

COLLEGE REGULATIONS

THE CITADEL

The Military College of South Carolina

(Revised Following 13 June 2009 Meeting of BOV)

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The Citadel

COLLEGE REGULATIONS

SECTION I.

Organization and Administration

1. Statement of Vision, Core Values, and Mission. These statements of Vision, Core Values, and Mission were approved by The Citadel Board of Visitors on 1 February 2003 and by the South Carolina Commission on Higher Education on 5 June 2003.

Statement of Vision. Achieving excellence in the education of principled leaders.

Core Values.

Academics: We produce graduates who have insight into the issues, ideas and values that are important to society and possess the skills necessary to deal with them successfully.

Discipline: We operate a leadership laboratory which emphasizes a structured environment, acceptance of responsibility, self-confidence and service to others.

Diversity: We promote diversity in all segments of our campus community and in all aspects of college life.

Duty: We emphasize the importance of individual accountability and the moral obligation of responsibility for the welfare of others.

Honor: We adhere to a code which teaches that uncompromising personal integrity is the primary guide in all situations.

Morality: We believe that an individual's character is of utmost importance and, therefore, we provide training which emphasizes ethical principles and core values.

Mission. The Citadel's mission is to educate and prepare graduates to become principled leaders in all walks of life by instilling the core values of The Citadel in a challenging intellectual environment.

The Citadel strives to produce graduates who have insight into issues, ideas, and values that are of importance to society. It is equally important that Citadel graduates are capable of both critical and creative thinking, have effective communication skills, can apply abstract concepts to concrete situations, and possess the methodological skills needed to gather and analyze information.

Throughout its history, The Citadel's primary purpose has been to educate undergraduates as members of the South Carolina Corps of Cadets and to prepare them for post-graduate positions of leadership through academic programs of recognized excellence supported by the best features of a structured military environment. The cadet lifestyle provides a disciplined environment that supports the growth and development of character, physical fitness, and moral and ethical principles.

A complementary purpose of The Citadel, realized through The Citadel Graduate College, is to provide the citizens of the Lowcountry and the State of South Carolina opportunities for professional development by offering a broad range of educational programs of recognized excellence at both the graduate and undergraduate levels. These programs are designed to accommodate the needs of non-traditional students seeking traditional and demanding academic challenges.

The Citadel is a coeducational, comprehensive, state-assisted, four-year institution whose primary undergraduate student body consists of approximately 2,000 members of the Corps of Cadets, all of whom reside on campus. The primary service area for these students is regional, with approximately half of each freshman class coming from South Carolina. The Citadel, however, does draw undergraduate students from all parts of the United States and many foreign countries. The college offers a wide range of baccalaureate degree programs (Bachelor of Arts, Bachelor of Science, Bachelor of Science in Business Administration, Bachelor of Science in Civil Engineering, and Bachelor of Science in Electrical Engineering) in the humanities, social and natural sciences, business administration, engineering, and education. These academic programs prepare graduates of the Corps of Cadets for a variety of careers; about half of these graduates enter business and the professions, a third or more enter the military and government service, and the remainder go directly into graduate and professional study. Many graduates choose to pursue professional or graduate degrees later in their careers.

Through its undergraduate and graduate programs, The Citadel Graduate College serves a degree-seeking population of approximately 2,000. The primary service area is the South Carolina Lowcountry. The Citadel Graduate College offers three baccalaureate degree programs (Bachelor of Science in Business Administration, Bachelor of Science in Civil Engineering, and Bachelor of Science in Electrical Engineering) and seven graduate degree programs (Master of Arts, Master of Science, Master of Arts in Education, Master of Arts in Teaching, Master of Education, Master of Business Administration, and Specialist in Education). Meeting the needs of the South Carolina Lowcountry in terms of instruction, public service, and research, including such initiatives as cooperative programs with other educational institutions, is an important part of The Citadel's mission.

