NON-PARTY PARTICIPANT REQUIREMENTS

All Support Persons and Advisors must review the following information prior to accompanying a party to any meeting or other activity related to the University’s internal administrative process for a sexual misconduct complaint/case. Parties are responsible for ensuring that their respective Support Persons and Advisors adhere to the guidelines below.

Respondent/Complainant (Party) Responsibilities

- When a party wishes to have a Support Person or Advisor accompany them to a meeting, the party must notify the OCRSM or the OSC in advance.
- Parties are responsible for providing appropriate written authorization in the event the student wishes the University to speak with a Support Person or Advisor, e.g., Family Educational Rights and Privacy Act [FERPA]) waivers which allow the University to speak to persons other than the student about a case.
- Throughout the process, all official University communications (both verbal and written) will be between the University and the parties directly. The University will not communicate with a Support Person or Advisor seeking to speak on behalf of a party.

All parties, Support Persons, and Advisors are expected to understand their roles and adhere to the University’s expectations regarding decorum and privacy considerations.

Role of Advisor

- The Advisor is a non-participant who is present to provide advice and consultation to a party.
- An Advisor cannot be a witness or provide evidence in a case.
- An Advisor shall not be an active participant in the University’s process.
- The parties must speak for themselves.
- An Advisor may not delay, or otherwise interfere with, the University process.
- An Advisor is expected to respect the privacy of the individuals and witnesses involved and keep information about the case confidential.
- An Advisor must complete and sign the Non Disclosure Agreement.

Role of Support Person

- A Support Person is a non-participant who is present to provide emotional, logistical, or other kinds of assistance to a party.
- The Support Person cannot be a witness or provide evidence in the case.
- The Support Person may assist a Complainant or Respondent by taking notes, providing emotional support and reassurance, organizing documentation, or consulting directly with the party in a way that does not disrupt or cause any delay.
- The parties must speak for themselves.
- A Support Person is expected to respect the privacy of the individuals and witnesses involved and keep information about the case confidential.
- Support Persons must complete and sign the Non Disclosure Agreement.
NON-PARTY NONDISCLOSURE AGREEMENT

This Nondisclosure Agreement is entered into by and between the University of Maryland, Office of Civil Rights & Sexual Misconduct (OCRSM), and

__________________________

Role: ☐ Support Person
☐ Advisor

Name

Name of Party

Relationship to Party (parent, friend, attorney, etc.)

for the purpose of preventing the unauthorized disclosure of Confidential Information as defined below.

Confidential Information. For purposes of this Agreement, "Confidential Information" shall include all information or documents obtained in the course of providing assistance to a party as either a Support Person or Advisor related to a sexual misconduct complaint/case at the University of Maryland. This includes assistance to a party during any and all meetings or other activities related to the complaint/case.

Obligations. I agree to keep all “Confidential Information” related to this sexual misconduct complaint/case private and confidential, and not to disclose or publish such “Confidential Information” to others except in the context of the University’s internal administrative process related to the complaint/case or as otherwise provided by law, including court order, subpoena or other valid legal process. In the event of a need to disclose or publish some or all of the Confidential Information, I agree to notify the Title IX Coordinator in advance in writing at titleixcoordinator@umd.edu, prior to any disclosure or publication, and inform the Title IX Coordinator of the purpose for the intended disclosure so that the University may take appropriate action, as deemed necessary, including but not limited to providing notice to the other party.

Time Periods. I understand that my obligations under this Agreement survive the termination of my role as a Support Person or Advisor and the end of the case under the University’s internal administrative process.

________________________________________
Signature

Date

OCRSM forms 61016