

DESIGNING AND IMPLEMENTING INFORMAL RESOLUTIONS: KEY CONSIDERATIONS FOR COLLEGES AND UNIVERSITIES

Minnesota Office of Higher Education
May 14, 2026

RK Resolution

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Rachel King, Ph.D.
(she, her)

Restorative Justice
Practitioner

- Title IX
- Bias Incident Response
- Behavioral Intervention
- Student Conduct

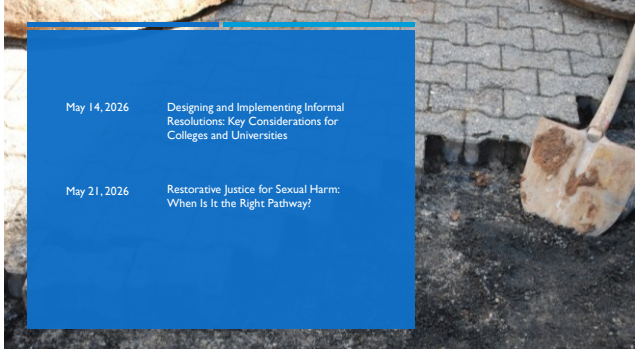
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May 14, 2026 Designing and Implementing Informal
Resolutions: Key Considerations for
Colleges and Universities

May 21, 2026 Restorative Justice for Sexual Harm:
When Is It the Right Pathway?

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AGENDA

Informal Resolution

Restorative Framework

System Considerations

Q & A

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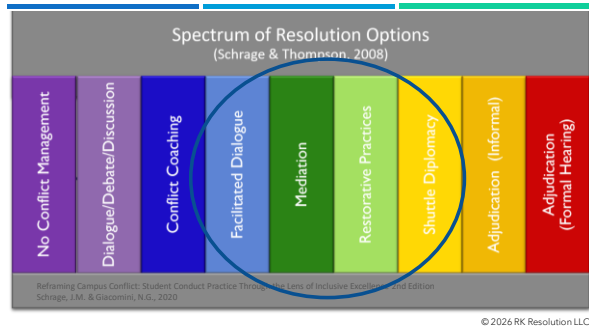
LEARNING OUTCOMES

Appreciate the **varying ways** restorative processes
can be utilized in response to college sexual
misconduct

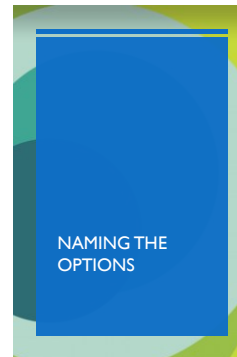
Articulate **key considerations** and **decision-points**
for institutions utilizing a restorative IR process

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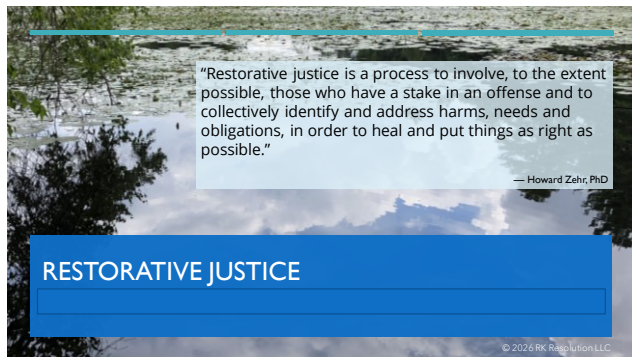


- Informal Resolution
- Alternative Resolution
- Adaptable Resolution
- Restorative Resolution Process

Not all Informal Resolution is
Restorative Justice

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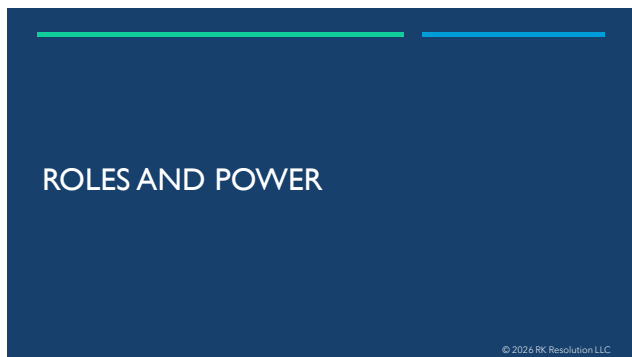


- What is the harm?
- What needs to be done to repair the harm?
- Who is responsible for this repair?