Together, the Corps of Cadets and The Citadel Graduate College enroll approximately 4,000 students, about three-fourths of whom come from South Carolina.

In all its educational programs, The Citadel acknowledges and endorses the teacher-scholar ideal, recognizing that the excellence of all of its programs is dependent upon the quality of its faculty. This ideal is pursued through teaching and lecturing, researching, writing, publishing, and public service. The Citadel's faculty also address audiences beyond the college by sharing their knowledge with other scholars and with the public.

2. The Board of Visitors. The Board of Visitors is the governing body of the College and, as such, has responsibility for approving these *College Regulations*, which guide the operation of the College. The Board searches for and appoints the President of the College. The Board appoints, on the recommendation of the President, all vice presidents, (to include the Director of Intercollegiate Athletics and Commandant of Cadets). The Board must approve all new or reinstated provost- and vice presidential-level positions prior to the advertisement of these positions. The Board of Visitors of The Citadel, the Military College of South Carolina, shall be

composed of the Governor, the Adjutant General, the State Superintendent of Education, who shall be members ex-officio of said board, and eleven others who shall be graduates of said college, seven of whom are to be elected by joint vote of the General Assembly as hereinafter provided, three of whom are to be elected by such means and methods as may be determined by The Citadel Alumni Association or any succeeding organization, the result of election to be certified by the president of the Association to the Secretary of State, and one of whom shall be appointed by the Governor. The Governor shall make the appointment based on merit regardless of race, sex, or economic status and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

3. The President. The President has the governing authority and responsibility for the administration of the College and all of its activities. All students, faculty, and employees of the College are subject to the orders of the President, who is responsible to the Board of Visitors for the proper conduct of the College in all departments. In the case of an absence from campus for less than seventy-two hours, the President will be presumed to remain in responsible charge and command. In the event of the death or disability of the President or presidential absence for more than seventy-two hours, the command of the College will devolve upon the Provost/Dean of the College. In the absence of the Provost, the President will designate one of the vice presidents to be in charge. If the absence of the President is to be in excess of thirty days, the Board of Visitors will approve the designation of the vice president in charge. Before resigning or retiring, except under extraordinary circumstances, the President shall give the Board of Visitors a minimum of six months' notice.

4. The Provost and Vice Presidential Level Administrators.

a. Provost/Dean of the College. The Provost/Dean of the College is responsible directly to the President for all matters pertaining to the academic functions of the College. The academic and administrative deans report directly to the Provost/Dean of the College. The Director of Library Services, Director of Admissions and Recruiting, Director of Financial Aid and Scholarships, Director of Information Technology Services, and Director of the Counseling Center report directly to the Provost/Dean of the College.

The Provost/Dean of the College will be the second in command and will act in the absence of the President as described in Section I.3. Institutional level decisions and policies involving planning, personnel, finance, facilities, communications, and cadet and non-cadet student activities will be coordinated with the Provost prior to implementation and/or decision by the President.

b. Commandant of Cadets. The Commandant reports directly to the President and is responsible for the administration, training, housing, and discipline of the Corps of Cadets under regulations promulgated by the President and approved by the Board of Visitors. The Commandant is also the coordinator of ROTC matters as they relate to the Corps of Cadets. The Director of Cadet Activities and the Chaplain to the Corps of Cadets report to the Commandant.

c. Vice President for Finance and Business Affairs. The Vice President for Finance and Business Affairs is responsible directly to the President for providing a full range of financial management support services for the College and for the operation of assigned auxiliary activities. This position is responsible for direct supervision of the Director of Financial Services, Budget Director, Director of Human Resources,

Director of Procurement Services, The Citadel Surgeon, and Director of Auxiliary Services.

