

AGREEMENT-BASED RESOLUTION

The Agreement-Based Resolution process is designed to restore or preserve equal access to the University's education programs or activities without a full investigation and adjudication; and to reach a mutually agreeable resolution to the complaint. An Agreement-Based Resolution may not occur unless a formal complaint is filed. Both Parties can pursue an Agreement-Based Resolution process, and it may be initiated any time prior to deciding on responsibility. Both Parties must agree to participate in the Agreement-Based Resolution process. Both Parties have a right to a Process Advisor through the Agreement-Based Resolution process. The Agreement-Based Resolution process will take up to ten (10) business days. The University may extend an Agreement-Based Resolution process for reasonable circumstances and will provide this information to the Complainant and Respondent in writing.

The Parties will receive a written notice disclosing:

- The allegations,
- The requirements of the Agreement-Based Resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations that at any time prior to agreeing to a resolution, any party has the right to withdraw from the Agreement-Based Resolution process and resume the grievance process with respect to the formal complaint,
- Any consequences resulting from participating in the Agreement-Based Resolution process, including the records that will be maintained or could be shared.

If Parties agree to an Agreement-Based Resolution process, the University must have voluntary, written consent to the Agreement-Based Resolution process via email to the designated University administrator facilitating the resolution.

The Agreement-Based Resolution process may not:

- Require Agreement-Based Resolution participation as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right (i.e. any University sponsored educational program or activity).
- Require a waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.
- Be utilized to resolve allegations that an employee sexually harassed a student.

If alternative efforts are unsuccessful, the formal resolution process may resume or be initiated. Either party has the right to end the alternative resolution process and begin the formal process at any time prior to an agreed-upon resolution. The University reserves the right to determine a situation is not eligible for an Agreement-Based Resolution process and eliminate this process option.