

Good Morning & Welcome!

Informal Resolution Training - Title
IX School Contacts - September 19
- 9AM - 11AM



Title IX Poster Request Form





Informal Resolution for Title IX Contacts

Aronica Gloster, Director of Student Services/ System Title IX Coordinator

September 19, 2023

GLRS



OUR VISION AND MISSION

VISION STATEMENT

The Richmond County School System will provide an equitable education for all students to prepare them for life beyond the classroom.

MISSION STATEMENT

Building a globally competitive school system that educates the whole child through teaching, learning, collaboration, and innovation.

Student Services Vision and Mission



The Student Services Department provides equitable support services to students and families to remove barriers to learning, promote student achievement, and prepare all students for life beyond the classroom.



Educating the whole child by utilizing data-based interventions, school and community resources and a system of continuous improvement.

Strategy Map: 2020-2025



Profile of a Graduate

Productive Collaborator

- Demonstrates empathy, cooperation, and flexibility.
- Resolves conflicts appropriately.
- Actively participates in team activities to achieve common goals.

Responsible Citizen

- Demonstrates personal integrity, honesty, and ethical behavior.
- Exhibits pride in producing quality work and fulfilling requirements.
- Shows respect toward people, property and the use of resources.

Critical Thinker

- Demonstrates openness to new and diverse perspectives.
- Analyzes and interprets situations, patterns, and data.
- Weighs evidence to make complex decisions.

Continuous Learner

- Demonstrates a growth mindset and ability to persevere.
- Shows motivation, initiative, and effort to achieve academic and career goals.
- Engages in reflection and accepts feedback for individual improvement and self-advocacy.

Effective Communicator

- Demonstrates ability to engage others in productive interactions.
- Listens attentively and asks questions to clarify understanding.
- Conveys ideas clearly in verbal, written, visual and digital formats.

Innovative Problem-Solver

- Displays curiosity, inventiveness, and originality.
- Creates products and shares ideas to solve challenging tasks.
- Uses information from a variety of sources to develop unique solutions.





Learning Targets

Participants will learn about:

- the basic tenets of Title IX definition, jurisdiction, and grievance process
- RCSS documentation and procedures related to Title IX
- Informal Resolution as an option for addressing Formal Complaints
- Avoiding Bias

Success Criteria



Success Criteria

Participants will be able to

- use a triage tool to determine if an incident meets Title IX jurisdiction and definition
- use appropriate documentation for Title IX procedures
- discriminate between situations appropriate for Informal Resolution and those inappropriate
- facilitate various types of Informal Resolution
- identify bias and conflicts of interest and take appropriate steps to address them

Agenda

- Welcome & Purpose
- Title IX Tenets – Review
- Forms/ Documentation
- Informal Resolution
 - Appropriateness
 - Options
 - Facilitation
 - Documentation
- Avoiding Bias & Conflicts of Interest
- Questions & Answers
- Evaluation



Today's Topics

Title IX of the Education Amendments Act, 1972

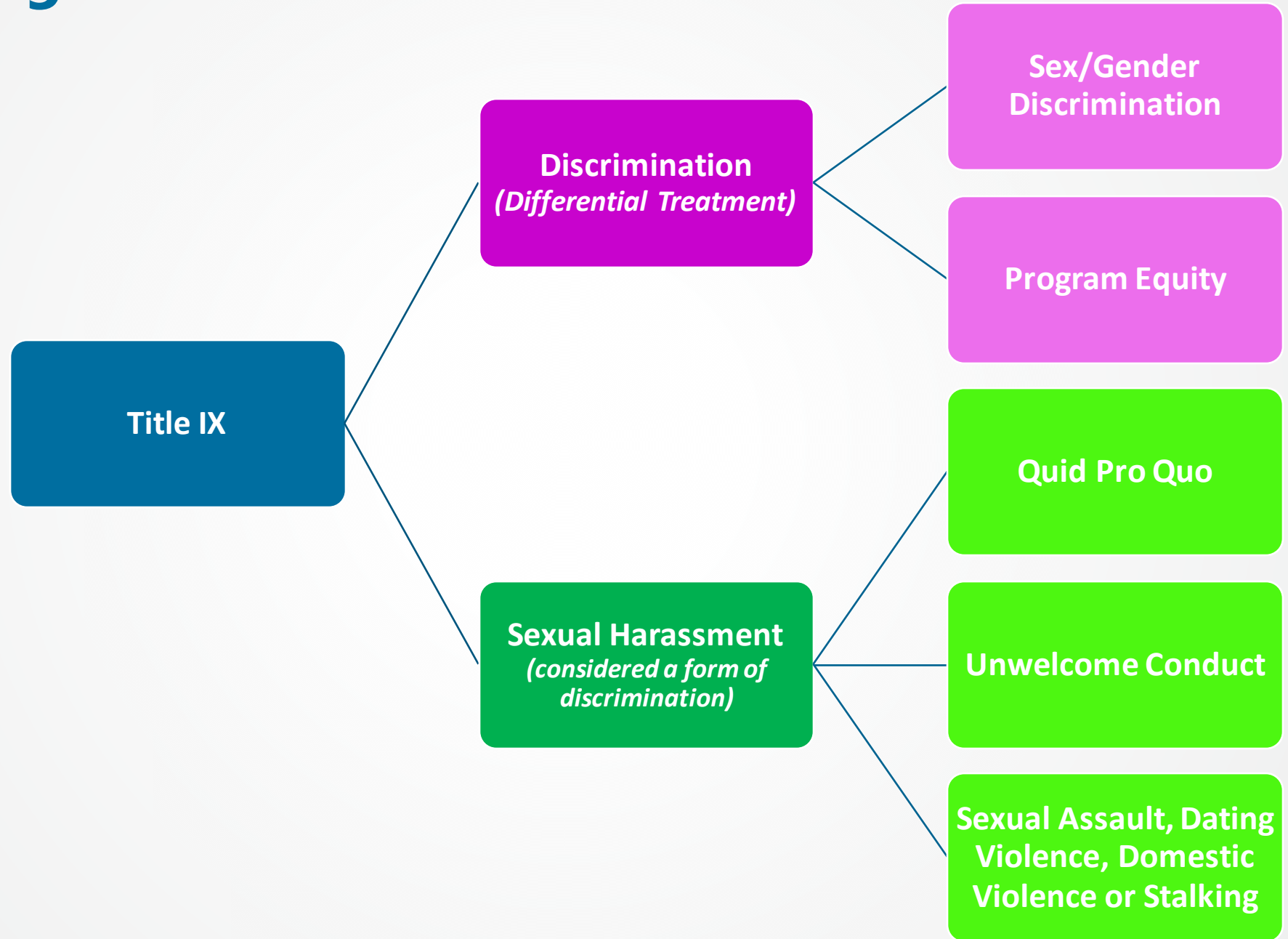
20 U.S.C. § 1681 & 34 C.F.R. Part 106 (1972)

