The University’s Informal Resolution Process in Student Sexual Misconduct Cases

The University offers an informal resolution option in sexual misconduct cases involving student respondents. An informal resolution may be reached in two ways.

First, the complainant and respondent may agree to an informal resolution proposed by the Office of Community Standards (OCS). OCS proposes an informal resolution in cases where the Office of Equal Opportunity and Affirmative Action (EOAA) has made an initial finding that the respondent violated the Student Conduct Code. The complainant and respondent may then agree to this proposed informal resolution or reject it by requesting a hearing within three days.

Second, the complainant or respondent may propose an informal resolution to resolve the case after they receive EOAA’s initial findings that the respondent violated the Student Conduct Code.

1. A party can initiate this informal resolution process by contacting OCS and proposing an informal resolution in writing. All proposed informal resolutions should be communicated to OCS no later than four days prior to the hearing date. Parties are encouraged to consult OCS’s Sanctioning Guidelines before proposing an informal resolution. The sanctioning guidelines provide information about the appropriate sanction range for specific types of sexual misconduct, and will guide the parties in determining the types of informal resolutions that OCS is likely to find acceptable.

2. OCS will then determine whether the proposed informal resolution constitutes an acceptable sanction under University procedure and practice. In making this determination, OCS utilizes the sanctioning guidelines to ensure consistency with other sanctions for similar conduct and fulfill an obligation to provide a safe and non-discriminatory environment.

3. If the proposed informal resolution is acceptable to OCS, OCS will inform the other party about the proposed informal resolution and request that they either accept or reject the proposed resolution within three days. If the proposed informal resolution is not acceptable to OCS, OCS will share this decision with the party who proposed the resolution.

4. If the parties agree on an informal resolution, OCS will communicate this informal resolution to both parties in writing and the case will be closed.

Either party can end the informal resolution process at any time.

All communications during this informal resolution process will be between each party and the University. The parties will not be asked or required to communicate directly with one another during this process.

The parties’ communications related to the informal resolution process will not be disclosed to SSMS panel members or to the appellate decision maker, and may not be offered as evidence in a subsequent hearing or appeal.