

## Safer Spaces Advisor Orientation 4/28/2021

### Overview of Advisor Role and Philosophy

Advisor is a person chosen by a party or appointed by the university to accompany the party to meetings related to the resolution process and to advise the party on that process.

### Calvin University Philosophy for the Safer Spaces Team

- We are seeking to understand the whole picture, from various perspectives, from all parties.
- We offer [process rights](#) to all parties (reporting and responding community members).
- We seek to fully understand potential policy violations and develop appropriate interventions, remedies and/or sanctions.
- The goal of the process is to move toward learning, growth, and restoration.

### Philosophy for Advisors

Advisors aim to create a discipleship relationship with the party, guiding the party towards learning, maturity, and restoration.

Advisors encourage reporting/responding party to tell the truth, without omission, even if they think doing so may lead to a finding they find unfavorable. Advisors affirm that truth telling is the best option for both parties.

Advisors encourage reporting/responding party to take responsibility for their actions, even if doing so may result in sanctions.

## Expectations for the Advisor

1. Confidentiality and Cautions
  - a. To practice confidentiality, Advisors may not share any details of a case (with or without names) to anyone other than the party they are advising and the coordinator, see more details in the Non-disclosure Agreement below.
  - b. Caution against retaliating directed towards anyone involved in the report.
2. Safer Spaces inquiry process overview:
  - a. The inquiry begins with a thorough investigation, working to gather available evidence and to fully understand all perspectives.
  - b. The investigators practice objectivity, remaining neutral and fair.
  - c. The investigators are trained to reserve judgment. We ask that you partner with us in remaining objective and reserving judgement until all facts are reviewed.
3. Importance of reviewing statements of other parties – hearing other perspectives.
  - a. Hearing a different perspective often cues or recalls memories.
  - b. Multiple perspectives can contribute to fuller understanding or picture of events.
  - c. The reporting/responding party have the process right to view the other party's testimony and other corroborating evidence.
4. Expectations for Advisors during a meeting:
  - a. Advisors are not active participants in the inquiry or resolution meetings. Only the reporting/responding party can provide testimony. Advisors cannot speak on behalf of the reporting/responding party. Advisors may offer perspective and support but may not coach the party in what to say or what not to say.
  - b. During an investigation interview, resolution meeting, or hearing, the reporting/responding party may request a break to speak with their advisor.
  - c. Advisors may quietly advise the reporting/responding party.
  - d. Advisors may update the Safer Spaces Coordinator if the reporting/responding party raises any issues, questions, or concerns.
  - e. Advisors may de-brief with reporting/responding party throughout the process.
  - f. For Title IX live hearings the Advisor will:
    - i. Advisors will be present with their party during a live hearing.
    - ii. Advisors will use a respectful tone while asking questions during a live hearing. Advisors ask cross examination questions for their party.
5. Removing Disruptive Advisors
  - a. Calvin University reserves the right to remove or disqualify disruptive advisors. Generally, a Coordinator will give a warning or reminder if an advisor is acting outside of the advisor role.
  - b. The Coordinator may disqualify advisors without warning for egregious disruptive behavior.

**Additional Notes:** Parties and witnesses to the report are not eligible to serve as advisors.

Failure to meet the expectations for advisors could result in a warning from the safer spaces team, subsequent violations of the advisor expectations may result in the Title IX Coordinator reviewing your role serving as an advisor to a party. Calvin University reserves the right to disqualify an advisor for major or repeated breaches of these advisor expectations.

Please sign below to indicate that you have read, understood, and agreed to the advisor expectations.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Non-disclosure Agreement**

Confidential educational records related to this report are being released to you for the expressed purpose of your role as an advisor to a party. Calvin University requires that you respect the confidentiality and sensitivity of these documents, and only use them for preparing for meetings related to this safer space process.

These confidential materials are not released to you for distribution, for public posting, to publicly discuss the information, or to unnecessarily involve unrelated parties. Examples of violations of this agreement include but are not limited to using these materials to:

1. Disrupt the Safer Spaces process
2. Harass the process participants
3. Retaliate against process participants
4. Attempt to influence the testimony of witnesses
5. Attempt to humiliate process participants
6. Publicly share the evidence
7. Publicly argue the appeal

Note: The Department of Education and Calvin University prohibits retaliation and any adverse action directed at a person or a person's character, associates, and property that is a result of that person's participation in a report or investigation or resolution process.

If process participants have a question about the permissibility of a specific use of these confidential materials, in advance of the use, you may direct these questions in writing, to the director of Safer Spaces (Jane Hendriksma at [jhendrik@calvin.edu](mailto:jhendrik@calvin.edu)).

The director of Safer Spaces has the authority to evaluate and respond to any reported issues related to compliance with this non-disclosure agreement.

Upon review of the of this non-disclosure agreement, please reply with your intention to abide by the expectations in it. The Office of Safer Spaces requires return of this agreement prior to the release of the confidential records. You may return your agreement via email to [saferspaces@calvin.edu](mailto:saferspaces@calvin.edu).

Please sign below to indicate your agreement to the non-disclosure expectations listed above:

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Glossary of Terms

- *Advisor* means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- *Calvin University* means a postsecondary education program that is a recipient of federal funding. <Mc4
- *Complainant or reporting party* means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- *Complaint (formal)* means a document filed/signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that Calvin University investigate the allegation.
- *Confidential Resource* means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- *Day* means a business day (Monday through Friday) when Calvin University is in normal operation.
- *Education program or activity* means locations, events, or circumstances where Calvin University exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and includes any building owned or controlled by a student organization that is officially recognized by Calvin University.
- *Final Determination:* A conclusion by preponderance of evidence that the alleged conduct occurred and whether it did or did not violate policy.
- *Finding:* A conclusion by preponderance of evidence that the conduct did or did not occur as alleged.
- *Formal Grievance Process* means "Process A," a method of formal resolution designated by Calvin University to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.
- *Investigator* means the person or persons charged by Calvin University with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
- *Mandated Reporter* means an employee of Calvin University who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.<sup>1</sup>
- *Notice* means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.

- *Official with Authority* (OWA) means an employee of Calvin University explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of Calvin University.
- *Parties* include the Complainant(s) and Respondent(s), collectively.
- *Respondent (Responding Party)* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- *Process A* means the Formal Grievance Process detailed below and defined above.
- *Process B* means the informal alternative resolution procedures detailed in [Appendix F](#).
- *Remedies* are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Calvin University's educational program.
- *Respondent* means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- *Resolution* means the result of an informal or Formal Grievance Process.
- *Safer Spaces Team* includes the Title IX Coordinator, any Investigators, Hearing Officers, Decision-makers, Appeal Officers, and Advisors who may perform any or all the roles involved in the formal grievance process (though not at the same time or with respect to the same case).
- *Sanction* means a consequence imposed by Calvin University on a Respondent who is found to have violated this policy.
- *Sexual Harassment* is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. [See Section VI.B.](#), for greater detail.
- *Title IX Coordinator* is at least one official designated by Calvin University to ensure compliance with Title IX and Calvin University's Title IX program. References to the Coordinator throughout this policy may also encompass Deputy Title IX Coordinators or a designee of the Title IX Coordinator for specific tasks. At Calvin University, the Title IX Coordinator is also the Director of the Safer Spaces office.