***"No _____ in the _____ shall,
on the basis of _____, be excluded from
participation in, be denied the benefits of, or be
subjected to _____ under any
educational _____ or _____ receiving
Federal _____ assistance."***

Title IX of the Education Amendments Act, 1972
20 U.S.C. § 1681 & 34 C.F.R. Part 106 (1972)

*"No **person** in the **United States** shall, on the basis of **sex**, be excluded from participation in, be denied the benefits of, or be subjected to **discrimination** under any educational **program** or **activity** receiving Federal financial assistance."*

Title IX Categories



Sexual Harassment Definition – 3 Categories

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

Jurisdiction:
Harassment must have occurred in a school-controlled program or activity **and in the US.**

Quid Pro Quo

An employee of the School System conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

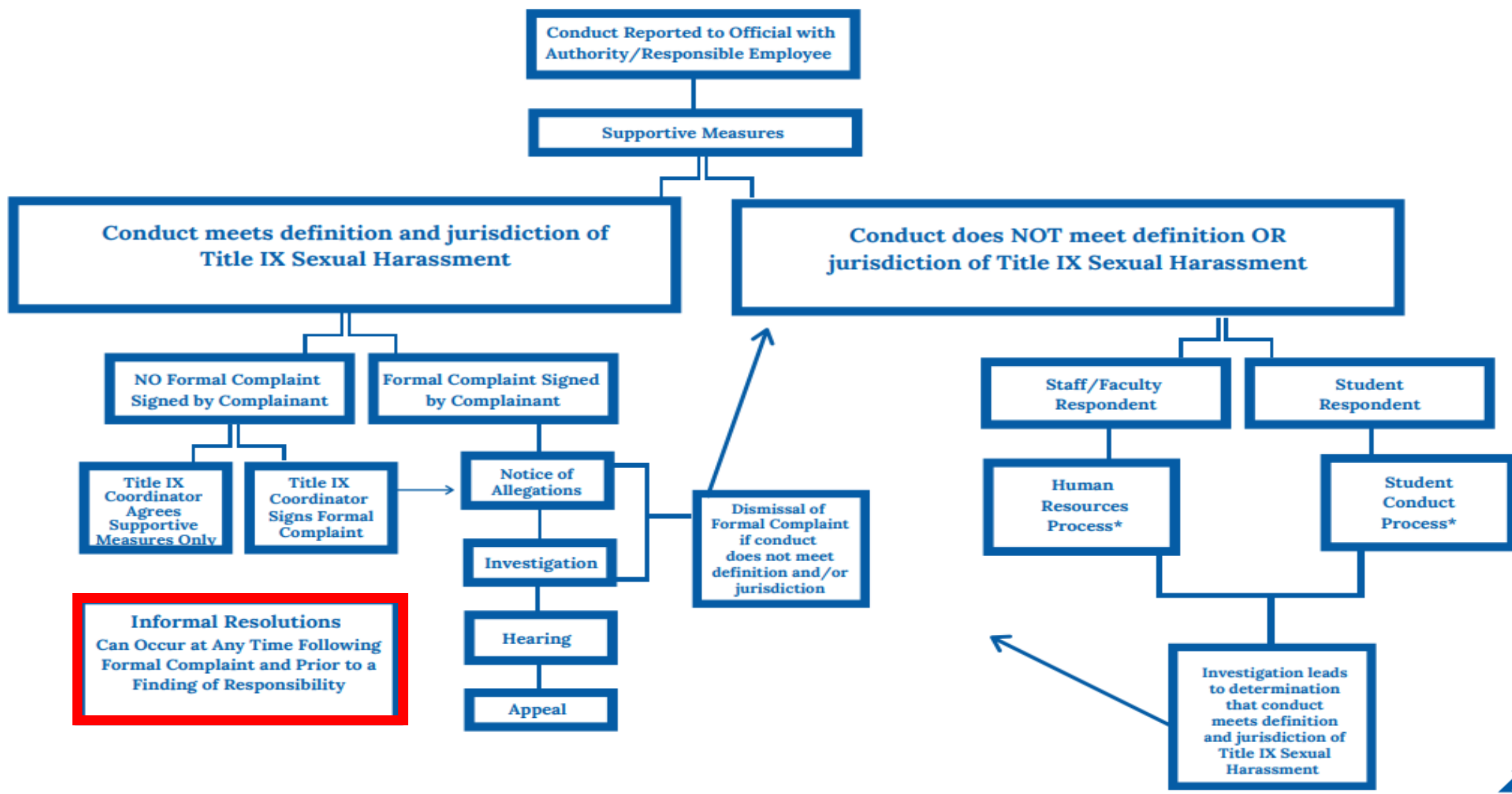
Unwelcome Conduct

Conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School System's education programs or activities

Sexual Assault: The Big 4 (Clery Act)

- **“Sexual Assault”** as defined in 20 U.S.C. § 1092(f)(6)(A)(v),
- **“Dating Violence”** as defined in 34 U.S.C. § 12291(a)(10),
- **“Domestic Violence”** as defined in 34 U.S.C. § 12291(a)(8), or
- **“Stalking”** as defined in 34 U.S.C. § 12291(a)(30).

