



University of Dallas Policy CRI-R

CIVIL RIGHTS PROCEDURE – INFORMAL RESOLUTION PROCESS

1. **Purpose** – This Procedure provides the informal resolution process for resolution of Formal Complaints alleging violations of the University Civil Rights Policy, including, but not limited to, Non-Title IX Sexual Harassment, Title IX Sexual Harassment, Sexual Assault, Dating Violence and Stalking.
2. **Definitions** – Relevant terms for implementation of this Procedure are set forth in University Policy CRT – Civil Rights Policy – Relevant Terms.
3. **Scope** – This Procedure applies to all Respondents who are Students or Employees.
4. **Voluntary** – This informal resolution process is voluntary.
 - 4.1. Neither a Complainant nor a Respondent may be required to participate in this informal resolution process.
 - 4.2. 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 and hearing process with respect to a Formal Complaint.
5. **Limitations on Availability** – The informal resolution process is not available
 - 5.1. Unless a Formal Complaint has been filed; or
 - 5.2. When the Formal Complaint involves an allegation that an Employee committed the following offense against a Student: Title IX Sexual Harassment (see definition in Section 6.2.4 of Policy CRI-I – Investigation of Formal Complaints).
6. **Initiation of Informal Resolution Process** – At any time prior to reaching a determination regarding responsibility, the University may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and hearing process, provided that the University:
 - 6.1. Provides the parties with a written notice disclosing:
 - 6.1.1. The allegations;
 - 6.1.2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations, provided,

however, 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 and hearing process with respect to the Formal Complaint; and

6.1.3. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared; and

6.2. Obtains the parties' voluntary, written consent to the informal resolution process.

7. **Confidentiality** – Communications that occur during an informal resolution process under this Procedure, as well as any records (including records that the parties engaged in or terminated an informal resolution process) are confidential and may not be used in any disciplinary proceeding or hearing under the University Civil Rights Policy, or other Code of Conduct.

7.1. Information and records are not confidential merely because they were presented in the course of an informal resolution process. Neither the University nor a party is prevented from using evidence known or within their possession prior to and/or independent of the informal resolution process.