD HPRWLRQ





# Mapping the Policy Elements & Case Facts







# Standard of Evidence



‡ %H\RQG D 5HDVR  
'RXEW

‡ &OHDU DQG &RQY  
(YLGHQFH

‡ 3UHSRQGHUDQFH  
(YLGHQFH

‡ 6RPH (YLGHQFH



# Preponderance of the Evidence\*

‡ 0RUH OLNHO\ WR EH WUXH WKDQ  
‡ 0RUH SUREDEOH WKDQ QRW  
‡ 7KH JUHDWHU ZHLJKW RI WKH HY  
‡ 7LSSLQJ WKH VFDOH HYHU VR VO  
‡  
‡ %DVHG RQ WKH PRUH FRQYLQFLQ  
SUREDEOH WU~~W~~Q~~R~~W~~B~~QFW~~W~~D DPF  
‡ 4XDOLW\ RI WKH HYLGHQFH QRW  
‡ 127 EH\RQG D UHDVRQDEOH GRXE

%DVHG RQ FRPPRQ XVDJH



# INFORMAL RESOLUTION



# Training: Definition of Sexual Harassment

‡ >6FKRROV@ PXVW HQVXUH WKDW  
IDFLOLWDWHV DQ LQIRUPDO UHVRO  
WUDLQLQGHRLQQLWHRQ RI VH[XLDQ †K  
WKH VFRSH RI WKH UHFLSLH  
RU DFWLYLW\ KRZ WR FRQGXFW L  
SURFHVVHV « DQG KRZ WR VHUYH  
DYRLGLQJ SUHMXGJPHQW RI WKH  
LQWHUHVW DQG ELDV

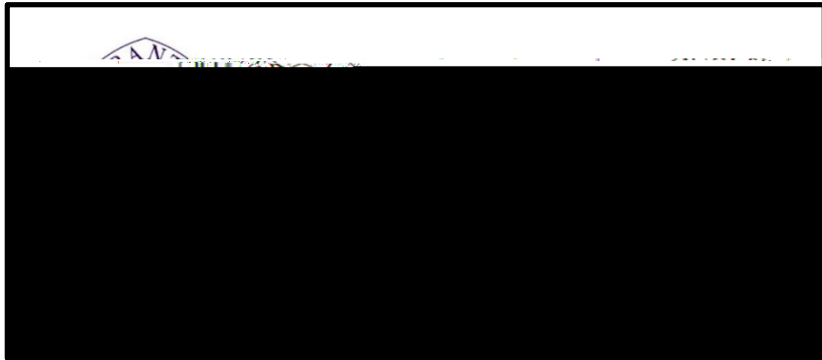
7LWOH ,; 5HJXODWLRQV LVXHG E LLL





# Definitions of Title IX Sexual Harassment

7 L W O H , ; 4 X L G 3 U R 4  
+ D U D V V P H Q W



7 L W O H , ; 6 H [ X D O + D U

7 L W O H , ; 6 H [ X D O \$ V V

7 L W O H , ; 6 H [ X D O ( [ S O

7 L W O H , ; ' D W L Q J 9 L R  
' R P H V W L F 9 L R O H Q F H

7 L W O H , ; 6 W D O N L Q J



# 1. Title IX Quid Pro Quo Sexual Harassment

‡ 4XLG 3UR 4XR 6H[XDO KDUDVVPHQW WORVH  
WKH 8QLW\RI 6FUDQWRQ 1RYHPEHU  
RU VHUYLFH RI WRQ 8QERPS\SDWQW QFWL\$V  
XQZHOFRPH VH[XDO FRQGXFW

‡ 8QZHOFRPH VH[XDO FRQGXFW LV QRW  
XQZHOFRPH VH[XDO DGYDQFH UHTXHVW  
XQZDQWHG FRQGXFW RI D VH[XDO QDWX  
JUDSKLF SK\VLFD RU RWKHUZLVH



