



**COLLIN
COLLEGE**

Informal Resolution Process

Informal Resolution Facilitators

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Bias and Value Neutrality

- **Unconscious bias** is a quick and often inaccurate judgment based on limited facts and our own life experiences. These judgments can give individuals and groups both unearned advantage and unearned disadvantage in the workplace. People can be biased about just about anything—not just things like gender, skin color, or age, but also things like communication style or what someone does in their free time. Unconscious bias is not intentional—it's part of the lens through which we see the world. In our everyday lives, when people don't fit our internalized expectations, we can sometimes have difficulty seeing their talents, motivations, and potential clearly which can mean we interact with them less effectively. When we understand how biases influence our behavior, we can take action to create an inclusive culture.
- **Value Neutrality:** refers to the duty and responsibility of [a person] overcome [their] personal biases while conducting any research. It aims to separate fact and emotion and stigmatize people less. It is not only important in sociology but outlines the basic ethics of many disciplines.

Unconscious Bias <https://www.mslearning.microsoft.com/course/72169/launch>

Value Neutrality: <https://www.sociologygroup.com/value-neutrality-meaning-examples/>

Bias

- For purposes of the Title IX grievance process, the Title IX Coordinator and designated investigators, hearing officers, decision-makers, or any informal resolution facilitators must be free from the following:
 - Conflicts of interest or bias “for or against” complainants; and
 - Conflicts of interest or bias “for or against” respondents; or
 - Conflicts of interest or bias “for or against” an individual complainant; or
 - Conflicts of interest or bias “for or against” an individual respondent.

Relevance

- Evidence must have probative value, which is the effect of tending to prove or actually providing a disputed issue.
 - All that is required is that it have some tendency to increase the likelihood of the fact for which it is offered.
 - Generally, evidence with probative value contributes towards proof.
- For example, in a murder case:
 - Evidence of a prior dispute between the defendant and a next-door neighbor (unrelated to the murder) has no probative value.
 - Evidence of a prior dispute between the defendant and the victim, has a higher probative value related to the motive for the murder.

Examples of Relevance

- **Example:** Dolly Madison is charged with stealing costume makeup from a drugstore the night before Halloween. The prosecution wants to offer evidence that Dolly's mom had refused to buy her a Halloween costume. The evidence is relevant to prove that Dolly had a motive for stealing the makeup.
- **Example:** Same case. The prosecution also wants to call the drugstore manager to testify that the makeup department suffers more thefts than any other department of the drugstore. This testimony would be irrelevant because it does not relate specifically to Dolly.
- **Example:** Lance Sellot is charged with drunk driving. The prosecution wants to offer evidence that Lance is a member of a violent street gang. The evidence is irrelevant because the crime charged has nothing to do with gang activities. The evidence would only serve to stir up bias against Lance.
- **Example:** Clare Voyant is charged with car theft. She was arrested in her home, and the prosecution wants to offer evidence that the arresting officer found marijuana and an unregistered handgun there. Unless the prosecution can establish that the gun and drugs were somehow involved in the theft, there's nothing to connect them with the crime. Again, the evidence would do almost nothing other than predispose the judge or jury against the defendant.

Initiation of the Informal Resolution Process

- Once Collin College is made aware there will be a request to initiate the informal process, the appropriate Title IX Coordinator will provide the parties with the required written notice of the allegations and a description of the parameters of the informal resolution process.
- This written notice will include a statement that either party is permitted to withdraw from the informal resolution process and resume the formal resolution process at any time prior to a final determination being reached in the case.

Initiation of the Informal Resolution Process

Informal resolution is prohibited in any case where an employee is accused of engaging in prohibited conduct against a student.

Collin College will not require the parties to waive their rights to a formal process and agree to informal resolution as a condition of enrollment or employment.

Initiation of the Informal Resolution Process

- Both parties must choose to participate in the Informal Resolution Process and willingly consent.
- Both parties must sign an agreement that they voluntarily consent to participate in the Informal Resolution Process.
- Both parties have the right with withdraw their consent at any time prior to the final determination of the case.

Initiation of the Informal Resolution Process

Once a formal determination is reached and both parties have agreed to the outcome, the formal process can not be re-initiated.

Role of Informal Resolution Facilitator (IRF)

- Once the appropriate Title IX Coordinator has provided both parties with written notice of the allegation(s) and the parameters of the informal resolution process, the IRF will schedule a meeting with each party and their advisor (if the parties elect to provide their own advisors).
- The anticipated time frame from receipt of the formal complaint through the informal resolution process, culminating with both parties signing the *Informal Resolution Agreement Form*, is 30 days.

Role of Informal Resolution Facilitator

- The informal resolution facilitator will meet separately with both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process) and explain the *Title IX* complaint and informal resolution processes.
- The informal resolution facilitator will inform the parties that an informal resolution is permissible if both parties choose to participate in and willingly consent to this type of resolution in writing (see Consent to Informal Resolution Form)
- The informal resolution facilitator will notify both parties that either party is permitted to withdraw from the informal resolution process and resume the formal complaint process at any time prior to a final determination being reached in the case (see Withdrawal from Informal Resolution Form).

Role of Informal Resolution Facilitator

- While meeting with both parties and their advisors (if the parties elect to provide their own advisors) the IRF will determine the parameters requested for the informal resolution agreement.
- Once this is accomplished, the IRF will inform both parties and their advisors (if the parties elect to provide their own advisors) and present the resolution agreement and terms (see Informal Resolution Agreement Form).

Role of Informal Resolution Facilitator

- Both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process) will be notified simultaneously in writing of the completed *Informal Resolution Agreement Form* and allowed 10 days to review and respond to the document.
- Any edits made to the *Informal Resolution Agreement Form* by either party and/or the informal resolution facilitator will be simultaneously sent in writing to both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process).

