



Sex or Gender-based Discrimination, Violence, or Harassment Investigation and Resolution Advisor Designation and FERPA of Information Form

Contact Information

Name: _____ [Institution ID]: _____

E-mail: _____ Phone: _____

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, including El Paso Community College. Under FERPA, the Title IX Coordinator for Students, 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 FDDA – 1 affords Complainants and Respondents involved in the El Paso Community College Title IX complaint process the right to an Advisor of their choice. The term Advisor refers to any individual selected by a Complainant or Respondent to provide advice and/or support for that individual during a sex or gender-based discrimination, violence, or harassment investigation, informal resolution, or formal hearing process. In the event of a formal hearing, the Advisor will also be responsible for conducting cross-examination on behalf of their advisee.

Except for cross-examination during a formal hearing, all El Paso Community College students are expected to communicate for themselves throughout any El Paso Community College investigation and resolution process. Therefore, except in the cross-examination context, an Advisor may not communicate for a student or address any other individual during a sex or gender-based discrimination, violence, or harassment investigation, informal resolution, or formal hearing process without authorization from the appropriate El Paso Community College authority. A student may consult with their designated Advisor, verbally or in writing, at any time during a sex or gender-based discrimination, violence, or harassment investigation, informal resolution, or formal hearing process, subject to applicable procedural rules and decorum expectations. If the El Paso Community College representative determines that an Advisor's presence is causing a disruption, the Advisor will be given a verbal warning. If the Advisor continues to cause a disruption after a verbal warning has been given, the Advisor will be asked to leave the meeting.

[Students are limited to one (1) designated advisor of record.]

Advisor Information

Name: _____ Relationship: _____

E-mail: _____

Phone: _____

If the individual designated as an Advisor is an attorney, this release extends to the other attorneys in their practice, if necessary, to proceed with the El Paso Community College process in a timely manner unless otherwise noted.

Advisor Scheduling Contact

If designated below, an Advisor may identify an individual that can speak on their behalf for the purpose of scheduling appointments with the relevant El Paso Community College representative; however, this individual may not speak on behalf of the student representative.

Name: _____

Relationship: _____

E-mail: _____

Phone: _____

Scope of Release

This release of information permits the El Paso Community College 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 history, involving the student identified on this form. It is preferred that all communication also include the student; however, a El Paso Community College representative may communicate with an Advisor individually with permission from the student.

Student Responsibilities and Consent for Disclosure

I understand that:

- if I select an Advisor that was not provided by the El Paso Community College, that individual may not be trained in the sex or gender-based discrimination, violence, or harassment investigation, informal resolution, or formal hearing process;
- it is my responsibility to share information regarding the sex or gender-based discrimination, violence, or harassment investigation, informal resolution, or formal hearing process and the role of the Advisor with my Advisor;
- except for conducting cross-examination during a formal hearing, my Advisor cannot communicate for me unless authorized to do so by a El Paso Community College representative, and I should not assume that such authorization will be given;
- if my Advisor does not adhere to their defined role, the Advisor may be removed from any meetings or hearings with El Paso Community 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 will not be contacted after an inquiry is made or information is released to the individual(s) listed under the Advisor Information section of this form; and
- this release will be considered valid and effective throughout the entire sex or gender-based discrimination, violence, or harassment investigation, informal resolution, and/or formal hearing process, if applicable, unless I revoke my consent to release information or designate another Advisor.

By signing below, I am voluntarily giving my consent to the El Paso Community College Title IX Coordinator for Students, to disclose the information indicated above 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.

Signature _____ Date _____