8QLYHUVLW\ RI 6FUDQWRQ 1RYHPEHU  
6H[XDO +DUDVVPHQW 6H[XDO 0LVFR  
 COZEN 3ROLF



### 3. Title IX Sexual Assault

‡ 7LWOH ,; 6H[XDO \$VVDXOW LV GHILQHGXDO  
GLUHFWHG DJDLQVWZLDQKRWXWHRSQHUHQDOQIW  
LQFOXGLQJ LQVWDQFHV ZKHUH WKH YHQLW  
‡ 6H[XDO DVVSHQWLU DWKLRQ QR PDMWUHK  
YDJLQD RU DQXV ZLWK JD ERGJHSU UKRQ ERN  
RU RUDO SHQHWUDWLRQ E\ DVH[ RUJDQ RI  
D € TQRW



## 4. Title IX Sexual Exploitation

‡ 7LWOH ,; 6H[XDO ([SORLWVWXRQLQV BHMQL  
ERG\ SDUWV EUHDVWV EXWWRFNV JURHLQ  
SDUW RI D ERG\ RI DQRWKHU SHUVRQ IRU  
JUDWLILFDWLRQ ZBWRXHWYERQVPIQMQFOXG  
ZKHUH WKH YLFWLP LV LQFDSDEOH RU DLJYL  
EHFDXVH RI WKHLU WHPSRUDU\ RU SHUPDQ



8QLYHUVLVW\ RI 6FUDQWRQ 1RYHPEHU  
6H[XDO +DUDVVPHQW 6H[XDO 0LVFR  COZEN 3ROLF

# 5. Title IX Dating Violence

‡ 7LWOH ,; 'DWLQJ 9LROHQFH LV GHILSHG VDR  
ZKR V RU KDV EHHQ LQ D VRFLDO UHODWLR  
LQWLPDWZLQDKW WKH &RPSODLQDQW 7KH H  
UHODWLRQVKLS QKHGOEDFHIGRWHUHL &RPSO  
VWDWHPHQW DQG RZQRK WRQVQBQJWLRSL WK  
W\SH RI UHODWLRQHVKLSQFDQGI WQWHWDKFWLI  
SHUVRQV LQYROYHG LQ WKH UHODWLRQVLRQ  
GDWLQJ YLQRFQKHGHV EXW LV QRW OLPLWHG  
DEXVH RU WRHWXK HDEXVH 'DWLQJ YLROH  
DFWV FRYHUHG XQGHU WKH GHILQLWLRQ R



8QLYHUVLW\ RI 6FUDQWRQ 1RYHPEHU  
6H[XDO +DUDVPHQW 6H[XDO 0LVFR



3ROLF

# 5. Title IX Domestic Violence

7LWOH ,; GRPHVWGFHILQHQH QVHYLROHQFH FRPPLWWH  
‡ %\FDXUUHQW RU IRUPHU VSRXVHRIRWKLQWRPSPDHLG  
‡ %\ D SHUVRQ ZLWK ZKRPKWVHVFDPKOLDLQDQW  
‡ %\ D SHUVRQZKRLMDWLQJ ZLWK RU KDWKFRKDE  
FRPSODLQDQW DV D VSRXVH RU LQWLPDWH SDUV  
‡ %\ D SHUVRQ VHLGLWRUD\VSRXVWRI XQGHFRWSD  
YLROHQFH ODZV RI WKH MXULVGLFWLRQF XQZKGF  
‡ %\ DQ\ RWKHU SHUDGRQDJRUQWRWVWKQFLRPSORWQD  
WKDW SHUVRQVDFWV XQGHU WKH GRPKNWMLXFB  
ZKLFK WKH FULPH RI YLROHQFH RFFXUUHG  
7R FDWHJRUL]H DQ LQFLGHQW DV GRSPHWWZFH YQRVOKH  
UHVSRRGHQW DQG WKVWFHSPDLQDQWQ MXVW WZR  
WRJHWKHU SHRSOH FRKDELWDWLQJ PXVW EHDYXUDQ  
LQWLPDWH UHODWLRQV KLS



