

Pre-Hearing Procedures

The following procedures apply to the pre-hearing period before a hearing to determine whether a student is responsible for a violation of the Berkeley Campus Code of Student Conduct.

Gathering Information

A student may request a copy of their disciplinary file at any time in order to prepare for the hearing. This request can be made to the Center for Student Conduct (studentconduct@berkeley.edu) via the Records Release Form.

Hearing Packet Requirements

Information that **MUST** be exchanged via a hearing packet includes:

1. Cover sheet with table of contents & list of witnesses with a short description of their relevance to the case.
2. Any documentary information (such as receipts, photographs, text message conversations, emails, police reports, etc.) relevant to the incident you've gathered and plan to present at the hearing.

Supplemental information that can be exchanged via a hearing packet, but is not necessary, includes:

1. Written statement
2. Character letters (letters of support written by people that were not present for the alleged violation)
3. Information on how sanctions could impact the student

Any documentary information not included in the hearing packet will not be allowed to be presented at the hearing.

Procedures for the Exchange of Information:

- Both the student and the Center for Student Conduct will e-mail their hearing packets to the Independent Hearing Officer.
- The email containing the packet must be sent no later than 4:00pm on the deadline set forth by the Independent Hearing Officer.
- The packet must be sent to the Independent Hearing Officer (sa_iho@berkeley.edu).
- The Independent Hearing Officer will confirm receipt of the packet, review the packets, share the packets with the parties, follow up with any questions, and will be in contact if any documents/witnesses are NOT approved for the hearing.

The exchange of information must occur at least five (5) business days prior to the hearing.

Please note that the Independent Hearing Officer may exclude any information from the hearing for some of the following reasons:

- A party fails to include it in their hearing packet
- A party fails to exchange according to the procedures outlined above
- The information is irrelevant to the alleged conduct violation
- The information is outside of the scope of the hearing (occurred outside of timeline outlined in the Alleged Violation Letter, etc.)

Additional Information

If a hearing is rescheduled, a new deadline for exchanging information will be identified and communicated to the parties. In the event that a party has already emailed out their hearing packet when a rescheduling occurs, they would not need to resend their materials.

If information becomes available after the deadline for the exchange of information has passed, please follow up with the Independent Hearing Officer as soon as possible as the information MAY still be considered for the hearing.

Witnesses:

- If a witness is approved, it is the student's responsibility to contact them and arrange their presence at the hearing.
- If a witness does not want to appear in person/via videoconference or cannot attend the hearing, the student can submit a statement written by the witness instead.

A student can continue to work with the Center for Student Conduct to resolve their case informally while their formal hearing is pending. Students should contact the Center for Student Conduct studentconduct@berkeley.edu if this is an option they are interested in.