

THE ROLE OF AN ADVISOR

Complainants, Respondents, and Witnesses involved in a grievance process of an allegation under **ETH-153 Title IX Sexual Harassment** may have an advisor of choice accompany them to any meetings and grievance proceedings. The accompanying person to the participant in the grievance process is the Advisor.

As an advisor, please note the following:

- One advisor may accompany a complainant, respondent, or witness to a meeting or grievance proceeding.
- An advisor may be a friend, parent, family member, attorney, or another person of the participant's choice. The participant may choose to change their advisor at any time in the process.
- An advisor may inspect and review all evidence gathered related to the allegations and obtained in the course of the investigation in accordance with ETH-154 Sexual Harassment and Sexual Misconduct or ETH-153 Title IX Sexual Harassment
- An advisor cannot also be witness or participant in the same grievance process.
- An advisor may be dismissed from a meeting or grievance proceeding due to disruptive behavior or violations of decorum.
- A complainant and respondent advisor is not permitted to actively participate in any meeting or grievance proceeding, except in a hearing under the grievance process in ETH-153 Title IX Sexual Harassment for the purpose of asking questions of the other party and any other witnesses participating in the hearing. If the hearing takes place under ETH-153 Title IX Sexual Harassment, the advisor may advise only and is not permitted to ask questions of witnesses.
- If a complainant or respondent does not have an advisor of choice for a hearing under the grievance process in ETH-153 Title IX Sexual Harassment, the University will provide one for that party.
- For matters governed by ETH-153 Title IX Sexual Harassment, the complainant and respondent may each request the university to provide an advisor.
- For purposes of mandatory reporting of incidents of Sexual Misconduct, an advisor provided to a student by the University is designated as confidential by the University when the advisor learns about a potential incident of Sexual Misconduct while serving in the role of an advisor.

Questioning of Participants at the Hearing under **ETH-153 Title IX Sexual Harassment**

If the hearing is governed by *ETH-153 Title IX Sexual Harassment*, the complainant and respondent advisor will have an opportunity to ask relevant questions and follow-up questions of the other party and of any witnesses that participate in the hearing, including questions that challenge credibility. Each advisor has the ability to ask questions directly, orally, and in real time at the hearing. The complainant and respondent will not be permitted to personally ask questions of the other party or any witnesses that participate in the hearing.

The advisors may ask questions under the following procedure:

- The advisor will ask a question of the applicable participant.
- Before the participant answers a question, the hearing officer will rule as to whether the advisor's question is relevant to the alleged conduct charges.
- If the hearing officer rules the advisor's question as not relevant, then the hearing officer must explain any decision to exclude a question as not relevant. If the hearing officer allows the question as relevant, the participant will answer it.

Prior Sexual History:

A complainant's sexual predisposition or prior sexual behavior are not relevant except where questions and evidence about a complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the alleged conduct charged by the complainant or if the questions or evidence concern specific incidents of the complainant's prior sexual behavior with the respondent and are offered to prove the complainant's consent of the alleged conduct.

Information Release for Advisors of Choice:

The complainant, respondent, or witness will need to sign an *Authorization and Release* for the advisor of choice to be present at any meeting or grievance proceeding or to have access to evidence gathered related to the allegations and obtained in the course of the investigation. A Release is a participant's voluntary written consent to a confidentiality waiver to account for information disclosures during a meeting or grievance proceeding that otherwise would be prohibited by the University official. The participant may revoke the Release in writing at any time, if they no longer wish for the person to serve as an advisor or allow the person to have access to information pertaining to the grievance proceeding.

FOR QUESTIONS

about the Grievance Process in ETH-153, please contact:

The Office of Institutional Equity & Access

(214) 648-4343

TitleIX@UTSouthwestern.edu

Paul M. Bass Building | 11th Floor, Suite 306