8QLYHUVLW\ RI 6FUDQWRQ 1RYHPEHU  
6H[XDO +DUDVPHQW 6H[XDO 0LVFR



3ROLF

# 6. Title IX Stalking

‡ 6WDONLQJ LV GHILQHG DV HQJDJLQEDVLD RRUH VIGIRU HFF  
VSHFLILF SHUVRQ WKDW ZRXOG FDXVH D UHDVRQDEOH S  
‡ )HDIURU WKDW SHUVRQ VDIHW\ RU WKH VDIHW\ RI  
‡ 6XIIHU VXEVWDQWLDO HPRWLRQD S XGLSRWUHRV WKLV  
‡ &RXUVH RI FRHOGV WZR RU PRUH DFWV LQFOXGH QBJKE XW  
VWDONHU GLUHFWO\ LQGLUHFWRORWRORW KURXKR GW KLUYL  
IROORZV PRQLWRUV REVHUYHV VXUHWWRV RWRORW HD  
LQWHUIHUV ZLWK D SHUVRQ V SURSHU\  
‡ 5HDVRQDEOHPSHQWRQ SHUVRQ XQGHU WKH VLPLODU FLU  
LGHQWLWLHV DV WKH FRPSODLQDQW  
‡ 6XEVWDQWLDO HPRWLRQD GJLWUHDQW PHQWDO VXIIHU  
QHFHVVDULO\ UHTXLUH PHGLFDO RUFKXQWU SLQRJHVVLRO  
‡ 6WDONLQJ DOVR LQFOXGHV WKH FRQFHSW RI F\EHU VW  
‡ 6WDONLQJ PD\ RU PD\ QRW LQYROYH SARKSHU ZKR DUH



8QLYHUVLW\ RI 6FUDQWRQ 1RYHPEHU  
6H[XDO +DUDVPHQW 6H[XDO 0LVFR COZEN 3ROLF





# Training: Scope of Education Program

‡ >6FKRROV@ PXVW HQVXUH WKDW  
IDFLOLWDWHV DQ LQIRUPDO UHVRO  
WUDLQLQJ RQ WKH GHILQLWRQ RI  
WKH RSH RI WKH UHFLSLHQW  
SURJUDP RU DFWLRQ RQG XFW LQ  
UHVROXWRQ SURFHVVHV « DQG K  
LQFOXGLQJ E\ DYRLGLQJ SUHMXGJ  
FRQIOLFWV RI LQWHUHVW DQG EL

7LWOH ,; 5HJXODWLRQV LRU DU DU À



# Education Program or Activity



# Jurisdiction: On Campus

‡ ³ ¶ > \$ @ O O R I W K H R S H U D W L R Q V ¶ R I D  
U H F L S L H Q W S H U  
V W D W X W R U \ D Q Q  
S U R Y L V L R Q V D  
D G G L W L R Q D O μ V  
F R Q W U R O ¶ O D Q J  
I L Q D O U H J F O H D D U  
L Q F O X G H D O O L C  
V H [ X D O K D U D V V F  
R F F X U U L Q J R Q D U H F L S L H Q W ¶ V  
F D P S X V



7 L W O H , ; 5 H J X O D W L R Q V L V V X H G 0 D \

3 U H D P E O U D W



# Jurisdiction: Off Campus

‡ ³ > 7 @ KH VWDWXWRU\ DQG UHJXODWLRU\ G  
DORQJ ZLWK WKH UHYLVHG ODQJXDJH LQ  
UHFLSLHQW ¶ V 7LWOH , ; REOLJDWLRQV H[  
LQFLGHQWV WKDW RFFXU RII FDP SXVHWLW D  
± LI WKH RII FDP SXV LQFLGHQW RFFXUHU DW ¶ LSR  
SXUVXDQW WR 8 6 & DQG &) 5 K  
± LI WKH UHFLSLHQW VXEVWDQWLDO FRQWUR  
DQG WKH FRQWH[W RI DOOHJWLDW ¶ RFXKD  
FDP SXV SXUVXDQW WR † D RU  
± LI D VH[XDO KDUDVPHQW LQFLGHQWJRFFXU  
RZQHGRU FRQWUROOHGE\ D VWXGHQW RUJ  
UHFRJQE]HG SRVWVHFRQGDU\ LQVWLWXWLRQ