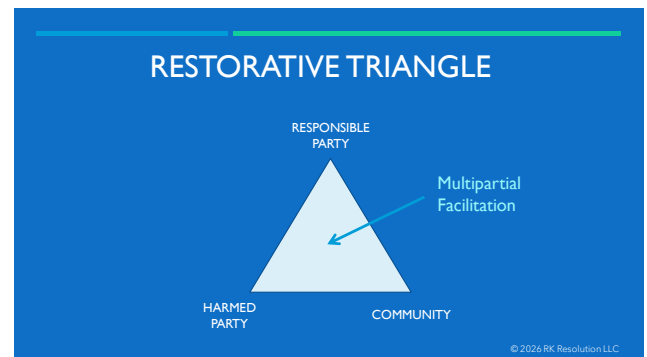
Adapted from H. Zehr

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SYSTEM CONSIDERATIONS & DECISION POINTS

Types of Resolution

Federal and State Laws

Facilitator Selection

Discretion

Policy and Procedures

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SYSTEM CONSIDERATIONS & DECISION POINTS

Notice

Participant Agreements

Participants

Transparency and Confidentiality

Resolution Agreements

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APPROACHES TO "INFORMAL" RESOLUTION

- Direct Communication, Facilitated Dialogue
- Circle processes, Conferencing
- Shuttle Diplomacy, Collaborative Resolution
- Restorative Agreement Creation
- Psychoeducation with Restorative Approach, Workshops
- Reintegration and CoSAs

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FEDERAL AND STATE LAWS

- Title IX
- Clery Act, as amended by VAWA
- State Law
MN 135A.15 -
Campus Sexual Misconduct Policy

- Gatekeeping & Dismissal
- Formal Complaint
- Eligibility for IR
- Notice
- Facilitator options
- Facilitator training
- Written consent
- Record-keeping

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FACILITATOR SELECTION

Training

- Specialized processes or certifications
- Title IX Requirements

Capacity

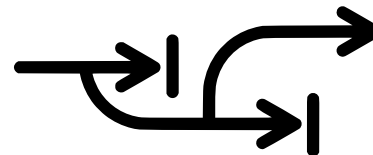
- Time
- Accessibility

Conflicts

- Individual
- Role

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- Who decides?
- When?
 - Categorically
 - Individually
- How?

