



Mini Training Module– SUMMARY

Advisor Basics:

What is an Advisor? - An individual who may be present to provide support throughout an investigation and/or hearing

What may an Advisor do? - Advisors may accompany a Party to any meeting or hearing they are required or eligible to attend, but may not speak for the Party except for the purposes of cross examination

How does scheduling an Advisor work? - Each party is responsible for coordinating and scheduling their choice of Advisor

Can an Advisor be an attorney? - The Advisor may be an attorney when applicable

What if a Party does not have an Advisor? - An Advisor is required for the hearing process, but a Party is not required to have an Advisor at any meetings. The University will appoint an Advisor for the purpose of cross examination

What if a Party does not attend the hearing? - The Party's Advisor may appear and conduct cross examination on the Party's behalf

What if a Party and Advisor does not appear at the hearing? - The University will provide an Advisor to appear for the purpose of cross-examination

Could an Advisor be perceived as bias? - The Advisor is not prohibited from having a conflict of interest or bias in favor or against a Party

Role of an Advisor—1) Support and Resource 2) Cross Examination in a Hearing

Investigation Preparation— 1) Meet with your advisee 2) Read relevant policies 3) Discuss supportive measures 4) Read and review all notices together 5) Be prepared to provide evidence and witness information to the investigator

Overall Process For a Title IX Formal Complaint

- 1) Report (Review and Outreach),
- 2) Intake,
- 3) Notices,
- 4) Investigation,
- 5) Final Report,
- 6) Hearing
- 7) Appeal

Confidentiality vs Privacy— Every effort will be made to protect the privacy interests of all individuals involved

Dissemination of Information by Parties—The Parties and their Advisors may be encouraged not to disseminate the Investigative Report or otherwise copy any of the evidence



The Notice of Hearing will contain:

- 1) A description of alleged violations list,
- 2) The date, time, and location of the hearing,
- 3) Information about the option for the hearing to occur with the parties in separate rooms using technology,
- 4) Information about how the hearing will be recorded, and how to access the recording,
- 5) A copy of the rules of decorum,
- 6) A list of Decision Maker(s) who will attend,
- 7) A statement that if any Party or Witness does not appear, the hearing may be held in their absence,
- 8) Notification that parties may have an Advisor of choice, and will be required to have one present,
- 9) A copy of all the materials provided to the Decision Maker(s)
- 10) Information on who to contact to arrange any special accommodations,
- 11) For compelling reasons, the Formal Hearing Officer may reschedule the hearing.

Rules of Decorum

- 1) Hearings provided by Title IX regulations are primarily educational in nature
- 2) Title IX regulations are designed to prohibit any individual from questioning witnesses in an abusive, disrespectful, or intimidating manner
- 3) To achieve this, the University will apply reasonable rules of order and decorum
- 4) The Rules of Decorum require that all parties, advisors of choice, and university staff treat others who are engaged in the process with respect
- 5) The Rules of Decorum apply equally to any Party
- 6) The Rules of Decorum may be enforced through the removal of an Advisor who refuses to comply
- 7) The specific Rules of Decorum are provided as part of the hearing notice

Important Note: Do not ask repetitive, intimidating, demeaning, etc.. questions!