7LWOH , ; 5HJXODWLRQV LVVXHGD\



# Training: Conducting Informal Resolutions

‡ > 6FKRROV@ PXVW HQVXUH WKDW  
IDFLOLWDWHV DQ LQIRUPDO UHVRO  
WUDLQLQJ RQ WKH GHILQLWLRQ RI  
WKH VFRSH RI WKH UHFLSLHO  
RU DFWKRZLWR FRQGXFW LQIRUPDO  
SURFHVVHQ G KRZ WR VHUYH LPSDU  
E\ DYRLGLQJ SUHMXGJPHQW RI WK  
RI LQWHUHVW DQG ELDV

7LWOH ,; 5HJXODWLRQV LVXHG E LLL



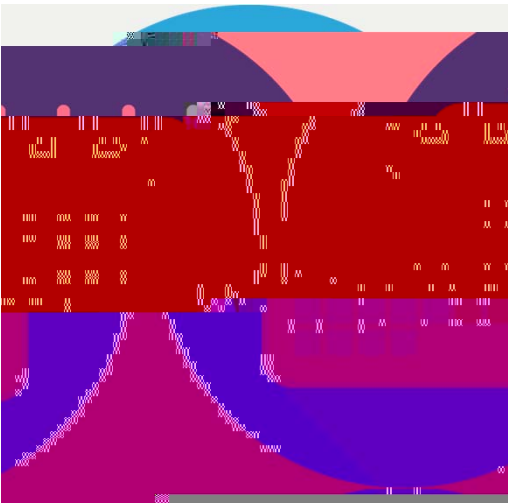
# Training: Impartiality

‡ >6FKRROV@ PXVW HQVXUH WKDW  
IDFLOLWDWHV DQ LQIRUPDO UHVRO  
WUDLQLQJ RQ WKH GHILQLWRQ RI  
WKH VFRSH RI WKH UHFLSLH  
RU DFWLYLW\ KRZ WR FRQGXFW L

# Training Materials: Impartiality



# Reasonably Prompt Timeframes



‡ \$ > VFKRROTV SURFHUHDVPRQD  
SURPSW WLPHRUDBRQV OXVLRQ  
SURFHVV LQFOXGLQJ « LQIR  
SURFHVVHV « DQG D SURFHVV  
WVHPSRUDU « RHODKH OLPLW  
H[WHQVLRQ RI WLPH IUDPHV  
ZULWWHQ QRWLFH WR WKH F  
UHVSRQGHQW RI WKH GHOD\  
UHDVRQV IRU WKH DFWLRQ

