

Berklee Office of Community Standards and Conflict Resolution

What You Should Know Before Your Hearing

1. The alleged student's hearing is for the purpose of discussing the alleged violation(s) of the Student Code of Community Standards.
2. The alleged student is presumed not responsible until determined responsible for the alleged violation(s) based on a preponderance of the evidence standard.
3. The alleged student's hearing shall be open only to the alleged student, an advisor (should they chose to have one), the conduct officer, witnesses (should they chose to present any), and a representative from the Office of Community Standards and Conflict Resolution.
 - a. While the main purpose of a hearing is to have an educational and informal discussion with the alleged student, witnesses may be called. Although uncommon, the alleged student and the conduct officer shall have the privilege of presenting witnesses at the hearing subject to questioning by the conduct officer only. Witnesses shall be present in a hearing only during the offering of their information. Admission of any person to the hearing shall be at the discretion of the conduct officer. Witnesses must have relevant, first-hand knowledge of the incident in question. Character witnesses are not allowed. Written requests and approval for witnesses' attendance shall be made prior to the hearing to the Office of Community Standards and Conflict Resolution. Relevant witnesses may be interviewed by the conduct officer outside of the formal hearing.
 - b. Students shall be afforded the privilege to have an advisor present who does not have a direct role in the Community Standards and Conflict Resolution Process or potential violation. While students are permitted to select an advisor of their choice, the advisor may not speak for the student or represent the student in any form. If you would like to have a Berklee process advisor assigned to you, please contact the Office of Community Standards and Conflict Resolution directly at communitystandards@berklee.edu.
4. All procedural questions are subject to the final decision of the conduct officer.
5. Any oral or written statements that the student may make pertaining to the alleged violation may be presented to the conduct officer.
6. Participants will be afforded the privilege to prepare a written statement concerning the alleged violation to be shared at the time of the hearing.
7. Participants will be afforded the opportunity to inspect and review all non-confidential information regarding the alleged violation(s) in any proceeding, including incident reports and other materials upon which the alleged violations are based from the Office of Community Standards and Conflict Resolution. Requests to inspect and review such materials shall be made in writing at least two business days preceding the established time for the disciplinary hearing. The college does not assume responsibility to make available these materials in advance of the hearing, but will attempt to provide access to the materials when formally requested in writing. The parties involved will review the materials at the Office of Community Standards and Conflict Resolution or prior to the start of the meeting.
8. A student's prior record (legal or disciplinary) may be considered in determining appropriate sanctions when it is determined a violation occurred.
9. If the student fails to appear for a scheduled hearing and/or fails to reschedule a meeting and the Office of Community Standards and Conflict Resolution has, in good faith, exhausted all reasonable efforts to schedule a hearing, the Office of Community Standards and Conflict Resolution, on the basis of the information available, may make a determination of a violation of the Student Code of Community Standards and may impose sanctions for such violations.
10. Alleged students have the right to appeal the decision within five business days of delivery of the decision based on one or more of the grounds for appeal listed in the Student Code of Community Standards.