

GUIDELINES FOR STUDENT'S ADVISOR Administrative Review

A student involved as a principal party in a disciplinary review is permitted to have an advisor of his/her choice present for assistance. The following rules apply to such advisors:

1. In all reviews, whether or not an advisor is present, the primary conversation shall be with the student. The student 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 student.
2. The advisor's role is to **consult** with the student. This may include taking notes for the student, conferring with the student in ways which will not disrupt the progress of the review, assisting the student in keeping documentation organized, and generally ensuring that the student presents all pertinent facts. **The advisor should not expect to represent the student during the review.** Prior to the review the advisor may provide valuable assistance by helping the student 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 review.
3. Advisors and witnesses play distinctly different roles in the review process. Therefore, **a witness should not expect to serve as an advisor or vice versa.** Witness testimony will not be accepted from an advisor who has been present during other interviews as this is contrary to the text and principle of Student Conduct Code §12.50K.
4. Advisors are cautioned that their participation in the review in a manner that inhibits the student's direct interaction with the judicial officer 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 review at the discretion of the judicial officer.
5. The student's advisor may be a licensed or practicing attorney only in cases where criminal charges are pending. When the student chooses to utilize a licensed attorney, it is the student's responsibility to notify the Office of Student Judicial Affairs and Community Standards at least three business days prior to the scheduled review. When the advisor is an attorney, the University may also have an attorney present.

If the student'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 judicial forums. The educational context and purpose of this proceeding require that an attorney play a different and more limited role than in the courtroom.

NOTE: These guidelines supersede information provided in *SCampus* §12.50H, which applies only to University Review Panel.