Title IX Process Flow Chart



Title IX Triage Form

- [Title IX Triage Checklist - 9.19.23 - Template.xlsx](#)

School	Name of Person Completing the Report	Title	Date of Notice of Allegation	Complainant	Respondent(s)	Brief Description of Incident	1. Do the allegations contained in the report, if true, fall within your education program or activity?					<p>*If both boxes in section 1a are checked and one box in 1b is checked, the allegation meets Title IX Jurisdiction. Proceed to question 2 to determine if the allegation meets the Title IX Definition.</p>
							a. Respondent and Complainant Considerations (both must be checked to meet Title IX)		b. Where did it occur? (Only 1 must be checked)			
							The district has substantial control over the respondent (alleged perpetrator)	The matter occurred against a complainant in the U.S.	The matter occurred on a district property or bus or in/during an on-line class	The matter occurred at an off-campus building owned or controlled by the district.	The matter occurred off-campus at a district sponsored event.	
Sample School	Sample T9 Contact	AP/ t9	9/19/2023	Sample Complainant	Sample Respond.	Complainant says that he was touched iin private area on the school bus and doesn't want to come to school	x	x	x			

Title IX Triage Form

- [Title IX Triage Checklist - 9.19.23 - Template.xlsx](#)

2. Do the allegations contained in the report fall into one the 3 categories that define sexual harassment? <i>(only 1 must be checked)</i>			*If one of the categories in question 2 is marked and boxes in 1a and 1b, the matter rises to the level of Title IX Sexual Harassment.	Decision on Next Steps								Other Notes
Quid Pro Quo: An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct	Hostile Environment/Unwelcome Conduct: Unwelcome conduct determined by a reasonable person to be so severe, pervasive AND objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.	Big 4: Sexual Assault, Domestic Violence, Dating Violence or Stalking: (Indicate which category. See Definitions Tab)		Proceed with Title IX Process. The matter MEETS Title IX Jurisdiction (question 1a & 1b) and definition (question 2).	Do NOT proceed with Title IX process. Matter does not meet Title IX Jurisdiction and/or definition or there is another reason the matter cannot be investigated. Select a reason below. <i>(only 1 needed)</i> . Proceed with regular discipline process.							
				The conduct alleged in the formal complaint would not constitute sexual harassment as defined in § 106.30 even if proved.	The alleged conduct did not occur in the System's education program or activity.	The conduct did not occur against a person in the United States.	At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of the System.	A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein.	The respondent is no longer enrolled or employed by the System.	Specific circumstances prevent the System from gathering sufficient evidence to reach a determination as to the formal complaint or allegations therein		
		x		x	x						criminal investigation also	



What are Title IX Rights?

Information to Share with Parties

- If you are a student or employee who has experienced, or is experiencing, harassment or violence based on sex you may have the right to seek support and justice through your school under a civil rights law called Title IX.
- Title IX is designed to provide support for complainants to restore/ensure educational access. (*Supports are also provided for respondents, as needed.*)
- Title IX requires that schools stop, remedy the effects of, and prevent sex-based harassment/ discrimination.
- Title IX protects all students and employees in federally funded education programs and activities.
- Complainants have the right to file a formal complaint and have their concern addressed through a grievance process that includes informal resolution or a formal investigative process with a decision-maker.

Forms: Intake Form, Intake Verification Form & Complaint Form

- **Intake Form:** Used to guide you through the process of talking with Complainant about Title IX, documenting supportive measures and planning next steps.
- **Intake Verification Form:** Used for the complainant to verify that they have been told of Title IX rights, supportive measures, options for addressing concern AND allows them to document their choice.
- **Complaint Form:** Official written documentation of the allegation; completed by Complainant or Title IX Contact on behalf of Complainant when deemed a Formal Complaint is needed. When paired with Intake Verification Form, can become Formal Complaint document.



Intake Form



Title IX Intake Form

(To be used during initial conversation about allegation)

Purpose: to gather information; initial inquiry

1. Date: _____
2. Name of Complainant: _____
3. Name of Respondent: _____
4. Date of Incident: _____ Time of Incident: _____
5. Location: _____

6. Allegation of Sexual Harassment:

7. Is there an allegation of abuse? Report to DFACS within 24 hours
8. Offer **Supportive Measures**. List the measures provided below: (ex. Counseling, extension on assignments, class change, buddy, etc.) These measures should be agreeable to the Complainant. The Respondent cannot be punished, although emergency removal can be used if there is immediate threat of safety.

9. Discuss Title IX and non-discrimination.

"No person in the United State shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."

3 Types: 1. Quid Pro Quo, 2. Unwelcome Conduct, 3. Sexual assault, domestic violence, dating violence & stalking

This is
completed
by Title IX
Contact
and kept
on file

RCSS policies GAEB Equal Opportunity Employment and GAA Sexual Harassment of Employees address discrimination and harassment.

10. If the allegation seems to meet the definition of sexual harassment, determine if this complaint meets Title IX jurisdiction by evaluating these questions:
 - a. Did the alleged incident occur within the scope of a school's "education program or activity?"
 - b. Did the alleged incident occur in the US?
 - c. Is the Respondent still in the school system?
 - d. If the answer to all questions is "yes," the alleged incident falls within RCSS jurisdiction.
11. If the allegation doesn't meet the Title IX sexual harassment definition or is not within RCSS jurisdiction, consider whether the issue should be pursued under another Code of Conduct statute or other rule. Refer to the appropriate party.
12. Contact the District Title IX Coordinator to discuss the allegation and determine next steps.

After Consultation with District Title IX Coordinator

13. If the allegation seems to meet Title IX jurisdiction, explain to the Complainant the right to pursue a Formal Complaint.
 - a. Formal Complaint process includes:
 - i. Filing of a written formal complaint
 - ii. an investigation into the allegation
 - iii. including interviewing of witnesses
 - iv. determination of responsibility by a decision-maker
 - v. can take about 30 - 45 days to get to resolution
14. If the Complainant wants to file a Formal Complaint, also explain the option for Informal Resolution.
 - a. Informal Resolution is a process that
 - i. Requires filing a formal complaint
 - ii. Is usually shorter than the full investigation and adjudication process
 - iii. Must be agreed upon by both parties
 - iv. Provides an opportunity to informally resolve issues or concerns involving harassment
 - v. Does not cancel the ability of a person to resume the adjudication process, as long as it's decided prior to signing an agreement at the end of the Informal Resolution process
 - vi. Cannot be used when an employee is involved in the allegation
 - vii. There are different types – mediation, facilitated dialogue, etc.
 - b. Go through the Informal Resolution Packet. Have the Complainant initial and sign that they understand of the process.
15. Ask the Complainant if they want to pursue the formal investigation and adjudication process, informal resolution or neither. Indicate the person's choice on the Title IX Intake Verification Form and below.

Intake Form (pg.3) & Intake Verification Form

16. Indicate the choice of the Complainant:

☐ No complaint (provide supportive measures and note that the individual doesn't want to proceed. Have them sign.)

