

### Advisor Designation & Authorization for Release of Information

Party's Information		
Name:	Personal Pronouns:	Role in resolution process:
Phone:	Email:	<input type="checkbox"/> Reporter
Current Role at TCNJ:		<input type="checkbox"/> Respondent
<input type="checkbox"/> Student PAWS ID: _____ <input type="checkbox"/> Faculty <input type="checkbox"/> Staff <input type="checkbox"/> Other _____		

Advisor's Information		
Name:	Phone:	Is the Advisor an attorney?
Email:	Relationship to party:	<input type="checkbox"/> No
		<input type="checkbox"/> Yes (see below)

*If yes* – Name of associated law firm/company/organization: \_\_\_\_\_

This release extends to the other attorneys in their practice, if necessary, to proceed with the College process in a timely manner unless otherwise noted. Advisor may communicate directly with TCNJ's Deputy General Counsel, Michael Canavan, Esq. at [canavanm@tcnj.edu](mailto:canavanm@tcnj.edu) or (609) 771-2426.

**Family Educational Rights and Privacy Act (FERPA).** The 1974 Family Educational Rights and Privacy Act is a federal law (20 U.S.C. 1232g) that protects the privacy of a student's education records. FERPA applies to all educational institutions receiving funds from the U.S. Department of Education, from kindergarten through higher education. Under FERPA, the Office of Title IX & Sexual Misconduct may not share the contents of a student's file with anyone other than the student unless the student provides written consent to do so, or under a recognized exception. Exceptions to FERPA include, but are not limited to, a health or safety emergency or an educational need to know.

**Role of the Advisor.** In compliance with federal law, the [Sexual Harassment, Misconduct, & Discrimination Policy](#) (hereinafter referred to as '*Policy*') affords Reporters and Respondents involved in the College's resolution process the right to an Advisor of their choice. An "Advisor" is a person who may be present throughout any meetings, investigation preparations, hearing proceedings, and/or any appeal process to provide support and/or assistance to an individual. Individuals may be accompanied by one Advisor of their choice. The Advisor may be any person of the individual's choosing, and may, but is not required to be an attorney. If an Advisor is also an attorney, the Advisor is limited to the supportive and non-participatory role of a non-attorney Advisor. Except where explicitly stated by this Policy, as consistent with the Title IX Final Rule, Advisors of choice shall not participate directly in any process or represent any person involved; nor can an Advisor speak, write, or otherwise communicate with an Investigator, conduct administrator, Hearing Administrator, or appeal officer on behalf of the individual they are advising as per standard policy and practice of TCNJ. Advisors may not engage in behavior or advocacy that harasses, abuses, or intimidates either the Reporting or Responding party, a witness, or individuals involved in resolving the complaint. Advisors who do not abide by these guidelines and/or create undue delay(s) of the process due to their involvement may be excluded from the process. The College's obligations to investigate and adjudicate in a prompt timeframe

under Title IX and other college policies apply to matters governed under this [Policy](#), and the College cannot agree to extensive delays solely to accommodate the schedule of an Advisor of choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. The College will not be obligated to delay a meeting or hearing under this process more than five (5) days due to the unavailability of an Advisor of choice, and may offer the party the opportunity to obtain a different Advisor or utilize one provided by the College. As such, it is the responsibility of the individual party to coordinate scheduling with their Advisor for any meetings and/or proceedings.

**Scope of Authorization for Release of Information.** This authorization for release of information permits The College of New Jersey to communicate with the designated Advisor regarding the investigation and resolution of reported sex or gender-based discrimination, violence, or harassment, including relevant prior conduct/disciplinary history, involving the party identified on this form. It is preferred that all communication also include the party; however, a College representative may communicate with an Advisor individually with permission from the party.

### **Party Responsibilities and Consent for Disclosure**

I understand that:

- I have the right to an Advisor of my choice to accompany and advise me throughout the reporting and/or resolution process, including any meetings, investigation preparations, hearing proceedings, and/or any appeal processes to which I'm required or are eligible to attend;
- my Advisor may be, but is not required to be, an attorney, and any cost associated with the participation of an attorney Advisor on my behalf is solely my responsibility;
- except for the purposes of conducting cross-examination during a Formal Administrative Hearing (if applicable) or where explicitly authorized by a College representative or stated in [Policy](#), Advisors shall not participate directly in the process, speak/communicate on any party's behalf (including my own) (and I should not assume such authorization will be given) or otherwise participate in or in any manner that would delay, disrupt, or interfere with meetings and/or proceedings;
- only one Advisor may be present during any particular meeting or proceeding that is part of this process;
- I may change Advisors during the process, and that to do so I must submit a new Advisor Designation form to the staff member within the Office of Title IX & Sexual Misconduct who has been assigned to my case;
- if I select an Advisor that was not provided by the College, that individual may not have received training surrounding the College's resolution process;
- it is my responsibility to share information regarding all aspects of the College resolution process and the role of the Advisor with my Advisor;
- if my Advisor does not adhere to their defined role, they may be removed from any meetings or hearings by College staff;
- I may revoke this consent, in writing, at any time, except to the extent that action has already been taken upon this release;
- I may not be notified when an inquiry is made or when information is released to the individual(s) listed under the Advisor Information section of this form;
- per the Title IX Final Rule, if a Formal Grievance Process is utilized, my Advisor will receive access to the investigation report and all evidence directly related to the allegations unless I explicitly state otherwise; and
- this release will be considered valid and effective throughout the entire College resolution process, unless I revoke my consent to release information or designate another Advisor.

I hereby designate \_\_\_\_\_ to serve as my Advisor in the College resolution process being carried out by TCNJ's Office of Title IX & Sexual Misconduct.

I  do  do not (check one) request that the College Administrator(s) copy my Advisor on communications.

- I understand that while the College Administrator(s) will make reasonable efforts to copy my Advisor, if such is indicated above, it is my responsibility to make sure my Advisor receives copies of communications and to keep my Advisor informed about my case.

By signing below, I acknowledge that I understand all aspects described above and I am voluntarily providing consent to TCNJ's Office of Title IX & Sexual Misconduct to disclose documents and information related to this matter to the individual listed in the Advisor Information section of this form. This consent shall be valid for one (1) calendar year from the date below, unless I revoke consent, in writing prior to the expiration date.

\_\_\_\_\_  
*Party's Printed Name*

\_\_\_\_\_  
*Party's Signature*

\_\_\_\_\_  
*Date*

[END OF DOCUMENT]