

August 2024

Explanation of Informal Resolution Process Options

Tufts University takes all allegations of discrimination, harassment, sexual misconduct and related retaliation seriously and is committed to providing information, education, resources, supportive and interim measures and direction to Tufts community members, as may be appropriate, in addressing conduct prohibited by the Non-Discrimination Policy. Through a variety of approaches including formal investigation or informal agreements, OEO will take steps to prevent the recurrence of discrimination and address effects of such conduct. Below outlines options available through an informal resolution process.

I. Introduction

In most cases, the parties¹ may participate in an Informal Resolution Process as an alternative to Sexual Misconduct Adjudication Processes involving Students ([SMAPS](https://oio.tufts.edu/wp-content/uploads/2024-SMAPS.pdf)) (<https://oio.tufts.edu/wp-content/uploads/2024-SMAPS.pdf>) or Standard Operating Procedure for Discrimination Complaints ([STOP-D](https://oio.tufts.edu/wp-content/uploads/2024-STOP-D.pdf)) (<https://oio.tufts.edu/wp-content/uploads/2024-STOP-D.pdf>). All parties must agree to treat the information obtained in the course of the Informal Resolution Process as private or confidential, as applicable, which means disclosures to non-confidential parties require review and approval by OEO, in advance.

NOTICE: The Title IX Coordinator retains the right to either end the Informal Resolution Process and/or to initiate the formal SMAPS hearing process, depending upon situation and/or new information learned during the Informal Resolution Process.

II. Options

OEO to conduct a general conversation with the respondent about the University's policies, procedures and standards of conduct to be sure they fully understand Tufts'

¹ The Informal Resolution Process is **not available** when the complainant in the matter is a student and the respondent is an employee. For purposes of this process, an employee is any individual who is not enrolled as a full time student at Tufts and receives remuneration from the University.

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- policies on discrimination, harassment, sexual misconduct, consent, et. al. This option provides hypothetical examples in order to maintain anonymity of involved parties.
- OEO to conduct detailed conversation with the respondent about the allegations raised by the complainant and a reminder of the University's policies, procedures and standards of conduct, including Tufts' policies on discrimination, harassment, sexual misconduct, consent, et. al. This option may disclose specific details about the allegation and/or incident, including possible identification of involved parties.
- For student matter, OEO to refer respondent to [CARE](https://care.tufts.edu/) education and support (<https://care.tufts.edu/>) or Student Health Alcohol and Drug Specialist; For employee matter, OEO refers the respondent to the Employee Assistance Program ([EAP](https://access.tufts.edu/employee-assistance-program)), found here <https://access.tufts.edu/employee-assistance-program>.
- OEO to recommend targeted training (e.g., GreenDot or OEO training) for respondent or respondent's club, group, team, department, floor, etc.
- OEO to assist the parties with a bilateral/mutual No Contact Order (NCO) with specific restrictions to be negotiated by the parties with a mediator.
- OEO to refer employee parties to HR and/or Chair and/or Department Supervisor and/or Dean for a non-punitive, non-sanctionable coaching and counseling conversation about standards of conduct (i.e., the resolution will not likely be addressed in a performance review and is meant to address the alleged conduct in an educational manner).
- OEO to facilitate written communication between student parties (e.g., complainant writes respondent letter explaining how they harmed complainant; respondent may respond to OEO, but not directly to complainant unless requested; response may be made verbally or in writing).
- OEO to engage in shuttle diplomacy (e.g., complainant asks that respondent not eat in cafeteria on Tuesdays, will they agree?).
- OEO to facilitate in-person or remote mediation.

Other request appropriate to the allegation and/or circumstance, as discussed with and agreed upon by complainant: _____

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III. Acknowledgment by the Parties

I, _____, agree as follows:

I voluntarily elect to participate in the Informal Resolution Process.

I understand that I can withdraw from the Informal Resolution Process at any time, either verbally or in writing². At that time, I can choose to pursue my complaint through the Sexual Misconduct Adjudication Processes involving Students ([SMAPS](https://oeo.tufts.edu/wp-content/uploads/2024-SMAPS.pdf)) (<https://oeo.tufts.edu/wp-content/uploads/2024-SMAPS.pdf>) or Standard Operating Procedure for Discrimination Complaints ([STOP-D](https://oeo.tufts.edu/wp-content/uploads/2024-STOP-D.pdf)) (<https://oeo.tufts.edu/wp-content/uploads/2024-STOP-D.pdf>) or choose not to pursue the complaint further by withdrawing from available OEO processes. I understand that if I choose not to pursue the complaint further and withdraw from an OEO process, the University may in its discretion continue the Sexual Misconduct Adjudication Processes involving Students ([SMAPS](https://oeo.tufts.edu/wp-content/uploads/2024-SMAPS.pdf)) (<https://oeo.tufts.edu/wp-content/uploads/2024-SMAPS.pdf>) or Standard Operating Procedure for Discrimination Complaints ([STOP-D](https://oeo.tufts.edu/wp-content/uploads/2024-STOP-D.pdf)) (<https://oeo.tufts.edu/wp-content/uploads/2024-STOP-D.pdf>) process with prior notice to me.

I have had the opportunity to discuss and select any of the options offered by OEO under the Informal Resolution Process, as applicable to the allegation and/or circumstance.

I understand that any information obtained in the course of the Informal Resolution Process is private and/or confidential, as applicable; I agree to maintain the privacy and/or confidentiality of such information and I agree not to disclose details related to the allegation and/or circumstance, and/or the resolution of such, to third parties³ – except as discussed with my OEO contact; and I agree not to use any such information in a formal grievance procedure.

² If a No Contact Order (NCO) has been implemented as part of an Informal Process, it may only be withdrawn upon the agreement of all parties identified in the NCO.

³ Third parties may include visitors, patients, contractors, vendors, community members.

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- I agree not to call the OEO-provided facilitator or mediator as a witness in any subsequent proceeding (either held by the University or by an external agency) involving the matter that proceeded through this Informal Resolution Process.
- I understand and agree that any resolution reached in this Informal Resolution Process will be memorialized and maintained in the OEO case file.
- I understand that if, as part of the outcome reached through this Informal Resolution Process, I agree to complete certain tasks (i.e., apology, education, training, counseling, EAP), I must complete those tasks in an agreed-upon timeframe, if applicable.
- I understand that if I do not complete the agreed-upon tasks, I may be subject to disciplinary action, up to and including expulsion or termination.
- I agree that I will abide by the University's Non-Retaliation provisions and I have signed the corresponding Privacy and [Non-Retaliation Acknowledgement Form](https://oeo.tufts.edu/wp-content/uploads/Privacy_Non-Retaliation-Acknowledgement_2024.pdf) (https://oeo.tufts.edu/wp-content/uploads/Privacy_Non-Retaliation-Acknowledgement_2024.pdf).

Name – **Please print or write legibly**

Signature

Date