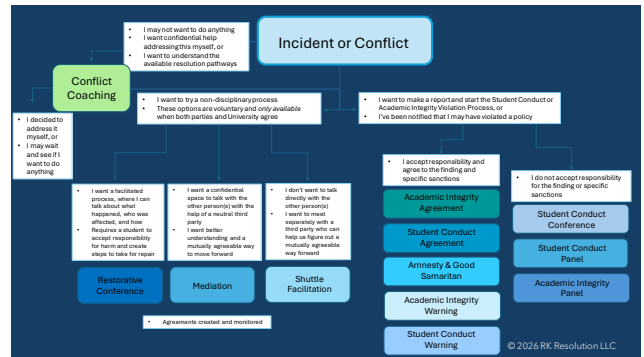
DISCRETION

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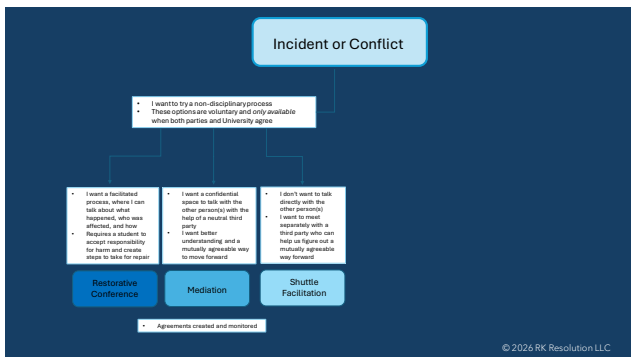
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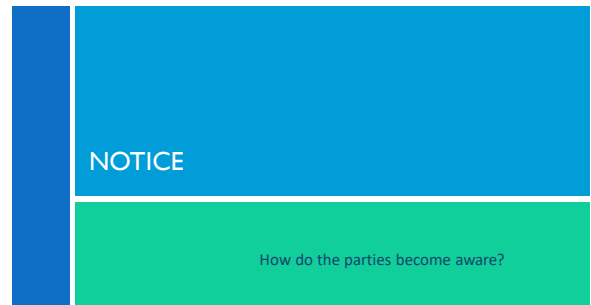
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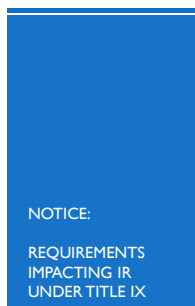
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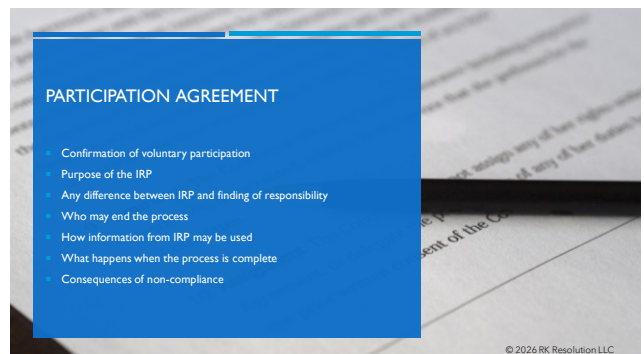
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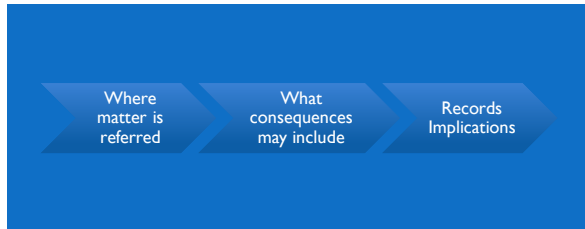
- Allegations
- Requirements of IRP including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations
- Prior to agreeing to resolution, right to withdraw from IRP, resume grievance procedures
- Any consequences resulting from participating in the IRP**, including the records that will be maintained or could be shared

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NON-COMPLIANCE

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PARTICIPANTS

- Transparency and agreement before joint sessions
- Role of support persons
- Role of administrator(s) community representative
- Surrogate conferencing

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- Parameters of confidentiality
 - What aspects of the process will remain confidential?
 - Administratively?
 - Context of criminal or civil process?

TRANSPARENCY & CONFIDENTIALITY

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- Records maintained
 - Notes, Correspondence
 - Disciplinary v. Non-disciplinary
 - Implications for future violations, sanctions?
- Mandatory reporting obligations

TRANSPARENCY & CONFIDENTIALITY

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RESOLUTION AGREEMENTS



Case Information

- Participants
- Date of the agreement
- Purpose



Agreement Items

- Party will...
- Completion requires...
- Due by...



Terms of Agreement

- Voluntary agreement
- Confidentiality
- Record Keeping
- Close of case
- Non-compliance



Confirmation

- Approval
- Verification

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- I think I want to participate...what does this entail?
- What makes a restorative process different from the formal process?
- What does it mean that it's voluntary?
- What if the Respondent is only partially accepting of responsibility?

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- If I want to go forward, what happens next?
- What happens if Respondent *doesn't* want an RJ process?
- What happens if Respondent *does* agree?

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- How long does this typically take?
- What is a resolution agreement?
- What if they don't do what they agree to do?

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QUESTIONS

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Featured Resources



Designing and Implementing Informal Resolutions: Key Considerations for Colleges and Universities



Assessing for Informal Resolution Opportunities in Domestic and Dating Violence, Sexual Assault, and Stalking Cases

victimrights.org/training

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