- d. Vice President for Facilities and Engineering.** The Vice President for Facilities and Engineering is responsible directly to the President for the operation and maintenance of the Physical Plant, the management of all campus construction, and campus security. This position is responsible for the maintenance of barracks and faculty and staff quarters and for the direct supervision of the Director of the Physical Plant, Director of Engineering/Construction Management, Director of Public Safety/Campus Police, and Safety/Risk Management Officer.
 - e. Vice President for External Affairs.** The Vice President for External Affairs is responsible directly to the President for the College's marketing, internal and external communications, media, and public relations functions. The Vice President also designs and maintains the College's strategic communications plan, oversees all College publications, coordinates all of the College's special events, and provides oversight of the College's website. This Vice President serves as the primary spokesperson for the College. The Vice President also maintains direct coordination with the Executive Directors of The Citadel Alumni Association, The Citadel Foundation, and The Citadel Brigadier Foundation. The Vice President supervises those activities and officers assigned by the President consistent with these responsibilities.
 - f. Director of Intercollegiate Athletics.** The Director of Intercollegiate Athletics is responsible directly to the President for the operation of all intercollegiate athletics programs at the College, to include the direct supervision of all athletics coaches and athletics camps. This position is responsible for ensuring that in its intercollegiate athletics programs The Citadel is in full compliance with all regulations of the State of South Carolina, Southern Conference, NCAA, and Southern Association of Colleges and Schools.
- 5. The Faculty.**
- a.** The faculty consists of the President; the Provost/Dean of the College; Associate Provost; Academic Deans; individuals who are tenured or on tenure-track in the academic ranks of professor, associate professor, or assistant professor; and officers detailed for duty at the College by the Departments of the Army, Air Force, or Navy.
 - b.** The President, upon the recommendation of the Provost/Dean of the College, is authorized to make such distributions in academic ranks as to maintain a well-balanced faculty.
 - c.** The President will designate tenured and tenure-track members of the faculty to be commissioned officers in the Unorganized Militia of South Carolina and will recommend that commissions be issued in the appropriate rank.

6. Responsibility for Academic Matters.

- a. The Citadel faculty has jurisdiction over the academic programs of the College. This responsibility is carried out through a number of representative bodies. The composition and responsibilities of these bodies are presented in the *Faculty Manual*.
- b. Recommendations having a major impact on the College as a whole, such as establishing or eliminating academic programs or departments, are referred to the Board of Visitors.

7. The Administrative Staff.

- a. The employment of members of the staff will be in accordance with the personnel policies of the State of South Carolina and The Citadel.
- b. Selected members of the staff may be required to have such academic or professional degrees as may be deemed necessary or appropriate by the President.
- c. Based on functions and responsibilities, the President will designate certain members of the staff to be commissioned officers in the Unorganized Militia of South Carolina and will recommend that these commissions be issued in the appropriate rank.
- d. All members of the staff will have their performance evaluated at least annually and will have access to grievance and appeal procedures prescribed by the State of South Carolina and The Citadel.
- e. Under normal circumstances before resigning or retiring, exempt (salaried) staff members should provide their vice president with a minimum of four weeks notice, and nonexempt (hourly) employees should give their respective supervisor a minimum of two weeks notice. This will allow recruitment actions to begin in a timely manner.
- f. The Citadel is an Equal Employment Opportunity Institution and an Affirmative Action Employer in compliance with civil rights laws, including Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973, as amended.

8. Uniforms and Insignia.

- a. Officers of the faculty and staff who are commissioned in the Unorganized Militia of South Carolina will wear the uniform prescribed for officers of the South Carolina National Guard, except that a "SC" and The Citadel device shall be worn. Members of the faculty and staff who are commissioned in the Unorganized Militia of South Carolina and have earned an equal or higher military rank in any branch of the armed services than that to which they would otherwise be entitled at The Citadel may wear the uniform and use the title of such rank. However, they must be members of the Reserve components of the armed services or retired officers therefrom or retired officers from the regular armed services. Such retired members may wear the "SC" emblem on their duty uniforms.

