

# Third Parties at the Hearing

Students do not have to participate in a hearing alone. The Code of Conduct allows students to bring both an advisor and a support person to a hearing. The advisor and support person can be one individual or two. Below you'll find some additional information and expectations of third parties at hearings.

## Advisor

The Role of the Advisor in the Hearing

- A student is able to consult (quietly or in writing) with their advisor throughout the hearing
- A student or their advisor can request a break in the hearing proceedings to confer with one another
- Advisors are not permitted to speak or address the hearing body during hearing proceedings

A student may request, in writing, for their advisor to be allowed to question witnesses on the student's behalf during the hearing. Please see the Code of Conduct for more information about when requests of this nature are appropriate. This request should be submitted to the Independent Hearing Officer at least 5 business days prior to the hearing.

Please note: Per the Berkeley Campus Code of Student Conduct, a student is NOT entitled to have their advisor address the hearing body unless directed by the Independent Hearing Officer.

## Support Person

Students are able to have an individual serving as a support person during the hearing. This can be in addition to an advisor.

During the hearing, support persons are not permitted to speak to the hearing body.

**The Independent Hearing Officer may limit the participation of the advisor or support person during the hearing if it is necessary to prevent disruption. The Independent Hearing Officer may also ask an advisor or support person to leave the room if disruptions continue.**

## Process for Approving an Advisor or Support Person

It is preferable for the Independent Hearing Officer to be notified about the presence of an advisor or support person ahead of the hearing date. This can be done by submitting a [Third Party Authorization Form](#) to [sa\\_iho@berkeley.edu](mailto:sa_iho@berkeley.edu). A form will be needed for each person. If a form is not received ahead of the hearing, the student can give the individual verbal authorization during the hearing.

### **Information for Choosing an Advisor or Support Person**

Advisors or support persons can be almost anyone a student chooses. Some examples of individuals that have served as an advisor can be found below:

- Student Advocate
- Professional staff member
- Attorney

Some examples of individuals that have served as support people can be found below:

- Friend
- Family member
- Trusted mentor

Please note that neither of these lists are exhaustive. Witnesses cannot serve in the role of advisor or support person.

### **Campus Resource List to find an Advisor or Support Person**

- [Student Advocate's Office: Conduct Division](#)
  - **Email:** [conduct@berkeleysao.org](mailto:conduct@berkeleysao.org)
  - **Phone:** (510) 642-6912
  - **Office:** 412B Eshleman Hall
- [Center for Support & Intervention: Respondent Services](#)
  - **Email:** [csi@berkeley.edu](mailto:csi@berkeley.edu)
  - **Phone:** (510) 642-5991

The above list of resources is not exhaustive, but provides an overview of resources students have utilized to navigate the conduct process in the past.