ADVOCATES AND ADVISERS  
Part 2 of a two part series

Tip of the Week authored by Saundra K. Schuster, Esq., ATIXA Advisory Board Member

As a follow-up to last week’s Tip of the Week on Sexual Assault Advocates and victims’ grievance process advisers, we turn to another frequently asked question, “If we provide sexual assault advocates and advisers for a complainant, must we do the same for the accused individual in order to honor the concept of equity?”

The answer is no, institutions are not under an obligation to provide advisers for both parties. However, in the spirit of equity, we encourage institutions to train a group of potential advisers who can be used by both complainant and respondent. Institutions who desire to provide advisory support to parties in a sexual misconduct matter should ensure that those advisers are thoroughly trained.

A student’s adviser during the grievance process needs to provide the most knowledgeable and comprehensive information to the individual they are advising. Accordingly, sexual misconduct advisers should be thoroughly trained in all relevant institutional policies and procedures, the grievance process and the adjudication and appeal processes. Training content for advisers should reflect the categories delineated in the column “Level A” within the ATIXA Title IX/SaVE Act Prevention & Training Checklist. We would further encourage institutions to train sexual assault advocates in accordance with, at a minimum, Level B content, though Level A would give them a slightly more comprehensive understanding of the institutional policies and procedures.