



## INDIANA STATE UNIVERSITY

### The Role of an Advisor in the Policy 923 Investigation Process

*The following information is provided to clarify the role of an advisor in the Policy 923 investigation process. The role of the advisor in a Policy 923 hearing is governed by the Policy 923 Hearing Protocols.*

#### An Investigation is a University Administrative Process.

An investigation is part of the administrative process the University uses to determine whether [Policy 923 Non-Discrimination and Anti-Harassment](#) has been violated. The investigation is not a legal proceeding, and as a result, a Policy 923 investigation does not result in a determination of guilt or innocence relative to any local, state, or federal law.

#### Role of an Advisor.

Individuals bringing forward allegations (“Complainants”) and individuals responding to allegations (“Respondents”) who participate in a Policy 923 investigation process, have the right to select one individual of their choosing to serve as their advisor throughout the process. The Complainant and the Respondent may identify an individual they want to assist them with navigating and understanding the investigation process. This assistance may include support during each portion of the investigation process and attendance at any meeting or interview that is associated with the investigation process. A party may elect to change advisors during the process and is not committed to using the same advisor throughout.

The investigator is charged with gathering information (fact gathering). To fulfill their investigation responsibilities and to protect the integrity of the investigation for both the Complainant and Respondent, the investigator is interested in obtaining information directly from the Complainant and Respondent. Both the Complainant and the Respondent will be provided equal opportunities to respond to information directly, without impediment or undue interference. As a result, the role of an advisor in an investigation interview or review of or response to information gathered during the investigation is limited. The investigator may restrict the role of any advisor who does not respect the investigation process or who fails to abide by the [Policy 923 Investigation Procedures](#).

#### An Advisor May...

- Accompany a Complainant or Respondent to any administrative meeting or conversation related to an investigation, including interviews with the investigator.
- Assist a Complainant or Respondent in understanding and navigating the investigation process.
- Seek clarification regarding the investigation process.
- Ask procedural or process questions.
- Support the Complainant or Respondent during the process.

#### An Advisor May Not...

- Speak or act on behalf of a Complainant or Respondent, including answering questions for or on behalf of a Complainant or Respondent or responding to communications from the investigator.
- Stand in for or represent a Complainant or Respondent.
- Disseminate by any medium or form any information shared or learned throughout the investigation process with anyone other than the Complainant or Respondent for whom they serve as an advisor, the investigator, or the Director of Equal Opportunity/Title IX Coordinator.



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- Act as or represent themselves or another as an investigator for the Policy 923 process during the investigation process.
- Contact the other party participating in the investigation process.
- Impede the investigation process or act in a manner that obstructs the investigator or disrupts the investigation process.

### Communication Protocols.

The University issued email address is the official communication mechanism for students and employees. The University's communication protocol with the Complainant or Respondent does not permit going through a representative or other intermediary because of the importance of direct communication with the Complainant or Respondent during the investigative process as described above. An advisor may be copied on any correspondence or communication related to the investigation process at the direction of the Complainant or Respondent.

### An Effective Advisor.

In order to provide accurate information, appropriate assistance and support, it is recommended that advisors understand the University investigation process and their role within that process. Advisors are encouraged to review University Policy 923 and accompanying investigative procedures. Advisors are encouraged to direct questions about the Policy 923 investigation process to the investigator or Director of Equal Opportunity/Title IX Coordinator.

### FERPA Waivers.

Students who participate in the investigation process with an advisor must complete a Family Education Rights and Privacy Act (FERPA) waiver prior to participating in the interview process with an Advisor.

### Questions and Clarification.

If you have any questions or would like additional clarification regarding the investigation process, please contact the Director of Equal Opportunity/Title IX Coordinator at (812) 237-8954 or email [isu-equalopportunity-titleix@indstate.edu](mailto:isu-equalopportunity-titleix@indstate.edu).

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