

GUIDELINES FOR STUDENT'S ADVISOR

Residential Life Conduct Process

The Residential Life conduct process has been established to respond to incidents involving inappropriate behavior within our community. This process provides educational opportunities that encourage students to evaluate their own actions, consider their own decision making, and acquire new skills to improve their choices in the future.

A resident involved as a principal party in the conduct process is permitted to have an advisor of his/her choice present for assistance. In addition to a completed Residential Life Confidentiality Waiver, the following rules apply to such advisors:

1. In all meetings, hearing, interactions, whether or not an advisor is present, the primary conversation shall be with the resident. The resident is expected to speak on his/her own behalf. The advisor's role is intended to facilitate the student in doing so, and not as representation of the resident.
2. The advisor's role is to **consult** with the resident. This may include taking notes for the resident, conferring with the resident in ways which will not disrupt the progress of the conduct process, assisting the resident in keeping documentation organized, and generally ensuring that the resident presents all pertinent facts. **The advisor should not expect to represent the student during the conduct process.** In advance, the advisor may provide valuable assistance by helping the resident prepare and clarify what he/she wishes to say, establish what information is important, identify questions he/she may wish to ask, and anticipate questions to which he/she may be asked to respond during the process.
3. Advisors and witnesses play distinctly different roles in the conduct process. Therefore, a witness should not expect to serve as an advisor or vice versa.
4. Advisors are cautioned that their participation in the conduct process in a manner that inhibits the student's direct interaction with the adjudicating staff member or hearing board, may be detrimental to the student's case and may result in the advisor's exclusion from the review. While it is not encouraged, the advisor may be permitted to make a brief statement at the discretion of the adjudicating staff member or hearing board.
5. The resident's advisor may be a licensed or practicing attorney. When the resident chooses to utilize a licensed attorney, it is the resident's responsibility to notify the adjudicating staff member or the Residential Life Assistant Director of Student Conduct and Community Standards at least three (3) business days prior to the scheduled meeting. When the advisor is an attorney, the university may also have an attorney present.

If the resident's advisor is a practicing attorney, they must respect that the review is not a court of law but an educational process. It does not follow the formal rules of evidence and procedure attorneys may encounter in other conduct forums. The educational context and purpose of this process require that an attorney play a different and more limited role than in the courtroom.