



## Rights & Options of Impacted Parties in Sexual Violence and Sexual Harassment Cases

The University's procedures for responding to sexual harassment and sexual violence ensure certain rights and options for Complainants and Respondents. More information about rights and options can be found in the *UC SVSH Policy* and the UCSB Local Procedures.

### **RIGHTS OF COMPLAINANTS AND RESPONDENTS**

Both the Complainant and Respondent have outlined rights throughout the investigation, adjudication, and appeal processes. They include the following:

- The right to have an advisor and a support person with you when you are interviewed, at any meeting, and during the hearing process, if any (please note that the advisor and support person not speak on your behalf, nor actively participate in or disrupt the proceedings);
- The right not to participate in this process. However, the investigator may draw adverse inferences if you selectively participate in the process. If you choose not to participate in the investigation, the investigation will proceed and the investigator will reach findings and conclusions based on the information available to them;
- The right to be interviewed by an investigator or submit a written statement, to provide documentary evidence, and to identify witnesses;
- The right to be informed of the outcome of the investigation and to receive a copy of the investigative report (redacted as necessary);
- The right to provide input on and be informed of any proposed sanction based on the investigator's preliminary determination regarding policy violations;
- The right to a hearing to determine whether policy violations occurred, by contesting the investigator's preliminary determination;\*
- The right to a hearing that promotes fairness and accurate fact-finding (in cases when a hearing is held);\*
- The right to be informed of the Hearing Officer's determination of policy violations and any resulting sanction;\* and
- The right to appeal any sanctions as well as the Hearing Officer's decision, if any, on grounds permitted under the UCSB SVSH Procedures.\*

\* Applies only to investigations in which the Respondent is a student.



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### **OPTIONS FOR COMPLAINANTS AND RESPONDENTS**

Both the Complainant and Respondent have options throughout the investigation, adjudication, and appeal processes. They include the following:

- Counseling, health assistance, mental health assistance, victim advocacy, legal assistance, visa and immigration assistance, financial aid assistance, and other services are available within both the University and the community (including information regarding confidential resources). Detailed information about resources can be found in the *Campus and Community Resources* (Appendix to the UCSB Local Procedures).
- The UCSB Local Procedures contain information about the range of possible outcomes for a report to the Title IX Office, including interim, remedial, and supportive measures, as well as disciplinary actions.
- The UCSB Local Procedures contain applicable procedures for institutional disciplinary action.

### **OPTIONS FOR COMPLAINANTS**

Complainants have certain options throughout the reporting and investigation processes. They include the following:

- Complainants have multiple reporting options, including the option to report to law enforcement or campus authorities, and the right to decline notifying such authorities. Reporting options are outlined in the UCSB Local Procedures. In some cases, the University may investigate an allegation or take other action without the Complainant's participation, in order to address safety issues for the community.
- Complainants have the option to request no-contact orders through the University, as well as orders of protection, restraining orders, or similar orders issued through criminal or civil courts. UCSB will comply with any orders that are obtained.
- Complainants are encouraged to preserve evidence that may assist in proving that a criminal offense occurred or in obtaining a protection order. See the UCSB Local Procedures for more information about evidence preservation.
- Complainants have the option to request assistance with changing academic, living, transportation, and working situations, regardless of whether they have chosen to report the alleged conduct to law enforcement. The University will provide assistance if such options are reasonably available.