

ADR: Facilitated Resolution vs. Negotiated Resolution

Office for Title IX & Civil Rights | *Last Updated: August 2025*

Alternative Dispute Resolution

- Facilitated by an ADR Facilitator
- Parties are required to complete a Pre-Facilitated Resolution Form
- Parties are NOT required to provide a copy of their Pre-Facilitated Resolution Form to the ADR Facilitator
- The ADR Facilitator will schedule separate Pre-Facilitated Resolution meetings with each of the parties to review the Pre-Facilitated Resolution Forms and Facilitated Resolution procedures
- A virtual Facilitated Resolution session will take place via Zoom - both parties are required to attend, but will not be required to directly interact with one another during the session
- During the Facilitated Resolution session, parties will be placed into separate breakout rooms, and the ADR Facilitator will travel between breakout rooms to help identify a mutually agreed upon resolution.

FACILITATED RESOLUTION

BOTH

- The ultimate determination of whether ADR is available or successful is to be made by the Title IX Coordinator.
- Requires voluntary, written consent from both parties.
- Parties may consult with an Advisor and/or have an Advisor accompany them to ADR proceedings, if they choose. Advisors may not attend or speak on behalf of their advisee.
- If an agreement is reached, the ADR Facilitator will draft an ADR agreement including the mutually agreed upon resolution.
- Parties must sign and return the Agreement within three (3) business days. Failure to return the signed Agreement within the three-day period will result in the case moving to the Formal Grievance Process.
- If an agreement is not reached, the Formal Grievance Process will initiate or resume at the same point where it was paused.
- The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary action.
- Results of complaints resolved by ADR are NOT appealable.

NEGOTIATED RESOLUTION

- Facilitated by the Title IX Coordinator or Deputy Title IX Coordinator.
- Parties are required to complete a Pre-Negotiation Form.
- Parties are required to provide a copy of their Pre-Negotiation Form to the Title IX Coordinator.
- The Title IX Coordinator will review the completed Pre-Negotiation Forms and send a Proposed Resolution via University official email to the parties.
- Parties will have the opportunity to review and respond to the Proposed Resolution for two (2) business days after receipt.
- After receiving a response from the parties, any applicable changes will be made to the proposed resolution and shared with the parties. This process may be repeated until all parties agree to the proposed resolution.