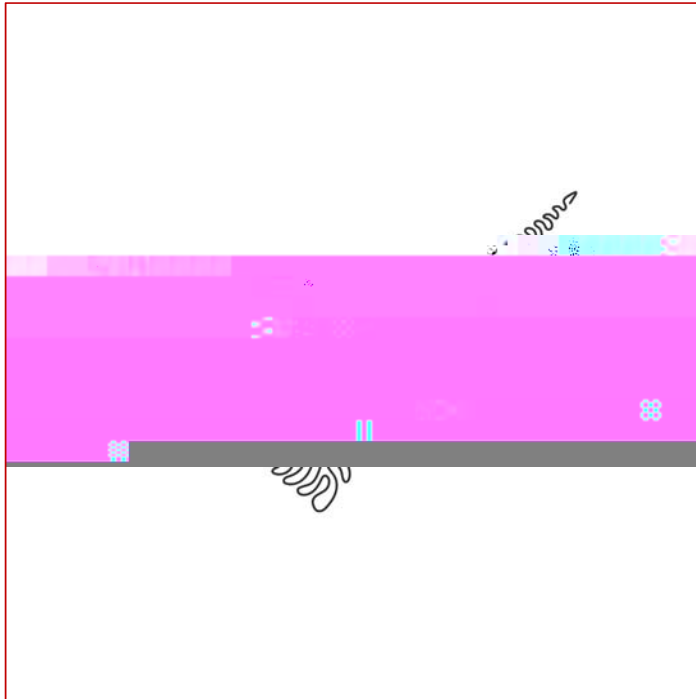
7LWOH ,; 5HJXODVLRQV LVXHG E Y







# Formal Complaint Required



‡ 0D\ QRW RIIHU D  
LQIRUPDO UHVRC  
SURFHVV XQOHV  
FRPSODLQW LV I

7LWOH ,; 5HJXODWLRQV LVVXHG 0D\

†



# Do Not Use in Employee-to-Student Cases

‡ & D Q Q R W R I I H U R U I D F L O L W D W H  
D Q L Q I R U P D O U H V R O X W L R Q  
S U R F H V V W R U H V R O Y H  
D O O H J D W L R Q V W K D W D Q  
H P S O R \ H H V H [ X D O O \  
K D U D V V H G D V W X G H Q W

# Written Notice

‡ \$ W D Q \ W L P H S U L R U W R U H D F K L Q J  
U H V S R Q V L E L O L W \ W K H U H F L S L H Q W  
U H V R O X W L R Q S U R F H V V V X F K D V P

‡ 3 U R Y L G H V W R ~~Z U L W S D H Q Q R W L F H~~ L G

± \$ O O H J D W L R Q V

± 5 H T X L U H P H Q W V R I W K H L Q I R U P D O U H V R O X W

± & L U F X P V W D Q F H V X Q G H U Z K L F K L W S U H F O X G

± & D Q Z L W K G U D Z D Q G U H V X P H I R U P D O F R P S O  
U H V R O X W L R Q

± & R Q V H T X H Q F H V

7 L W O H , ; 5 H J X O D W L R Q V L V V X H G 0 D \

†



# No Conflicts of Interest or Bias

‡ 3 H U V R Q V G H V L J Q D W H G E \ > V F K R  
L Q I R U P D O U H V R O X W L R Q S Q R W H K D Y I  
F R Q I O L F W R I L Q W H U H R V W D R D L E L D W  
F R P S O D L Q D Q W V R U U H V S R Q G H Q W V  
F R P S O D L Q D Q W R U U H V S R Q G H Q W

