



Roles and Responsibilities of Advocates/Support Persons

I, _____, am a participant in New Mexico Tech's processes (including meetings, investigation, and adjudicative processes) for reporting or responding to reports of sexual harassment, sexual assault, stalking, intimate relationship violence, and related retaliation (collectively, response processes). My Advocate/Support Person,

_____, and I (the party/advisee) have reviewed the information provided in this form. We understand the information provided in this form and agree to abide by the obligations for Advocates and advisees set forth in this form.

- One of the roles of the New Mexico Tech's response processes is to determine whether a respondent has violated NMT's Sexual Misconduct Policy or violated a Title IX regulation prohibiting sexual harassment, sexual assault, stalking, intimate relationship violence, gender-based discrimination, or related retaliation. In contrast, the corresponding role of criminal processes is to determine whether an accused person has violated criminal laws. As a result of these different roles, New Mexico Tech's response processes differ from criminal investigation and adjudication procedures.
- During the initial meetings and investigation conducted by the campus Title IX office or its designee, an Advocate's role is as a Process Support Person to guide their advisee. The Process Support Person should not to speak for them or play an active role in the process. The Advocate may be present for investigatory meetings, but may not actively participate unless the investigator invites them to do so. This means, in part, that it is the advisee/party who is to provide information to and respond to questions from the investigator, not the Advocate. However, the University Representative or Investigator will generally invite the Advocate to ask any follow-up or clarifying questions of the advisee/party during the latter part of the meeting.
- An Advocate may be an attorney, advisor, support person or other individual. To protect the integrity of the investigation and adjudication processes, individuals who are witnesses with information about facts material to the underlying case may not serve as Advocates.
- Advocates may attend meetings and hearings related to the response processes at the times that they have been scheduled. The New Mexico Tech is not obligated to accommodate Advocates' schedules or change scheduled meetings or hearings to accommodate Advocates' inability to attend. New Mexico Tech will generally allow Advocates to attend meetings and hearings by phone or video conferencing. Complainants and respondents choosing an Advocate should consider the ability of potential Advocates to attend meetings and hearings.
- Contact with the campus Title IX office should be through the complainant or respondent. Advocates should not directly contact the campus Title IX office on behalf of a complainant or respondent. An Advocate who repeatedly contacts the campus Title IX office on behalf of a complainant or respondent might not be permitted to attend further meetings with this office.

- Advocates may not contact potential witnesses for the purpose of influencing their testimony or discouraging their participation in the sexual misconduct processes.
- Advocates may not engage in conduct that is retaliatory. An Advocate’s sharing of information about an investigation, or distribution of information obtained in an investigation, may in some cases constitute retaliation.
- Advocates are expected to give support and/or advice with integrity and in good faith.
- Advocates who disrupt or fail to respect the limits of the Advocate role as described in this document will be asked to leave (or not attend) meetings or hearings. In these situations, the meeting or hearing will typically proceed without that Advocate present. The Title IX Coordinator or a designee will determine whether the Advocate will be permitted to continue to serve as an Advocate in the process.
- Advocates might be provided otherwise confidential information in the course of the response processes. Advocates agree to maintain the confidentiality of such information and to not disclose such information other than for purposes of the representation of their advisee during the response processes.
- New Mexico Tech maintains a list trained Advocates that can be called upon as needed to serve in this process as a Process Support Person or a Hearing Support Person or both.
- Ideally, the same Advocate should support a party throughout the process.
- Only one (1) Advocate can accompany or support a party at a time in this process.
- If a party elects to select an Advocate who has not been trained by the Title IX office, it is the responsibility of the party to ask procedural questions or request associated documents that may not have been covered in the meetings. Most of the materials are maintained on the [Tech’s Title IX Office Website](https://www.nmt.edu/titleix/index.php) (<https://www.nmt.edu/titleix/index.php>).

By signing this form, I understand and agree to abide by these terms.

Signature of Advocate

Date

Signature of Advisee

Date