

**Sex or Gender-based Discrimination, Violence, or Harassment Investigation and Resolution
Advisor Designation and FERPA Release 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, from kindergarten through higher education. Under FERPA, the office of Equity, Access and Inclusion 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 APSU Policy 6:001: Equal Opportunity, Harassment, and Discrimination Policy for all Faculty, Students, Staff, Applicants and Third Parties affords Complainants and Respondents involved in the office of Equity, Access and Inclusion 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, all Austin Peay State University faculty, students, and staff are expected to communicate for themselves throughout any office of Equity, Access and Inclusion investigation and resolution process. [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 [College/University] 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. Such consultation must take place in a manner that does not disrupt the meeting. If the office of Equity, Access and Inclusion 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.

Campus members 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 office of Equity, Access and Inclusion 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 [College/University]; however, this individual may not speak on behalf of the student/student organization representative.

Name: _____ **Relationship:** _____

E-mail: _____ **Phone:** _____

Scope of Release

This release of information permits the office of Equity, Access and Inclusion 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, an office of Equity, Access and Inclusion 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 office of Equity, Access and Inclusion, that individual may not be training 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 an office of Equity, Access and Inclusion representative, and I should not assume that such authorization will be given;]
- if my Advisor does not adhere to their defined role, they may be removed from any meetings or hearings with the office of Equity, Access and Inclusion 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 Austin Peay State University, office of Equity, Access and Inclusion 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 _____