Role of Informal Resolution Facilitator

- If, after 10 days, both parties agree to the informal resolution terms, including any edits made by either party and/or the informal resolution facilitator during the review period, they will sign the final *Informal Resolution Agreement Form*. Both parties and their respective advisors (if the parties elect to provide their own advisors during the informal resolution process) will be provided an electronic and hard copy of the signed *Informal Resolution Agreement Form* for their respective records by the informal resolution facilitator or appropriate Title IX coordinator or designee.
- Once the final *Informal Resolution Agreement Form* is signed, the matter will be closed, the resolution will be non-appealable, and the formal complaint process will not be re-initiated.

Role of Informal Resolution Facilitator

- During the individual meetings, the IRF should listen to the needs/requests of each parties.
- The IRF should be able to offer suggestions that may be beneficial to either party.
- After the needs/requests have been made, the IRF should work with the appropriate constituents to assist in meeting or accommodating the needs/requests.

Potential Remedies--Students

- Campus Change;
- Class Schedule Change;
- Drop a Course Without an Academic Penalty;
- Increased Security and Staff Monitoring of Certain Areas of the Campus;
- Information Regarding and Referrals to the Appropriate Agency for a No-Contact Order, Order of Protection, Restraining Order, or Similar Lawful Order through a Civil, Criminal, or Tribal Court;
- Late Withdrawal from a Course;
- No Contact Directive Issued by Collin College;

Potential Remedies--Students

- Referral to Appropriate Medical Facility;
- Referral to Appropriate Off-Campus Resources;
- Referral to Collin College Police Department and/or Local Law Enforcement Agency;
- Referral to Counseling Services;
- Specific Educational Programming for an Individual or Group;
- Student Employment Assignment Change; and
- Student Housing Change (If Residing in Collin College Student Housing).

Potential Remedies--Employees

- Increased Security and Staff Monitoring of Certain Areas of the Campus;
- Information Regarding and Referrals to the Appropriate Agency for a No-Contact Order, Order of Protection, Restraining Order, or Similar Lawful Order through a Civil, Criminal, or Tribal Court;
- No Contact Directive Issued by Collin College;
- Referral to Appropriate Medical Facility;

Potential Remedies--Employees

- Referral to Appropriate Off-Campus Resources;
- Referral to Collin College Police Department and/or Local Law Enforcement Agency;
- Referral to Employee Assistance Program (EAP);
- Specific Educational Programming for an Individual or Group; and
- Work Schedule Reassignment.



Voluntary Consent to Informal Resolution

By signing this document, I, **FIRST NAME LAST NAME**, acknowledge I am voluntarily consenting to participate in an informal resolution process regarding the formal complaint alleging **INSERT CATEGORY OF PROHIBITED CONDUCT** that was submitted to Collin College on **DAY, MONTH, DATE YEAR**.

I understand that either party is permitted to withdraw from the informal resolution process and resume the formal resolution process at any time prior to a final determination being reached in the case.

I understand if I choose to withdraw from the informal resolution process, I must submit the completed *Withdrawal from Informal Resolution Process* form to the appropriate Title IX Coordinator or designee.

I further understand this matter will be closed and non-appealable once an informal resolution is reached and both parties sign the final *Informal Resolution Agreement*. Furthermore, I understand the formal complaint process will not be re-initiated once the matter is closed and both parties sign the final *Informal Resolution Agreement*.

Complainant's or Respondent's Signature: _____ **Date:** _____

Informal Resolution Facilitator's Signature: _____ **Date:** _____



Informal Resolution Agreement

By signing this document, I, **FIRST NAME LAST NAME**, acknowledge I am agreeing to the informal resolution detailed below regarding the formal complaint alleging **INSERT TITLE OF PROHIBITED CONDUCT** that was submitted to Collin College on **DAY, MONTH DATE, YEAR** by **INSERT COMPLAINANT'S NAME**.

The terms of this voluntary *Informal Resolution Agreement* are as follows:

1. **List provision here**
2. **List provision here**
3. **List provision here**

I acknowledge that I have been provided 10 days to review and respond to this document and the terms of this informal resolution. Additionally, I understand both parties are permitted to withdraw from the informal resolution process and resume the formal complaint process at any time prior to the final version of this document being signed.

I understand that if I choose to withdraw from the informal resolution process prior to the final version of this document being signed, I must submit the completed *Withdrawal from Informal Resolution Process* form to the appropriate Title IX coordinator or designee.

I understand that this matter will be closed and non-appealable once both parties sign the final *Informal Resolution Agreement*. Furthermore, I understand the formal complaint process will not be re-initiated once the matter is closed and both parties sign the final *Informal Resolution Agreement*.

Complainant's Signature: _____ **Date:** _____

Respondent's Signature: _____ **Date:** _____

Informal Resolution Facilitator's Signature: _____ **Date:** _____



Withdrawal from Informal Resolution Process

By signing this document, I, **FIRST NAME LAST NAME**, am exercising my right to withdraw from the informal resolution process regarding the formal complaint alleging **INSERT TITLE OF PROHIBITED CONDUCT** that was submitted to Collin College on **DAY, MONTH DATE, YEAR** by **INSERT COMPLAINANT'S NAME**.

I understand that by withdrawing from the informal resolution process I am electing to resume the formal complaint process, as outlined in the current *Title IX Complaint Process Handbook for Collin College Students and Employees*.

Complainant or Respondent's Signature: _____

Date: _____

Informal Resolution Facilitator's Signature: _____

Date: _____