7 L W O H , ; 5 H J X O D W L R Q V L V X H G E L L L



# INFORMAL RESOLUTION: KEY PRINCIPLES

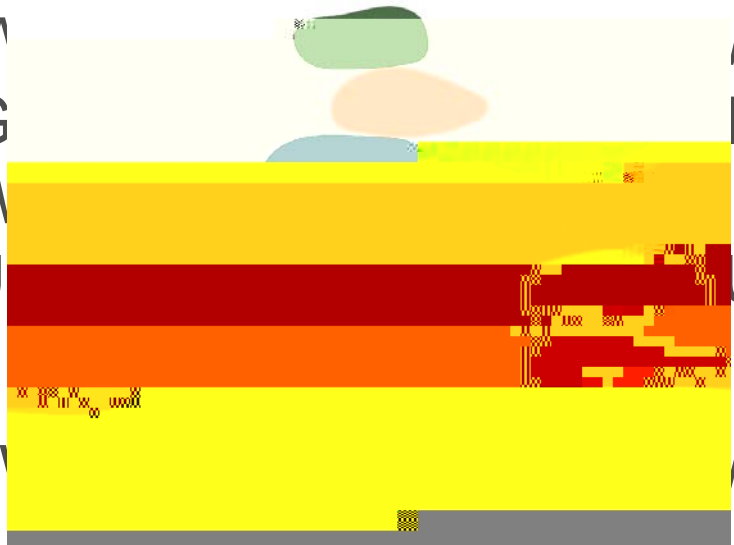




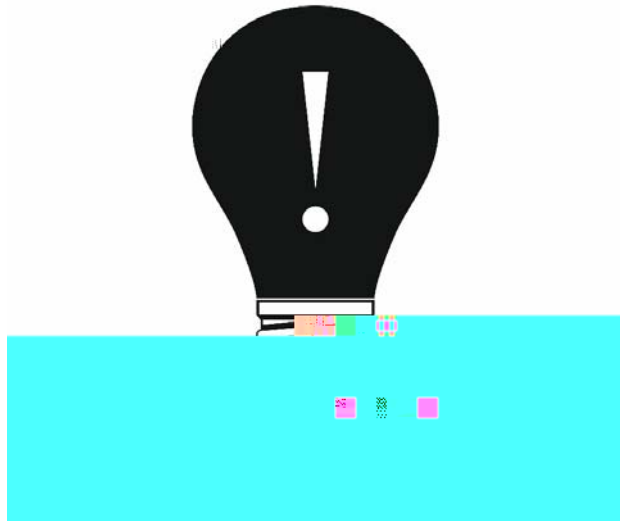
# Key Principles

‡ 3DUWLHV DUH HQWHIII O.I WKH I OIRU  
UHVROXWLRQ SURFH  
H[SHFWDWLRQ DQG V /K  
PDWWHU ZLOO EH DG K  
VDPH OHYDHOHQHQ DQ G DV  
DV LQ WKH IRUPDO U

‡ )URP \RXU SHUVSHFV W  
ZLOO WDJHQHLDLFDQW LQYHVVWPHQW  
RI WLPH SDWLHQFH DQG SODQQQLQJ



# Key Principles



‡ 6 WDUWLQJ SODFH LV  
&RPSODLQDQW KDV H[  
KDUP

‡ 'LIIHUHQW IURP LQYH  
ZKLFK VWDUWV ZLWK

‡ 7KH IRFXV LV LGHQWL  
DGGUHVVLQJ KDUPV

‡ 1RW QHFHVVDULO\ DQ  
JXLOW' EXW DQ DFNQF  
DFFRXQWDELOLW\ IRU

# IDENTIFYING AND PRACTICING CORE COMPETENCIES



# Identifying Harms and Needs

‡ ( P R W L R Q D O K D U P B K \ V L F D O K D U P  
± , P S D L U H G V H Q V H R B D I D Q H D W Q G L Q M X U \  
± \$ Q [ L H W \ G H S U H V V L I R H G I R U W U H D W P  
± ' L I I L F X O W \ I R F X V L Q Q H G L F D O H [ S H Q V H  
± / R V V R I V H Q V H R I S H O I D W L R Q D O K D U  
‡ 0 D W H U L D O K D U P ± / R V V R I I U L H Q G V K L  
± ' D P D J H G S U R S H U W \ F R Q Q H F W L R Q V  
± ) L Q D Q F L D O O R V V ± / R V V R I D E L O L W \ W  
± / R V V R I K R X V L Q J R W K H U V † Q H H G V

# How Can Harm Be Repaired?

‡ ( P R W L R Q D O K D U P 3 K \ V L F D O K D U P  
± \$ F N Q R Z O H G J H P H Q V 5 H V W L W X W L R Q  
± \$ S R O R J \ ± 1 R & R Q W D F W \$ J U H  
± \$ F F R X Q W D E L O L W \ 5 H O D W L R Q D O K D U  
‡ 0 D W H U L D O K D U P ± \$ F N Q R Z O H G J H P H Q V  
± 5 H S D L U R W K H U V  
± 5 H V W L W X W L R Q ± \$ S R O R J \  
± 5 H F R Y H U \ ± 5 H L Q W H J U D W L R Q

# Moving from Harms to Needs to Actions

+DUPV

1HHGV

\$FWLR

‡ :KDW

KDSSHQHG"

‡ :KDW ZDV W

LP SDFW"

‡ %HFDXVH R

WKLV KDUP

‡ KDW GR \RXWKL

ILQG \RXUVHOI

QHHGLQJ"

‡ :KDW

FDQ

GRQH WR

\RXWKL

QHH

# WORKSHOP: SHUTTLE DIPLOMACY AND FACILITATED DIALOGUE



# PUTTING IT INTO PRACTICE





# Q&A

# Use of Slides

‡ 7 K L V 3 R Z H U 3 R L Q W S U H V H Q W D W L R  
X V H G D V D V W D Q G D O R Q H W H D F K L

‡ 7 K H V H P D W H U L D O V D U H P H D Q W W  
L Q I R U P H G G L V F X V V L R Q Q R W W R S  
U H J D U G L Q J V S H F L I L F L Q V W L W X W L F

‡ \$ O O U L J K W V D U H U H V H U Y H G W R &