

## Gavilan Advisor Designation and FERPA Release of Information Form

### Student Contact Information

**Name:** \_\_\_\_\_ **Gavilan ID (G00):** \_\_\_\_\_

### 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, Gavilan College 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 Title IX policy affords Complainants and Respondents involved in the Gavilan College Title IX 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-questioning on behalf of their advisee.

Except for cross-questioning, all Gavilan College students are expected to communicate for themselves throughout any Gavilan College 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 Gavilan College 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 Gavilan College 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. More information about Advisors and their role can be found [in AP3434](#).

**Students 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 Gavilan College 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 Gavilan College; 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 Gavilan College 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, a Gavilan College representative may communicate with an Advisor individually with permission from the student.

**Confidentiality**

The designated Advisor will be asked to sign a Confidentiality Agreement that restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either party to discuss the allegations under investigation.

**Student Responsibilities and Consent for Disclosure**

I understand that:

- If I select an Advisor that was not provided by Gavilan College, that individual may not be trained in 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-questioning during a formal hearing, my Advisor cannot communicate for me unless authorized to do so by a Gavilan College 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 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 understand that the confidentiality statement specified above applies to the Advisor that has been selected and to me as a participant in the grievance process as well;
- 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, and appeal, unless I revoke my consent to release information or designate another Advisor.

By signing below, I am voluntarily giving my consent to Gavilan College 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.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Student Email

\_\_\_\_\_  
Date