☐ Formal Investigation and Adjudication

☐ Informal Resolution

17. Notify principal and System Title IX Coordinator of the outcome of the initial inquiry.

18. Next Steps:

Printed Name of Title IX Contact Completing this Form:

Signature: _____

Date:

**This sheet is completed by
Title IX Contact and kept on
file.**



Title IX Intake Verification Form

(To be used during initial conversation about allegation)

1. Date:

2. Name of Complainant:

3. Name of Respondent:

My signature below verifies that I have met with the School Title IX Coordinator and discussed the following:

☐ The allegation of sexual harassment

☐ Supportive measures

☐ Rights provided by Title IX

☐ Jurisdiction of Title IX

☐ Formal Complaint Process

☐ Informal Resolution option

**This is
completed
and signed by
Complainant**

Signature of Complainant or Respondent

Formal Complaint Procedure Decision:

My signature below verifies my decision regarding the Formal Complaint process (continue or discontinue.)

☐ I wish to continue the Title IX Formal Complaint Process.

☐ I wish to continue the Title IX Formal Complaint process, but through Informal Resolution.

☐ I do not wish to continue the Title IX Formal Complaint process. I understand that no discipline can be given for allegations that meet Title IX jurisdiction without a Formal Complaint and investigation.

☐ Title IX Contact/Coordinator has determined the allegation does not meet Title IX requirements.

Signature of Complainant or Respondent

School Title IX Contact

Complaint (Allegation) Form



TITLE IX DISCRIMINATION COMPLAINT FORM

PURPOSE: Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) prohibits discrimination based on the sex of students and employees of educational institutions which receive federal financial assistance. This form should only be used for complaints alleging discrimination prohibited by Title IX (including sexual harassment and sexual violence). When the form has been completed and signed by you, and then received and noted by the Richmond County School System, you will be provided with a copy of this form as well as complete information about the Title IX complaint process. If you require emergency assistance, please contact the appropriate school administrator.

INSTRUCTIONS: Individuals alleging Title IX discrimination and requesting review are requested to complete this form and submit it to the School Administrator (e.g., Principal, Assistant Principal) or Title IX Coordinator as soon as possible after the occurrence of the alleged discrimination. You do not need to answer every question to submit the form. Reports can be submitted anonymously, with the understanding that anonymity increases the difficulty of pursuing investigation. If you have any questions, please contact your school Title IX Coordinator, administrator, or System Title IX Coordinator, Dr. Aronica Gloster, at (706)826-1000 x 5501 or agloster@boe-richmond.k12.ga.us.

I am filing this complaint as a (check one): ☐ Student (or on behalf of a student) ☐ Employee ☐ Anonymously

Name of Complainant: _____ Name of Student: _____

School: _____ Grade: _____

Home Address: _____ City: _____ Zip: _____

Phone: _____ Email (Parent/Guardian if under 18): _____

1. **Nature of Complaint:** Please describe the action(s) you believe may be sex discrimination, including complaints of sexual harassment or sexual violence, in violation of Title IX and identify with reasonable particularity any person(s) you believe may be responsible. Please attach additional sheets, if necessary:

2. List the name of the person or persons you believe committed the offense against you and how you have contact with them (e.g., teacher, peer/student, supervisor, co-worker):

Name	How You Have Contact with Them

3. When did the above described actions occur? _____

This form should be completed by Complainant. It is required to go forth with the Informal Resolution or formal grievance process (Investigation). Paired with Intake Verification Form – becomes Formal Complaint

Form is useful for documenting any report.

Can be completed online.

4. Where did the above described actions occur? _____

5. Are there any witnesses to this matter? (Please circle) Yes No
If yes, please identify the witnesses and how you have contact with them:

Name of Witness	How You Have Contact with Them

6. Have you spoken to or notified any administrator(s) or other staff member(s) about this matter? (Please circle) Yes No

If yes, please identify:

Person to Whom You Have Spoken	Date of Contact	Method of Contact (verbal, email, etc.)

7. Statement of Relief Sought by Complainant: What would you like to happen as a result of your complaint?

Certification: Please read the statement below, sign and date your complaint.
I certify that to the best of my knowledge, the foregoing information is true and correct.

Printed Name Signature Date

Submit completed form to a school administrator or the School Title IX Coordinator. Completed forms may also be submitted directly to the System Title IX Coordinator.

Verification of Receipt of Complaint (To be completed by administrator and/or Title IX Coordinators)

Date Received by Administrator: _____ Signature: _____ Title: _____
Date Received by School Title IX Coordinator: _____ Signature: _____
Date Received by System Title IX Coordinator: _____ Signature: _____
Date Received by Deputy Title IX Coordinator: _____ Signature: _____

Complainant Options

1. No formal complaint

- No discipline can be given for alleged behavior
- Only supportive measures provided (document)

2. Formal Complaint and Investigative Process*

- Involves investigation
- Decision of responsibility/ policy violation by Decision-maker
- Sanctions (discipline) and remedies decided by Decision-maker

3. Formal Complaint and Informal Resolution*

- Involves facilitation by trained personnel
- Can be used to provide sanctions and remedies
- Shorter time frame to resolution than grievance process

*=requires Notice of Allegations sent to parties.



Options for Next Steps after Initial Inquiry

Notice of Allegations Letter

CONFIDENTIAL



WRITTEN NOTICE OF ALLEGATIONS

Sent Via email at [email address] and US mail

[Date]

[Student Name]

[Parent/Guardian Name(s)]

[Address]

RE: WRITTEN NOTICE OF ALLEGATIONS UNDER TITLE IX AND NOTIFICATION OF GRIEVANCE PROCESS UNDER TITLE IX

The Richmond County School System (RCSS) has received a formal complaint of sexual harassment under Title IX ([20 U.S.C. §§ 1681-1688](#)), Title IX Regulations ([34 C.F.R. part 106](#)), and Richmond County Board Policy GAAA and the RCSS Title IX Procedures. According to the law and applicable regulations the System must provide a detailed written notification to the parties that are involved in the complaint. This letter constitutes that required notification of the allegations of sexual harassment and notification of the System's grievance process as required by Title IX.

The System's Title IX sexual harassment grievance process is located on the System Title IX website (<https://www.rcbos.org/Pages/62245>) and is attached to this letter.

The following is a summary of the allegations of sexual harassment contained in the complaint:

Complainant: _____ Respondent: _____

Date of Alleged Incident: _____

Location of Alleged Incident: _____

Summary of Incident(s): _____

Please note that by law the System's receipt of the complaint and the System's inclusion in this letter of the above statement regarding the allegations of sexual harassment does not imply that a decision by the System has been made regarding the complaint.

By law the respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility is made at the conclusion of the grievance process. A decision-maker will not make a determination of responsibility until after investigation where the Complainant and Respondent will be given an opportunity to review all evidence and comment.

This form should be completed by the Title IX Contact and sent to both parties (Complainant and Respondent.)

