

Advisors in the Formal Grievance Process for Alleged Violations of the Sexual Misconduct & Sexual Harassment Policy

The Complainant and Respondent may be accompanied by an advisor of their choice in all meetings and interviews at which the Party is entitled to be present, include intake and investigation interviews. Advisors should help their advisees prepare for each meeting, and are expected to advise ethically, with integrity and in good faith.

Who Can Serve as an Advisor

The Complainant and Respondent may select whoever they wish to serve as their Advisor, as long as the Advisor is eligible and available. An Advisor may be a friend, counselor, faculty member, family member, attorney, or any other individual a Party chooses to advise, support, and/or consult with them throughout the Title IX process.

The College cannot guarantee equal advisory rights. Consequently, if one Party selects an Advisor who is an attorney, but the other Party does not or cannot afford an attorney, the College is not obligated to provide an attorney or other Advisor, except at the hearing. The College is not required to provide an attorney as an Advisor at the hearing.

The Advisor's Role

During any interviews or meetings that occur during the FSC Formal Grievance Process, the role of the Advisor is to provide emotional support and private consultation. An Advisor may speak privately to their advisee as necessary and reasonably request breaks during a meeting or interview. Advisors may not present on behalf of their advisee and should only respond to questions from Title IX administrators when directly spoken to.

Under Title IX, Parties are required to have an Advisor present at the live hearing. Advisors must conduct all cross-examination of the other Party and all witnesses in the live hearing, even in the event that the advisee is not present at the live hearing. If a Party does not have an Advisor available to be present at the live hearing, the College will provide the Party with an Advisor of the College's choice in the College's sole discretion, who may or may not be an attorney.

Any Advisor who fails to follow the guidelines established by the College in the grievance process will be provided an oral warning. If the Advisor continues to disrupt or otherwise fails to follow those guidelines, the Advisor will be asked to leave the proceeding. If an Advisor is asked to leave, the meeting, interview, hearing or other proceeding will be suspended until the Party Advisor is reinstated; the Party secures another Advisor to accompany them at that meeting, interview, hearing or proceeding; or the College provides the Party with another Advisor for the hearing.

If an Advisor is asked to leave a proceeding, the Title IX Coordinator will determine whether the Advisor may be reinstated or must be replaced by a different Advisor for the remainder of the grievance process.

Sharing Information & Privacy of Records with an Advisor

The College expects that the Party may wish to have the College share documentation and evidence related to the allegations with the Advisors. The Party may share this information with their

Advisor or other individuals if they wish. Doing so may help the Party participate more meaningfully in the grievance process.

The College considers this document the Party's consent form that authorizes the College to share information directly with their Advisor. The Party must complete this form to demonstrate consent to a release of information to the Advisor before the College is able to share records with an Advisor.

It is assumed that if a Party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties or disclosed publicly. The College may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by these privacy expectations.

By signing below, the Party and the Advisor acknowledge that they have read the above information regarding Advisors, summarized from Section XII. of the Sexual Misconduct and Sexual Harassment Policy.

By signing below, the Party and Advisor indicate they understand the role of the Advisor and agree to abide by the expectations outlined in this document and in the Sexual Misconduct and Sexual Harassment Policy.

By signing below, the Party is providing consent to the College to share documentation and evidence directly with the Advisor, when available, via the email address the Advisor provides below.

Party's Name (Please Print)

Party's Signature

Date

Phone Number

Email

Advisor's Name (Please Print)

Advisor's Signature

Date

Phone Number

Email