Help Sheet for Respondents Accused of Sexual Violence & Harassment

Respondents should be aware of the following when preparing to respond to allegations:

- Understand that the standard of evidence which UCI uses in applying sanctions for Sexual Harassment and Sexual Violence cases is “preponderance of evidence” (i.e. 51% chance or more—more likely than not—that the allegation occurred).
- Respondents do not have to participate in the investigation if they do not want to, and they may remain silent, however the results of the investigation will be based on the information shared with the investigator (i.e. the results will be decided without one side of the story).
- If respondents choose to selectively participate in the investigation (such as only answering some questions), then the investigator may draw adverse conclusions based on why only certain questions were answered.
- There may be simultaneous investigations being conducted at the same time by UC Irvine Office of Equal Opportunity and Diversity (OEOD) and by the UCI Police Department.
- You have the right to bring a support person or advisor to any stage of the process; that person may be a friend, parent, attorney, etc.; however, the support person is only there to advise you, not to speak on your behalf.
- You will be sent a copy of the OEOD investigation report which includes the investigator’s findings.
- If the Office of Student Conduct determines there has been a violation, you will be notified of sanctions imposed:
  - Disciplinary sanctions for sexual assault, domestic/dating violence or stalking will result in a minimum sanction of suspension for two years; disciplinary sanctions for other sexual contact will result in a minimum sanction of suspension for one year.
- If you would like to speak with the Office of Student Conduct before any sanctions are imposed, you may schedule a meeting with them or submit a written statement.
- You have a right to an appeal (within 10 business days after being notified of the decision and sanctions) if you believe there was a procedural error, or if new information has surfaced, or if you believe the decision and sanctions are disproportionate to the findings; the appeal will be heard by a Hearing Panel, who will hear the case from start to finish (i.e. “de novo”).
- You have the right to hire an attorney, and pay for all associated costs, however be sure that your attorney reviews the applicable UCI policies, found here: [http://soinfo.uci.edu/policies.html](http://soinfo.uci.edu/policies.html) and [http://www.dos.uci.edu/conduct/index.php](http://www.dos.uci.edu/conduct/index.php)

Resources which are available to the Respondent include:

Respondent Services - available for support, with limits to confidentiality; [RespondentServices@uci.edu](mailto:RespondentServices@uci.edu) • 949.824.5208 • [www.whcs.uci.edu/respondentsservices](http://www.whcs.uci.edu/respondentsservices)

Office of the Ombudsman – available as a confidential resource to assist with any aspect of the process (investigation or other academic related concerns)