

Frequently Asked Questions for Complainants and Respondents

Addendum A – State Mandated Hearing Addendum¹

Informal Resolution

Key Terms:

- **Complainant** means an individual who is eligible to file a Complaint or report a violation of CSU Executive Order 1096 or CSU Executive Order 1097 (both revised August 14, 2020). It also includes any person who is reported to have experienced a violation of policy in cases where some other person has made a report on that person's behalf. A Complainant may also be referred to as a party to the Complaint.
- **Respondent** means the CSU, a CSU Employee, a Student, or a Third Party who is alleged to have violated CSU Executive Order 1096 or CSU Executive Order 1097.
- **The Parties** means the Complainant and the Respondent collectively.
- **The Title IX Coordinator** is the individual designated by a campus with primary responsibility to monitor, supervise, and oversee all campus-wide implementation of and compliance with Title IX and the associated CSU Executive Orders.²
- **The Hearing Officer** is a neutral, third party who oversees a Title IX hearing.
- **The Hearing Coordinator** is a university administrator who is responsible for coordinating the pre-hearing and hearing processes.
- **A Support Advisor** is an individual chosen by a Party to provide support to that Party during the investigation and hearing processes. The Support Advisor may not answer questions regarding the subject matter of the investigation for the Complainant or the Respondent or speak on behalf of a Complainant or Respondent. However, the Support Advisor may observe and consult with the Complainant or Respondent.

What is Informal Resolution?

An Informal Resolution is an agreement between you and the other Party (Complainant or Respondent) that would resolve a Complaint without a hearing. It could also occur after a hearing, as long as it is before the Hearing Officer makes a final decision. There are a few things to know about Informal Resolution:

- It is a completely voluntary process that can occur at any time up to the point where the Hearing Officer makes a final decision
- Neither the Complainant nor Respondent should feel pressured to agree to an Informal Resolution
- Both Parties and the campus Title IX Coordinator have to agree to the terms of the Informal Resolution before it can become final

¹ The purpose of these FAQs is to provide an overview of Addendum A – State Mandated Hearing Addendum to CSU Executive Orders 1096 and 1097 (effective August 14, 2020) and to answer what are anticipated to be frequently asked questions. **These FAQs do not constitute CSU policy, nor do they purport to represent a comprehensive statement of CSU policy.** Please direct any questions about CSU Title IX-related policy to your campus Title IX Coordinator.

² [CSU Executive Order 1095 \(June 23, 2015\)](#).

- If you would like to pursue Informal Resolution, you can discuss this option with your campus Title IX Coordinator, who will determine if it is appropriate for your case.

Who will oversee the Informal Resolution process?

The Title IX Coordinator will oversee the Informal Resolution process and make the final determination on all Informal Resolutions facilitated by the Title IX Coordinator or their designee regarding whether the terms agreed to by the Parties are appropriate in light of all of the circumstances of the Complaint.

What could an Informal Resolution look like?

This will entirely depend on the circumstances of the Complaint, the allegations involved, and the Parties themselves. The Title IX Coordinator, in consultation with the Student Conduct Administrator must also be satisfied that any proposed terms of an Informal Resolution are appropriate in the circumstances.

An Informal Resolution could include disciplinary sanctions, educational requirements (such as additional training), agreements between the Parties to have no contact with each other, changes in work or housing locations, etc.

Who can provide me advice about Informal Resolution?

The Title IX Coordinator is available to answer questions about the Informal Resolution process and to facilitate that process. However, the Title IX Coordinator cannot advise you about what you should or should not agree to as part of an Informal Resolution.

You may bring a Support Advisor to any meetings regarding Informal Resolution and you are encouraged to discuss any proposals for Informal Resolution with your Support Advisor. You may choose anyone to be your Support Advisor. This could include an attorney, a union representative, a friend or family member, or any other individual of your choice. Your Support Advisor may provide support and consult with you during meetings and interviews but generally cannot speak on your behalf.

If you do not have a Support Advisor, contact the Title IX & DHR Prevention Office and we can connect you with someone that can potentially serve as a Support Advisor.

Do I have to participate in Informal Resolution?

No, the Informal Resolution process is voluntary, and the University may not require the Parties to participate in the process. If you do not wish to participate in the Informal Resolution process, the Complaint will continue to be processed in accordance with the formal investigation and hearing procedures under Addendum A – State Mandated Hearing Addendum.

What happens if I agree to participate in the Informal Resolution process but then I change my mind?

You have the right to withdraw from the Informal Resolution process and resume the formal process at any time prior to a resolution being agreed. If you wish to withdraw from the Informal Resolution process, you should contact the Title IX Coordinator to tell them. If you or the other Party withdraw from the Informal Resolution process, the Formal Complaint will continue to be handled under the Addendum A investigation and hearing processes.

Will the Informal Resolution be in writing?

The terms of any Informal Resolution must be put in writing and signed by the Parties, and the Title IX Coordinator before the Informal Resolution is considered final.

How can I sign the Informal Resolution?

Your Title IX Coordinator will explain how you should sign the Informal Resolution. Use of electronic signatures is permitted.

Is anyone else involved in the Informal Resolution process?

Prior to signing the Informal Resolution, the Title IX Coordinator will consult with the Student Conduct Administrator responsible for the implementation of the terms.

If I agree to a disciplinary sanction as a Respondent, what does that mean?

It is important to understand that any agreed-upon remedies and disciplinary sanctions will have the force and effect of sanctions imposed following a hearing. For example, if you are a student and you agree to a suspension of one year or more as part of an Informal Resolution, there will be a permanent notation placed on your transcript regarding the suspension, in the same way that this would happen if a suspension was imposed following a hearing at which you were found to have violated university policy.

Can I or the other Party still file an appeal after an Informal Resolution?

No, an Informal Resolution will be final and is not appealable by either Party.

What if I change my mind after an Informal Resolution has been finalized – can I file another Complaint?

No, once the Informal Resolution process is finalized neither Party is permitted to file another Complaint arising from the same allegations.

Who can I contact if I have further questions?

Please contact your campus Title IX Coordinator:

Allan Ford

Interim Title IX Coordinator and DHR Prevention Administrator

Email: allan.ford@humboldt.edu

Office: (707) 826-3385 (M-F, 8am-5pm)

Cell: (707) 296-4032 (any time)

<https://titleix.humboldt.edu>