



## **Informal Resolution Foundations for Higher Education Training & Certification Course Agenda**

### **Description:**

Informal Resolution Foundations for Higher Education is designed to introduce attendees to ATIXA's Informal Resolution Framework and the foundational elements that need to be considered when determining if and how to offer informal resolution within an institution's Title IX Grievance Process. Participants will learn about the variety of structural and policy decisions that need to be made as well as the impact of institutional culture on those decisions. ATIXA's expert faculty members will also guide participants through a case study as each step of the Informal Resolution process is discussed in the course.

### **Learning Outcomes:**

After completing this course, participants will be able to...

- Distinguish between the different types of Informal Resolution (IR) that could be incorporated within Title IX Grievance Processes
- Identify questions that need to be answered before proceeding with the design of an Informal Resolution program that will fit the needs of their students and employees and be supported by available resources
- Explain the parameters around Informal Resolution as determined by the Title IX Regulations
- Connect the major phases of an Informal Resolution process to each other
- Evaluate the appropriateness of Informal Resolution for individual complaints
- Facilitate a basic negotiated agreement for a relational complaint

## **Course Topics**

### **Informal Resolution Overview**

- Informal Resolution Benefits and Foundations
- Complaint Types
- Complaints and Conflicts
- Sources of Conflicts
- Contextual Considerations for Informal Resolution Processes
- Three-Party Model

### **Informal Resolution & Title IX**

- Title IX Statute
- The IX Scope

- Historical OCR Informal Resolution Guidance
- The IX Commandments

### **Informal Resolution Application**

- General Application Information
- Title IX Regulatory Jurisdiction
- Procedural Requirements & Recommendations
- Informal Resolution Notice
- IR Outside the Title IX Regulations
- IR for Groups and Communities
- IR for Structural Complaints
- Timing
- Title IX Formal Grievance Process Overview
- Common Off-Ramps for IR

### **Determining Availability and Appropriateness**

- Key Values
- Considerations for Appropriateness

### **ATIXA's Informal Resolution Framework**

- Supportive Resolution
- Accepted Responsibility
- Signed Resolution Agreement
- Alternative Resolution
- Conflict Coaching
- Facilitated Dialogue
- Shuttle Negotiation
- Mediation
- Restorative Practices

### **Cross-Cultural Considerations for Informal Resolution Structures and Implementation**

- Culture
- Cross-Cultural Considerations
- Trauma and Culture
- Dynamics of Sex-Based Violence
- Culture and Conflict Resolution
- Approaches to Conflict Resolution
- Context and Communication
- Culture and Contracts
- Power Dynamics

- Intersectionality
- Bias and Informal Resolution
- Types of Bias
- Strategies for Addressing Bias

### **Alternative Resolution Process**

- Who Should Facilitate?
- Alternative Resolution Process
- Intake Meeting
- Positions, Interests, and Needs
- Intake Meeting Structure
- Evaluation Frameworks
- 10 D's of Opposition
- Four Levels of Accountability
- ATIXA's IR Framework
- Preparation Meetings
- Nonviolent Communication
- Facilitation
- Agreement Terms
- Resolution Agreements
- Unsuccessful Resolution
- Non-Compliance with Agreements
- Process Closure

### **Policy and Process Considerations**

- Setting the Tone
- Process Structure
- Facilitation Structure
- Privacy Considerations
- Advisors
- Notetaking
- Admissibility
- Record Retention

### **Institutional Support for Alternative Resolution**

- Interest and Openness
- Involving Stakeholders
- Program Proposal
- Resource Considerations
- Policy Considerations
- Training Considerations

## **Assessing Effectiveness**

- Life Cycle of a Program/Practice
- Determining Effectiveness
- Process Improvement
- Process Reassessment

Note: Each training day will include one morning and one afternoon break (approximately 15 minutes each) and a one-hour lunch break. Training start and end times for in-person events are determined by the host site. All virtual training sessions take place from 10 AM – 5 PM ET unless otherwise specified.