There is a copy of the RCSS Title IX Grievance Process that must also accompany the Notice of Allegations.

This document must be given for Informal Resolution and Investigation.

CONFIDENTIAL



The RCSS Code of Conduct prohibits the complainant, respondent and any witness from knowingly making false statements or knowingly submitting false information during the grievance process.

As a party in this matter you have the right to an advisor of your choice. That advisor may be an attorney and that advisor may inspect and review evidence. The System, however, does not supply an advisor for you in this process.

We have scheduled a meeting to meet with you and your adviser (if any) on _____ (date) at _____ (location).

The RCSS Code of Conduct prohibits intimidation, threatening, coercion, or discrimination against an individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing. If you believe you have been retaliated against, please contact this office immediately.

As discussed in our meeting, the System agrees to provide you with the following supportive measures during the complaint process: _____

If at any time, these supportive measures need adjustment or you feel you need additional support, please contact my office as soon as possible.

Please feel free to contact me with any questions or comments. My contact information is as follows:

Sincerely,

_____, School Title IX Coordinator

CC: System Title IX Coordinator

Enclosures:
Title IX Grievance Process

What is Informal Resolution?

- An Informal Resolution is an alternative to formal investigation and adjudication procedures in which both sides voluntarily agree to “informally” resolve issues or concerns involving harassment, discrimination, or retaliation.
- It allows for the resolution of the complaint more quickly than the formal investigation process.
- Goal: to reach a *mutually* agreeable resolution



TITLE IX INFORMAL RESOLUTION PROCESS



**Informal Resolutions may not be used when the Respondent is an employee and the Complainant is a student.*

Reasons a Title IX Coordinator May Choose Not to Agree to Informal Resolution

- Severity of the allegations (i.e. rape)
- Multiple allegations against the same Respondent
- Multiple Respondents in the same allegation
- Use of a weapon
- Complainant wants the Respondent to be punished (*may be reluctant to do IR*)
- Respondent is an employee and Complainant is a student (CANNOT BE USED)



Informal Resolution Process Checklist

<input type="checkbox"/>	REPORT OF SEXUAL HARASSMENT	<ul style="list-style-type: none"> • Meets Definition of Title IX Sexual Harassment • Substantial Control over Respondent, and the context in which the Sexual Harassment occurs
<input type="checkbox"/>	SUPPORTIVE MEASURES	<ul style="list-style-type: none"> • Offered immediately and equitably, documented, tracked, and re-evaluated frequently • Regardless of whether Formal Complaint filed/signed
<input type="checkbox"/>	FORMAL COMPLAINT	<ul style="list-style-type: none"> • Filed/signed by Complainant (or parent/guardian) or Title IX Coordinator • Must occur PRIOR to Informal Resolution
<input type="checkbox"/>	NOTICE OF ALLEGATIONS	<ul style="list-style-type: none"> • Notice of grievance process (INCLUDING INFORMAL RESOLUTION), allegations, statement that Respondent is presumed not responsible, right to advisor, conduct provision prohibiting false statements
<input type="checkbox"/>	NOTICE/ AGREEMENT TO ENTER IR PROCESS	<ul style="list-style-type: none"> • Parties names, allegations, appeal options from Informal Resolution Process, ability to move to formal grievance process/withdraw from Informal Resolution Process, records use retention • Signatures
<input type="checkbox"/>	IR PROCESS	<ul style="list-style-type: none"> • Acceptance of responsibility/sanction, facilitated dialogue, mediation, shuttle negotiation, restorative justice practices, etc.
<input type="checkbox"/>	SIGNED AGREEMENT	<ul style="list-style-type: none"> • Parties names, terms of agreement (sanctions and remedies), consequences if Respondent fails to complete requirements, records retention • Signatures
<input type="checkbox"/>	NOTICE OF OUTCOME	<ul style="list-style-type: none"> • Signed agreement, expectations, deadlines, follow up requirements, appeal options (if any), point of contact moving forward

Notice of Informal Resolution Process

- When:
 - Requested by one or both parties and/or recommended by Title IX Coordinator (cannot be coerced, forced or required by Institution) AND
 - Agreed by all parties
 - After Formal Complaint and before determination regarding responsibility
- Includes:
 - Allegations
 - Requirements of informal resolution process including circumstances under which it precludes parties from resuming Formal Complaint from the same allegations
 - Right to withdraw
 - Consequences including records that will be maintained or could be shared
 - Voluntary written consent to the informal resolution process

Informal Resolution Agreement



TITLE IX – INFORMAL RESOLUTION

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on the sex of students in educational institutions that receive federal financial assistance. When a Formal Complaint of sexual harassment has been filed, the Richmond County School System (RCSS) may facilitate an informal resolution process. This process is voluntary. Any party may decline to participate. If the parties agree to participate in the informal resolution process, the investigation may be abated for a short period of time to allow the parties to concentrate their efforts on resolution. This form outlines the conditions of the informal resolution process and to obtain written agreement to participate in the informal resolution process or a refusal to participate therein.

What is Informal Resolution? An Informal Resolution is an alternative to formal investigation and adjudication procedures in which both sides voluntarily agree to "informally" resolve issues or concerns involving harassment, discrimination, or retaliation. It allows for the resolution of the complaint more quickly than the formal investigation process.

Is Informal Resolution mandatory? Who decides whether to resolve a concern by Informal Resolution? Informal Resolution is a voluntary process. Both parties (complainant and respondent) must decide and agree to participate. All parties must provide written consent to participate in Informal Resolution. The final determination about the use of Informal Resolution is made by the Title IX Coordinator.

What is the goal of an Informal Resolution? The goal of an Informal Resolution process is to come to a mutually satisfying agreement to resolve and address the alleged complaint.

Can Informal Resolution be used when an employee is alleged to have committed sexual harassment against a student? No. Informal Resolution is not allowed to resolve allegations that an employee sexually harassed a student.

What is the goal of Informal Resolution? The goal is to help the Complainant and Respondent reach an agreement on their terms.

What happens during Informal Resolution? During Informal Resolution, both parties have the opportunity to share their sides of the story and negotiate a mutually agreeable resolution. Complainants and Respondents do not have to meet together during the Informal Resolution process. There are several types of Informal Resolution:

1. Resolution Agreement;
2. Facilitated Dialogue
3. Mediation
4. Shuttle Negotiation/Conversation
5. Restorative Justice Practices

(For more detailed explanations, see the additional attachment.)

Who facilitates an Informal Resolution? The informal resolution process is facilitated by a trained, impartial third party. Title IX Coordinators may serve as facilitators.

