

RIGHT TO ADVISOR

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process, if they so choose. The parties may select whoever they wish to serve as their Advisor as long as the Advisor is available.

Choosing an Advisor who is also a witness in the process may create potential for bias and conflict-of-interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s).

The University cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the University is not obligated to provide an attorney. Similarly, if a party's advisor fails to abide by the expectations set forth in this Policy, Tiffin University may require the party to identify a different advisor.

WHO CAN SERVE AS AN ADVISOR?

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the University community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from the University, the Advisor will be trained by the University and be familiar with the resolution process.

If the parties choose an Advisor from outside the Title IX & Civil Rights Resolution Team, the Advisor may not have been trained by the University and may not be familiar with University policies and procedures.

HOW TO REQUEST A TRAINED ADVISOR

Any party may request a trained Advisor by contacting the Title IX Coordinator and/or Deputy Title IX Coordinator:

Tangi Ritchie, Title IX Coordinator
RitchieT@tiffin.edu

Kelsey Kuzma, Deputy Title IX Coordinator
KuzmaK@tiffin.edu

Jamie Lodermeier-Fay, Deputy Title IX Coordinator
LodermeierfayJL@tiffin.edu

Upon receiving notice that a party would like to be assigned a trained Advisor, the University will appoint a trained Advisor as promptly as circumstances permit. If a party does not have an Advisor for a hearing, the University will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

For Questions Regarding the Role of Advisors, email:
OfficeofTIXCR@tiffin.edu

TITLE IX FORMAL GRIEVANCE PROCESS:

ROLE OF ADVISORS



ADVISOR ROLE

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

While the advisor generally may not speak on behalf of their advisee, the advisor may consult with their advisee, either privately as needed, or quietly by-passing notes during any resolution process meeting or interview, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks to step out of meetings to allow for private consultation.

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, the University will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, the University will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Questioning of the parties and witnesses may also be conducted by the Decision-maker(s) during the hearing.

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and policies and procedures of the University.

ADVISOR EXPECTATIONS

Tiffin University generally expects an Advisor to adjust their schedule to allow them to attend University meetings when planned but the University may change scheduled meetings to accommodate the Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Tiffin University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient, reliable, and available.

EXPECTATIONS OF THE PARTIES WITH RESPECT TO ADVISORS

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

PRIVACY OF RECORDS SHARED WITH THE ADVISOR

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by University. Tiffin University may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the privacy expectations of the University.

***View the Full Title IX & Civil Rights Policy at:
tiffin.edu/about/title-ix-and-civil-rights/***

ADVISOR VIOLATIONS OF UNIVERSITY POLICY

All Advisors are subject to the same University policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address University officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross-examination.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's noncompliance and future role.

SHARING INFORMATION

Tiffin University expects that the parties may wish to have the University share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

Tiffin University also provides a consent form that authorizes the University to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before University is able to share records with an Advisor.

If a party requests that all communication be made only through their Advisor, the University will not comply with that request as it leaves the party uninformed and pose as a challenge if the party changes Advisors during the process.