

# Roles and Responsibilities of Advisors

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Related Policy: Board of Regents Student Conduct Code

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I, \_\_\_\_\_, am a participant in the University's processes for potential violations of the Board of Regents Student Conduct Code (collectively, response processes). My advisor, \_\_\_\_\_, and I (the advisee) have reviewed the information provided in this form. We understand the information provided in this form and agree to abide by the obligations for advisors and advisees set forth in this form.

- One of the roles of the University's response processes is to determine whether a respondent has violated the Board of Regents Student Conduct Code. In contrast, the corresponding role of criminal processes is to determine whether an accused person has violated criminal laws. As a result of these different roles, the University's response processes differ from criminal investigation and adjudication procedures.
- To protect the integrity of the investigation and adjudication processes, individuals who are witnesses with information about facts material to the underlying case may not serve as advisors.
- During the investigation conducted by the Office of Student Conduct & Conflict Resolution and/or Student Hearing Panel, an advisor's role is to guide their advisee, not to speak for them or play an active role in the process. The advisor may be present for investigatory meetings, but may not actively participate unless the investigator invites them to do so. This means, in part, that it is the advisee who is to provide information to and respond to questions from the investigator, not the advisor. However, the investigator will generally invite the advisor to ask any non-leading follow-up or clarifying questions of the advisee during the latter part of the investigatory meeting.
- Advisors may attend meetings and hearings related to the response processes at the times that they have been scheduled. The University is not obligated to accommodate advisors' schedules or to change scheduled meetings or hearings to accommodate advisors' inability to attend. The University will generally allow advisors to attend meetings and hearings by phone or video conferencing. Complainants and respondents choosing an advisor should consider the ability of potential advisors to attend meetings and/or hearings.
- Contact with the Office of Student Conduct & Conflict Resolution should be through the complainant or respondent. Advisors should not directly contact the Office of Student Conduct & Conflict Resolution on behalf of a complainant or respondent.<sup>2</sup> An advisor who repeatedly contacts the Office of Student Conduct & Conflict Resolution on behalf of a complainant or respondent may not be permitted to attend further meetings with this office.
- Advisors may not contact potential witnesses for the purpose of influencing their testimony or discouraging their participation in the investigation and/or hearing processes.
- Advisors may not engage in conduct that is retaliatory. An advisor's sharing of information about an investigation, or distribution of information obtained in an investigation, may in some cases constitute retaliation.
- Advisors are expected to advise with integrity and in good faith.
- Advisors who disrupt or fail to respect the limits of the advisor role as described in this document will be asked to leave (or not attend) meetings or hearings. In these situations, the meeting or hearing will typically proceed without the advisor present. The Offices of Student Conduct & Conflict Resolution will determine whether the advisor will be permitted to continue to serve as an advisor in the process.

<sup>1</sup> Depending on the circumstances, an advisor may be an attorney, union representative, advocate, support person, or other individual.

- Advisors may be provided otherwise confidential information in the course of the response processes, and agree to maintain the confidentiality of such information and to not disclose such information other than for purposes of the representation of their advisee during the response processes.

**By signing this form, I agree to abide by these terms.**

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Signature of Advisor

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Date

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Signature of Advisee

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Date