Can my Advisor participate in Informal Resolution with me? Advisors may not act as participants, speak for or on behalf of a Party, present information, ask questions, or make statements.

What happens if I change my mind about participating in Informal Resolution? Do I waive my rights to a formal grievance process if I choose Informal Resolution? At any time prior to signing an informal resolution agreement, any party has the right to withdraw from the informal resolution process and resume the formal grievance process. Agreeing to Informal Resolution does not waive the right to a formal investigation and adjudication.



The first page explains Informal Resolution and can be kept by the parties.



The second page asks both parties to initial that they understand the terms.

The third page has parties to indicate their agreement.

Name: _____ Complainant Respondent
School: _____ Date: _____
School Title IX Coordinator: _____

Complainant/ Respondent: Read each of the conditions of the Title IX Informal Resolution process. Write your initials in the box next to each statement to indicate your understanding.

Initial	Conditions of Informal Resolution
	Participation in this process is voluntary and either the Complainant or Respondent can choose to end the process at any time and for any reason prior to signing the agreement at the end of the Informal Resolution process.
	Withdrawal from the Informal Resolution process may result in the continuation of the Formal Complaint and investigation process.
	Informal Resolution, even if voluntary, will not be used in some cases involving sexual assault or when there is an allegation involving an employee and student.
	Both the Complainant and Respondent must participate in individual conference meetings with appropriate staff to learn more about the resolution process prior to participating;
	The Complainant and Respondent must agree to all recommendations laid out in the formal agreement or the matter may be referred to the Title IX Coordinator for further action.
	The Title IX Coordinator will make the final determination about the appropriateness of Informal Resolution.
	Information documented during this process can be subpoenaed if a criminal investigation is initiated;
	Participation in this process does not constitute a responsible finding of a Policy violation and therefore is not reflected on a student's disciplinary record.
	If the Informal Resolution process is not successful in resolving this matter, formal grievance process will resume.
	If the Respondent is found responsible for any violations in the future, this agreement can be considered during the sanctioning phase of that disciplinary proceeding.
	The RCSS reserves the right to suspend or terminate the Informal Resolution process and revert back to an investigation at any time; and
	I understand that, unless otherwise agreed by the parties, any agreement made between the parties will not be made a part of the Claimant's student disciplinary file. It will however, be maintained by the Title IX Coordinator and noted in his or her complaint file.
	Parties who fail to comply with the terms of the Informal Resolution agreement may be subject to disciplinary action by the RCSS.
	Any agreement made between the parties through this process is final. There is no right to appeal. This agreement is final.

Informal Resolution Agreement – pg.3

Verification of Explanation of Informal Resolution Process

My signature below verifies that I have had the conditions of the Informal Resolution process explained to me. I have received a written document explaining the Informal Resolution process.

<div></div> <div>Printed Name (Parent/Guardian if minor)</div> <div><div>PRINT NAME</div></div> <div></div> <div>Signature (Parent/Guardian if minor)</div>	<div></div> <div>Date</div> <div>Complainant Respondent</div>
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Decision about Participation in the Informal Resolution Process

I voluntarily agree to participate in the Informal Resolution process. I have not been coerced or forced to participate in the Informal Resolution process.

I do not agree to participate in the Informal Resolution process.

<div></div> <div>Printed Name (Parent/Guardian if minor)</div> <div><div>PRINT NAME</div></div> <div></div> <div>Signature (Parent/Guardian if minor)</div>	<div></div> <div>Date</div> <div>Complainant Respondent</div>
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The third page has parties to verify the conditions were explained and to indicate their decision about participating in Informal Resolution.

This document (pages 2 and 3) should be completed prior to conducting the Informal Resolution .

Pages 2 and 3 should be kept on file.



Withdraw From Informal Resolution Process and Return to Formal Grievance Process



- Requested by either party
- Any time prior to agreement
- No explanation necessary
- What records can be used in formal process when transitioning back?
- Written notice when resuming formal process

Role of IR Facilitator



- Can be Title IX Coordinator/Contact
- Recommended to be someone other than investigator
- Sets expectations
- Remains neutral – serves impartially, avoids conflicts of interest/ aware of bias
- Serves as a go-between
- Is kind, patient, understanding, good listener
- Keeps in mind goal of a mutually agreeable resolution
- Documents agreements and actions

Conflict of Interest & Bias

- Watch for **conflicts of interest** or **bias** throughout the process
 - Title IX Regulations prohibit conflicts of interest or bias with Coordinators, Investigators, and Decision-Makers against parties generally or an individual party.
 - Separation of roles - Bias and Conflict of Interest on the part of the Title IX Coordinator, Investigator, or Decision-Maker = grounds for appeal
- A **conflict of interest** occurs when personal or private interests may compromise one's judgment, decisions, or actions
 - ☐ Simply knowing a student or an employee is typically not sufficient to create a conflict of interest if objectively not compromised.
 - ☐ Previously disciplining a student or employee is often not enough to create a conflict of interest.



Conflict of Interest & Bias

- A **bias** is a tendency, inclination, or prejudice toward/against someone
 - Often based on stereotypes, rather than actual knowledge of an individual or a particular circumstance
 - Frequently based on a person's gender, race, or sexual orientation
- Pre-judgement
- Relationships/Friendships
- **Self-Reflect. Consult. Remove yourself from the process and reach out for assistance.**
- For concerns of bias or a potential conflicts of interest by a Title IX team member, contact the District Title IX Coordinator.





Before Conducting IR

- Talk with parties to gain some understanding of their point of view
- Notify and involve parents of IR
- Advisors/parents can attend for support
- Set ground rules before using any of the types of IR
 - Confidentiality– what's said in the room stays in the room
 - Be respectful
 - Talk one at a time
 - Use respectful language
 - Listen
 - Each person will have a time to talk



