



## ROLE OF ADVISER AND AFFIRMATION

Case No: \_\_\_\_\_

VCU is committed to maintaining a safe and non-discriminatory learning, living, and working environment for all members of the university community. To affirm this commitment, the university has developed two policies that address sexual harassment and sex-based misconduct: 1) the [Title IX Sexual Harassment Policy - Interim](#) and; 2) the [Sex-Based Misconduct Policy - Interim](#).

The following information provides a short summary of the role of an adviser. Parties may have an adviser during the investigation, adjudication, and appeal procedures set forth in VCU's [Title IX Sexual Harassment Policy - Interim](#) and [Sex-Based Misconduct Policy - Interim](#). If you or your adviser have any questions regarding the information provided in this document, staff from Equity and Access Services ("EAS") can assist.

### **Role of the Adviser**

1. The complainant and respondent have the right to be accompanied by an adviser of their choice to all meetings. This includes interviews and hearings that are part of an investigation, adjudication, and appeal process.
2. An adviser of choice may include a friend, mentor, family member, attorney, or any other individual a party chooses. The adviser may be an attorney but is not required to be.
3. Except for conducting cross-examination for matters under the [Title IX Sexual Harassment Policy - Interim](#), an adviser may not advocate for a party like an attorney would in court. In other words, the adviser does not serve as an advocate or representative of a party and may not be actively involved in the proceedings.
4. An adviser can assist a party by taking notes, providing emotional support and reassurance, organizing documentation, or consulting directly with a party in a way that does not disrupt or delay the process.
5. The adviser may actively participate in a hearing **only** for matters under the [Title IX Sexual Harassment Policy - Interim](#) and **only** during cross-examination of the other party and witnesses.
6. A complainant or respondent may use a different adviser at various stages in the process.
7. An adviser must keep private the information shared during meetings and throughout the grievance process to the extent required by applicable law and/or ethical duties as counsel.

8. An adviser whose presence is abusive, disruptive or improperly interfering with the meeting or proceeding will be required to leave. Additionally, the adviser may be prohibited from participating in future meetings/proceedings. These decisions are at the sole discretion of the university official conducting the meeting or proceeding.
9. Retaliation is prohibited against any individuals filing a complaint of sexual harassment or participating or declining to participate in the grievance process related to a complaint. As an adviser, you are protected by and subject to this retaliation prohibition. You may not retaliate against any person participating or declining to participate in this process. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct. In addition, the exercise of rights protected under the First Amendment does not constitute retaliation. If you feel you have been retaliated against for your participation, please contact the Title IX Coordinator.