

### **Alternative Resolution Agreement**

Alternative Resolution is a voluntary process within The College of New Jersey's *Title IX Policy* that allows a Respondent in a Title IX investigation process to accept responsibility for their behavior and/or potential harm. By fully participating in this process the Respondent will not be charged with a violation of College *Policy*. The Alternative Resolution process is designed to eliminate the prohibited conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the Reporter while still maintaining the safety of the overall campus community.

The Alternative Resolution process will only be used at the request and agreement of both the Reporter and Respondent and under the direction of the Title IX Office. In order for the Alternative Resolution Process to be appropriate both parties must have an understanding and agree on the necessary elements of the process. The following information was reviewed in your original meeting with the Title IX Office, but please read through the following elements and initial that you understand each of the following:

- \_\_\_\_\_ Participation in this process is voluntary and either the Reporter or Respondent can choose to end the process at any time prior to signing the agreement;
- \_\_\_\_\_ Mediation, even if voluntary, will not be used in cases involving sexual assault;
- \_\_\_\_\_ Both the Reporter and Respondent must participate in individual conference meetings with appropriate staff to learn more about the resolution process prior to participating;
- \_\_\_\_\_ The process can only be used once and will not be considered if requested by a repeat Respondent under the *Title IX Policy*;
- \_\_\_\_\_ The Reporter and Respondent must agree to all recommendations laid out in the formal agreement or the case reverts back to investigation;
- \_\_\_\_\_ Information documented during this process can be subpoenaed if a criminal investigation is initiated;
- \_\_\_\_\_ Participation in this process does not constitute a responsible finding of a policy violation and therefore is not reflected on a student's disciplinary record;
- \_\_\_\_\_ If the Respondent is found responsible for any violations in the future this agreement can be considered during the sanctioning phase of that disciplinary proceeding; and
- \_\_\_\_\_ The Respondent may be charged with *Failure to Comply with a Directive of a College Official* under the *Title IX Policy* for failure to meet the requirements laid out in the agreement.

Based on the information provided by both parties, the College has determined that this is an appropriate matter for the Alternative Resolution Process. The College has reviewed information related to this incident and the proposed resolution actions submitted by the Reporter and has determined that the components outlined are appropriate and reasonable. Appendix A sets forth the actions that are required to be completed to satisfy the Alternative Resolution agreement.

## Appendix A

### **Educational Activity: Consent Workshop**

The Respondent will be required to participate in an individualized three-part workshop (1 hour each - total of 3 hours), hosted by Mr. Zachary Gall, Prevention Education Specialist, focused on Effective Consent (as defined in the *Title IX Policy*), specifically the identification and use of verbal and non-verbal cues to consent. The Respondent should contact Zach Gall directly ([gall4@tcnj.edu](mailto:gall4@tcnj.edu)) to schedule the sessions. Once the workshop sessions are scheduled, the Respondent should notify the Title IX Staff via email of the finalized dates. **The sessions of the workshop must be scheduled (and Title IX Staff notified) by [insert due date] and completed by [insert due date].** This workshop is free of charge and the Title IX Office will receive information regarding the attendance and participation of the Respondent.

### **Educational Activity: Alcohol Education Workshop**

The Respondent will be required to participate in a workshop focused on alcohol education and understanding the impact of consumption levels on a persons' decision-making ability. The Respondent will schedule a meeting with TCNJ's Assistant Director for Alcohol and Drug Education Program (ADEP), Joe Hadge ([hadgej@tcnj.edu](mailto:hadgej@tcnj.edu)), who will facilitate the individualized workshop. **The workshop is free of charge and must be scheduled by [insert due date] and completed by [insert due date].** Once the workshop is scheduled, the Respondent should notify the Title IX Staff of the finalized date.

### **Educational Activity: Neurobiology of Sexual Assault Webinar**

The Respondent will be required to participate in an educational webinar presented by the United States Department of Justice, titled, The Neurobiology of Sexual Assault. This presentation will discuss the research on the neurobiology of trauma and the criminal justice system response to sexual assault, as well as the underlying neurobiology of traumatic events, and its emotional and physical manifestation. The webinar is free of charge and can be accessed through the following link: [Neurobiology of Sexual Assault Webinar](#). **This activity must be completed by [insert due date].**

### **Educational Activity: Summative Meeting with Title IX Staff**

After completion of all educational activities, the Respondent will be required to schedule a follow-up meeting with the Title IX Staff. During this meeting, the Title IX Staff will facilitate a conversation to have the Respondent consider how their behavior may have impacted the Reporter, Respondent, and the community as a whole, and potential consequences that could have ensued if he was charged and found responsible for the *Title IX Policy* violation. Additionally, the educational activities the Respondent participated in will be discussed, including the Respondent's reactions to the completed activities, the overall learning that took place as a result, and the possible impact it has had on the Respondent's understanding of the current situation, as well as future behaviors. The Title IX Staff will also gain feedback about the overall effectiveness of the process. **This meeting must be scheduled by [insert due date] and completed by [insert due date].** A summary of the information discussed during this meeting will be shared with the Reporter.

---

### REPORTER -

By signing below, I indicate that I approve of the Title IX Office moving forward with this contract as is and understand the requirements that must be completed on behalf of the Respondent in this case for the Alternative Resolution Process (as part of the *Title IX Policy*) to be satisfied. By participating in this process, I understand and acknowledge that I am waiving my right to utilize a formal investigation to resolve this matter once both parties (myself & Respondent) have signed this contract. Lastly, I understand and acknowledge that if the Respondent fails to complete the activities set forth above, they may be charged with *Failure to Comply with a Directive of a College Official* under the *Title IX Policy*. I further understand and acknowledge that any sanction listed under the *Title IX Policy* may be imposed upon the Respondent if they are found responsible for *Failure to Comply with a Directive of a College Official*.

---

*Reporter's Printed Name*

---

*Reporter's Signature*

---

*Date*

---

*Title IX Staff Member's Name*

---

*Title IX Staff Member's Signature*

---

*Date*

### RESPONDENT -

By signing below, I indicate that I understand the requirements that must be completed for this Alternative Resolution Process (as part of the *Title IX Policy*) to be satisfied, and I also agree to complete the activities set forth above. I understand and acknowledge that if I fail to complete the activities set forth above, I may be charged with *Failure to Comply with a Directive of a College Official* under the *Title IX Policy*. I further understand and acknowledge that any sanction listed under the *Title IX Policy* may be imposed if I am found responsible for *Failure to Comply with a Directive of a College Official*, and that the findings of that case will be shared with the Reporting student.

---

*Respondent's Printed Name*

---

*Respondent's Signature*

---

*Date*

---

*Title IX Staff Member's Name*

---

*Title IX Staff Member's Signature*

---

*Date*