Setting the Stage for Success

5 Types of Informal Resolution

Resolution
Agreement

Facilitated
Dialogue

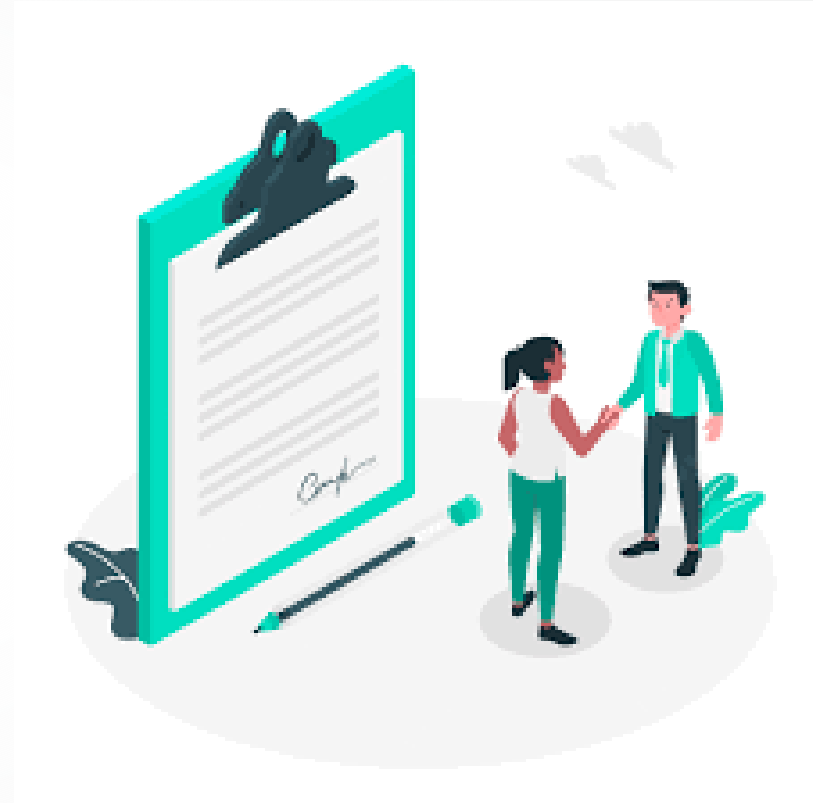
Mediation

Shuttle/
Negotiation
Conversation

Restorative
Justice
Practices

Resolution Agreement

- Respondent accepts responsibility.
- Title IX Coordinator recommends sanctions and remedies.
- Parties agree to sanctions and remedies as recommended.
- Commonly used in k-12



Facilitated Dialogue

- Structured conversation between the Complainant and Respondent led by a facilitator with the possibility of reaching an agreeable outcome.

[Article on Facilitated Dialogue](#)



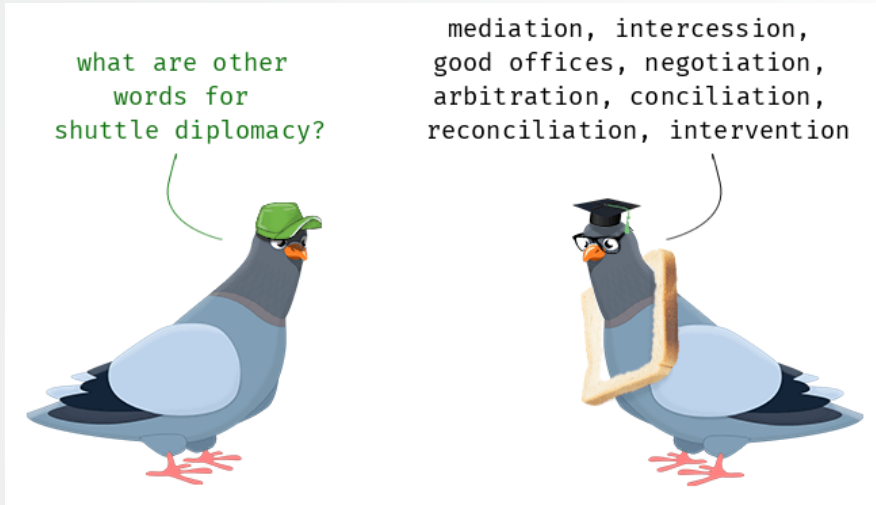
Mediation

- Procedure in which the parties discuss disputes with the assistance or aid of an Informal Resolution Facilitator who helps them in reaching settlement.
- Parties talk privately about their thoughts, feelings and experiences.
- Parties consider what actions could meaningfully resolve the situation.
- Parties explore mutually agreeable solution.
- Parties negotiate an agreement.

[Peer Mediation Quick Video](#)



Shuttle Negotiation/ Conversation



[Shuttle Negotiation Video](#)

- Conversation that is indirect and facilitated by Informal Resolution Facilitator
- Talk to one person, then the other
- Can occur over days and times
- Disputants can:
 - “Tell their story well” by sharing privately about their thoughts, feelings and experiences related to the conflict.
- Consider what actions could meaningfully resolve the conflict.
- Negotiate a mutually agreeable solution that resolves the dispute

Restorative Justice Practices

- Helps a student to own what she/he did, make it right for those hurt or affected, and involve the community in helping both the victim *and* the offender.
- Restorative justice acknowledges that those who do wrong need healing as well.
- Emphasis on repairing the harm caused by the behavior
- Best accomplished through cooperation
- Can lead to transformation of people, relationships, and communities
- Principles can be applied in any type of resolution

7 Questions That Change School Discipline





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Reluctant Parties

- Help parties to understand and articulate “what’s in it for me” (WIFM)
- Make sure they know they don’t have to go through the process
- Identify barriers to moving forward
 - “Help me understand where you are stuck in this process.”
 - “What makes this challenging for you?”
 - “What do you need that we haven’t addressed?”

