



OFFICE OF THE VICE CHANCELLOR
STUDENT AFFAIRS

BERKELEY, CALIFORNIA 94720

December 12, 2009

Mr. Zachary J. Bowin
2621 Moraine Way
Oxnard, CA 93030

DELIVERY BY US MAIL AND HAND DELIVERY

RE: NOTICE OF INTERIM SUSPENSION AND STUDENT CONDUCT CHARGES

Dear Mr. Bowin:

Pursuant to Section VI. 105.08 of the Berkeley Campus Code of Student Conduct ("Code") and supporting evidentiary material, you are placed on Interim Suspension effective immediately. **Under the terms of your Interim Suspension, your activity on the campus is hereby restricted per the guidelines and exclusions outlined in this letter.**

This action is imposed based upon complaints received by this office. For example, on December 11, 2009 you participated in a disturbance of the peace at University House that included actions of property damage, attempted arson, attempted burglary, threats, and assault. The University interprets the aforesaid action as representative of conduct that threatens the health or safety of any person on University property as well as disruptive activity incompatible with the orderly operation of the campus. Accordingly, you are hereby charged with the following violations of the Code:

102.04 Theft

Theft of, conversion of, destruction of, or damage to any property of the University, or any property of others while on University premises, or possession of any property when the student had knowledge or reasonably should have had knowledge that it was stolen.

102.06 Unauthorized Conduct

Unauthorized entry to, possession of, receipt of, or use of any University services; equipment; resources; or properties, including the University's name, insignia, or seal.

102.08 Physical Abuse

Physical abuse including by not limited to...physical assault, threats of violence; or other conduct that threatens the health or safety of any person.

102.14 Disorderly Conduct

Disorderly or lewd conduct.

102.15 Disturbing the Peace

Participation in a disturbance of the peace or unlawful assembly. (See Berkeley Campus Regulations Implementing University Policies in Appendix I for further information.)

102.16 Failure to Comply

Failure to identify oneself to, or comply with the directions of, a University official or other public official acting in the performance of his or her duties while on University property or at official University functions; or resisting or obstructing such University or other public officials in the performance of or the attempt to perform their duties.

102.19 Destructive Devices

Possession, use, storage, or manufacture of explosives, firebombs, or other destructive devices.

102.25 Other Policies or Regulations

Violation of any other University policy or campus regulation.

For your information and review, the Code is available online at <http://studentconduct.berkeley.edu>. Please note specifically Section II. of this document which outlines the procedures governing student conduct cases. Please note that under Section I.F. of the Code a student may be advised at any stage of University conduct proceedings by one advisor of his/her choice and at his/her own expense.

Under Section VI.105.08 of the Code, you are entitled to a prompt hearing on the Interim Suspension upon your request. To request a hearing, you must notify Student Conduct and Community Standards in writing or by email. A hearing on the Interim Suspension will be scheduled promptly and you will be notified of the date, time, and location. You may contact Student Conduct and Community Standards at 510-643-9069. This Interim Suspension will remain in place until a formal resolution of the charges stated above has been reached.

The guidelines and exclusions of your Interim Suspension are outlined below:

During the time of your Interim Suspension, you are hereby advised that you are strictly prohibited from any and all contact, at any time, for any reason, and/or by any manner (including the use of electronic equipment, telephones, the mail and/or all other potential means of contact) with any faculty, staff or students, including any witnesses who may be referenced in this letter and/or complainants who may have filed reports against you.

Furthermore, you are strictly prohibited from entering upon any part of the Berkeley campus and any and all property of the University of California including, but not limited to, any and all facilities belonging to and/or under the control of the University. The term "University property" is expressly defined in Section IV. Of the Code to include all land, buildings, facilities or other grounds or structures, or any item possession of or owned, used, maintained, or controlled by the University or designated by the campus as subject to these policies, including the International House. University property also includes computers and network systems owned, maintained or controlled by the University or funded by University budgets or designated by the campus as subject to these policies.

The only exceptions to these exclusions are as follows:


You may contact Student Conduct and Community Standards ONLY by email (studentconduct@berkeley.edu) or phone at 510-643-9069. Student Conduct and Community Standards may assist you with questions regarding the Interim Suspension and/or conduct process as well as making alternate arrangements regarding your academic coursework.

Be reminded that if you are found to be in violation of the terms and conditions of this Interim Suspension you will be subject to additional action under the Code, as well as subject to arrest for trespassing by UCPD.

Section VI. 105.08 of the Code also provide that the Chancellor or his/her designee review this decision to impose this Interim Suspension within 24 hours of its imposition. If you wish to place a written statement in the record for the Chancellor's consideration, please forward that statement to Student Conduct immediately (mailing address: UC Berkeley, Center for Student Conduct and Community Standards, 2536 Channing Way Bldg. E, Berkeley, CA 94720-2432).

You are directed to contact Student Conduct and Community Standards with any questions or concerns you have with respect to your Interim Suspension.

Sincerely,


Harry Le Grande
Vice Chancellor, Student Affairs

Cc: Mitch Celaya, UCPD
Anne DeLuca, Registrar, Office of the Registrar
Jonathan Poullard, Dean of Students
Christina Gonzales, Associate Dean of Students
Susan Trageser, Center for Student Conduct and Community Standards