

FAQ: ADVISOR

Q: WHAT IS AN ADVISOR?

An advisor is a person who can assist and advise the Complainant or Respondent and may accompany them to any meeting, interview, or other proceeding related to the Title IX or Equal Opportunity investigation. Some examples of how an advisor may assist a Complainant or Respondent include helping explain the investigation process, preparing the Complainant or Respondent for interviews or meetings, accompanying the Complainant or Respondent to interviews or meetings, helping the Complainant or Respondent gather relevant documents or other evidence, and assisting the Complainant or Respondent with decisions about how they want to participate in the investigation, and guiding them through any appeal or conduct process.

Q: WHO CAN HAVE AN ADVISOR?

A Complainant and Respondent may each have one (1) advisor. No one is required to have an advisor in the investigative process. However, the Title IX & Equal Opportunity process can be stressful and challenging and seeking the assistance of an advisor can be very helpful.

Q: WHO CAN SERVE AS AN ADVISOR?

The University does not select or assign advisors. A Complainant or Respondent may be supported by an advisor of their choosing, however, advisors may not:

- be witnesses;
- present information on behalf of any person;
- submit documents on behalf of any person;
- discuss any matter directly with University administrators or Investigator(s) in the absence of the supported person;
- represent any person or position; or
- otherwise actively participate in any proceeding

An advisor can also be a licensed attorney. Attorneys are subject to the same requirements and limitations as all other advisors.

Q: IF AN ADVISOR ACCOMPANIES A COMPLAINANT OR RESPONDENT, WHAT IS THEIR ROLE?

Advisors are silent participants during interviews or meetings. This means that advisors cannot speak on behalf of a Complainant or Respondent, make their own statements, advocate on behalf of the Complainant or Respondent, or act in a way that is disruptive or contrary to the Title IX & Equal Opportunity Procedures. Advisors cannot attend interviews or meetings in the absence of the Complainant or Respondent they are advising. To facilitate an advisor's role, a Complainant or Respondent may request a short break during an interview or meeting to talk with their advisor in private to seek guidance.

Q: CAN I CONTACT THE INVESTIGATOR(S) DIRECTLY, CAN THE INVESTIGATOR CONTACT ME DIRECTLY?

Advisors should only contact the Investigator(s) in the presence of the supported person. Attorneys who are acting as an Advisor to a Complainant or Respondent should contact the University's [Office of General Counsel](#) rather than directly interacting with the Investigator(s). The Investigators communicate directly with the Complainant or Respondent. Because an advisor's relationship may change through the course of an investigation, the Complainant or Respondent may switch advisors, or a Complainant or Respondent may no longer be working with a previous advisor, investigators do not copy advisors on communications with the Complainant or Respondent. It is the Complainant's or Respondent's responsibility share communications with the advisor of their choice.

Q: I HAVE BEEN ASKED TO BE AN ADVISOR, WHERE CAN I LEARN ABOUT THE UNIVERSITY'S POLICIES AND PROCEDURES?

To effectively advise, advisors are encouraged to become familiar with the University's policies and procedures which may affect the Complainant or Respondent. The Title IX Coordinator and Director of Equal Opportunity are available to provide general information about the process.

Some helpful links to the University's policies and procedures may be found here:

Title IX & Equal Opportunity Procedures:

https://www.du.edu/equalopportunity/policies_procedures/

Student Rights and Responsibilities Procedures:

<https://www.du.edu/studentlife/studentconduct/policies/>

Employee Handbook:

<https://www.du.edu/human-resources/employee-support/employee-handbook.html>

Policies and Procedures Relating to Faculty Appointment, Promotion & Tenure:

<https://www.du.edu/provost/faculty-resources/>

FERPA at DU:

<https://www.du.edu/registrar/privacy/ferpafaq.html>