When Emotions are High

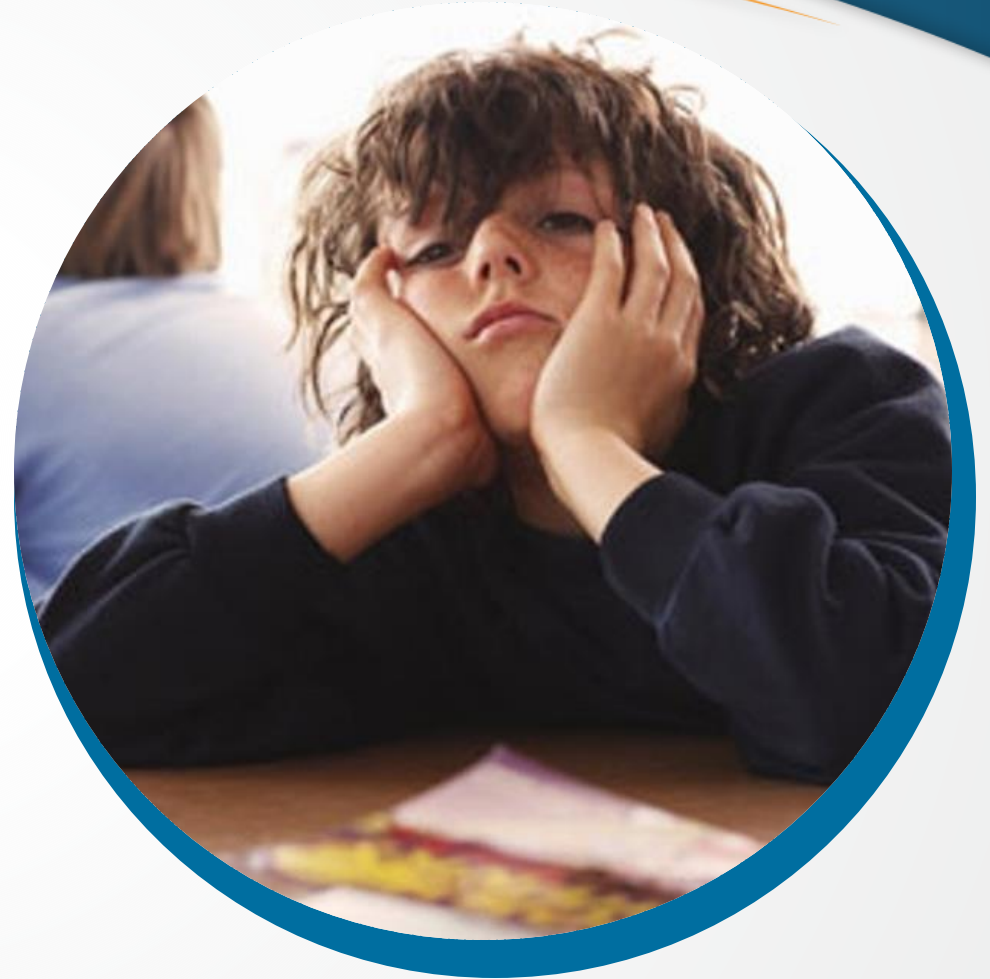
- Acknowledge the emotional experience
- Assist in understanding that resolution will likely not resolve the emotions
- Refocus on tangible action steps
- Provide support if parties are having problems (suicidal)
- Refer for support (counselor, social worker, etc.)
- Allow advisors access(support)
- Stop IR if party is unable to regroup or calm down



Emotional Parties

Detached Parties

- “This is stupid.” “I didn’t really do anything.”
“Why are we here?”
- Explain the severity
- Explain the difference between IR and formal grievance process
- Look for a “hook” to engage them in the process (avoid grievance process, have voice/agency in what happens, etc.)



EXPECTATIONS

vs.

REALITY

Handling Expectations

- Helpful to start with needs, rather than wants
- If dissonance remains, re-direct toward the formal grievance process

Outcomes

- All parties must receive a ***Notification of Outcomes*** and sign it.
- Measurable Outcomes
 - Timeline for completion of tasks
 - Recommended to choose absolute outcomes (*suspension rather than tribunal*)
- If terms of agreement are not met = disciplinary action
 - Infraction in the Code of Conduct for failing to follow through on the directive
- Title IX Contact must check to make sure that agreement is upheld.
- What is said in IR stays in IR and cannot be used should the process resort back to formal investigative process.

Informal Resolution Outcome



INFORMAL RESOLUTION OUTCOME TEMPLATE

The informal resolution process is a voluntary, structured interaction between involved parties and a facilitator to resolve the allegations following the filing of a formal complaint and prior to a final determination. The informal resolution process is intended to be flexible while also providing for a full range of possible outcomes. This form is used to document the outcome of an informal resolution regarding alleged misconduct under the Richmond County School System (RCSS) Title IX Non-Discrimination Policy. All parties, the informal resolution facilitator, and the Title IX Coordinator must accept the terms outlined for the informal resolution to be implemented.

Respondent: _____ School: _____

Complainant: _____ School: _____

Incident Date(s): _____ Resolution Date: _____

Allegation(s): _____

Informal Resolution Type: _____

Facilitator(s): _____

The parties have agreed to the following specific actions to resolve the allegations:

If for any reason any of the terms are not adhered to, the parties agree that the following consequences may apply:

[For the purpose of consideration in the event of any further allegations of misconduct, and/or a background check, the Respondent's institutional record will indicate:

The outcome of this informal resolution agreement will be shared with:

The outcome of this informal resolution agreement includes the following additional understandings:

This form details the outcomes of the IR. There are spaces for signatures by both parties.

By signing this agreement, the parties affirm the following:

- I voluntarily agree to the terms of this informal resolution as outlined above and understand by doing so that I am relinquishing my right to have this matter resolved through the applicable formal grievance process.
- I can choose to not sign this document and instead have this matter resolved through the applicable formal grievance process.
- I understand that the outcome of an informal resolution agreement is not appealable.
- I am aware that the Richmond County School System and School will maintain a record of this informal resolution agreement and all associated information in accordance with institutional policy and applicable laws.

Complainant's Signature

Date

Respondent's Signature

Date

Facilitator's Signature

Date

Representative's Signature (if applicable)

Date

As the School Title IX Coordinator, I have reviewed approved this informal resolution agreement thus resolving this matter.

TIX Coordinator's Signature

Date

As the System Title IX Coordinator, I have reviewed approved this informal resolution agreement, thus resolving this matter.

TIX Coordinator's Signature

Date

Scenario

Sherry informs you that Richard asked her if she wanted to see something and Sherry told him "sure". Sherry stated that Richard went to the bathroom and came back and showed her his phone. Sherry stated, "it was a picture of his Peter and I told him that is disgusting". Sherry then stated that Richard said to her "come to the bathroom and take care of me". Sherry says replied, "No! You're nasty!" Richard then creates a picture with Sherry and his genitalia and air drops it.

You call Richard to the office and speak to him about the incident. He admits to the showing her a picture of his private area but he stated that it was because she wanted to see it. He also admits to asking Sherry to "suck him" but he stated, "I was talking about away from school." He admits to sharing the picture.

Using the Informal Resolution assigned to your group, act out or explain how you would approach the situation.



**Things to
remember...**

Closing Reminders

- IR involves discussion between parties – through you, in person, in writing
- IR takes time – don't rush
- Put in the work – the parties have agreed to do this
- It may get a little messy – stay flexible
- Give parties breaks during meetings
- Every outcome is different
- Parties may put up walls – will have to resume formal grievance process
- Involve parents/guardians
- Send copies of all forms to System Title IX Coordinator and file for 7 years.

**Please
complete the
evaluation.**

Evaluation Survey - Informal Resolution Training for School Contacts - September 19, 2023



***Thanks for
your
participation!***