- b. Personnel of the armed forces assigned to duty at The Citadel will wear the uniform prescribed for them by proper authority.
- c. On campus, commissioned officers will be in uniform at all times that they are on duty except when the Corps of Cadets is on leave. The faculty is considered to be on duty between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, and at any other time the faculty member is meeting with cadets and/or parents in an official capacity. The general philosophy is that officers of the faculty serve as role models for members of the Corps of Cadets and should be in proper military uniform while contact with cadets is likely.
- d. The uniform and its wearing, personal grooming and appearance, and wearing of adornments and other supplementary dress will be as prescribed by the President and generally as outlined in appropriate service regulations.

9. Housing. The President, or his Designee, is authorized to assign quarters to faculty and staff members. Policies and procedures are approved by the President and published by the Office of Human Resources.

10. The Student Body. The student body consists of: the South Carolina Corps of Cadets; Active Duty Students who have been accepted into the formal commissioning program of their respective Service, have been assigned to an ROTC Detachment at The Citadel, and have been admitted to full-time undergraduate degree study in The Citadel's Day Program; former cadets who have applied for and been officially approved for Day Student status; veteran students, and undergraduate and graduate students in The Citadel Graduate College. Only Active Duty Students, Day Students and veteran students are permitted to attend class with the Corps of Cadets.

11. Organization and Direction of the Student Body.

- a. For instruction in military drill and discipline, the Corps of Cadets is organized as prescribed by the President, with the advice of the Commandant of Cadets. Cadet officers and non-commissioned officers are appointed and reduced by the Commandant of Cadets as authorized by the President. Cadets assume rights and duties within the Corps of Cadets in furtherance of their educational objectives. Cadets are not thereby acting as agents or employees of The Citadel or the State of South Carolina. Appropriate commissions and warrants may be issued. Appointments are solely for instruction and discipline, and any or all of them may be revoked and new appointments made at any time by the Commandant of Cadets as authorized by the President. Reductions will be made to a rank consistent with the duties and responsibilities assigned by the Commandant of Cadets.
- b. The Provost/Designee of the Provost is responsible for the academic progress of all students and for the conduct of all non-cadet students during the academic year and for all students enrolled in courses in Maymester or one of the summer sessions but not residing in the barracks. The Commandant is responsible for the conduct of cadets and for all students residing in the barracks in Maymester or one of the summer sessions.

SECTION II
Faculty Policies and Procedures

1. Terms of Employment and Retirement.

- a. As a general policy, new members of the faculty are employed at the lowest academic rank commensurate with the duties they are to assume. Faculty members given probationary (tenure-track) appointments will receive commissions in the Unorganized Militia of South Carolina and will be required to wear the military uniform as required by Section I, paragraph 8. of these regulations and by appropriate College memoranda.
- b. Members of the faculty who retire at the end of a Fall semester are entitled to one half of their annual salary for the academic year (16 August to 15 May). Faculty members who retire at the end of a Spring semester are entitled to a full year's salary.
- c. Except under extraordinary circumstances, members of the faculty shall give a minimum of three months' notice to the Provost before resigning or retiring.

2. Military Rank. Members of the faculty shall have military rank. The policies and procedures regarding military rank and promotion are presented in the *Faculty Manual*.

3. Provost/Dean of the College. The Provost/Dean of the College is appointed by the Board of Visitors upon the recommendation of the President. All other Academic Deans, and all academic department heads, as well as the Director of Library Services and the Associate Provost are appointed by the Provost/Dean of the College.

The Provost/Dean of the College is selected as follows:

The Provost/Dean of the College will be appointed by the Board of Visitors upon the recommendation the President made from a list of candidates selected and ranked by the designated search and screening committee. The search and screening committee shall consist of two members appointed from the faculty by the Faculty Council; two members appointed from the Academic Board by the Academic Board; three members appointed by the President; and the chair of the Committee on Education, Curriculum and Faculty Liaison of the Board of Visitors. One of the President's three appointees may be from outside The Citadel. If the President does not appoint an individual from outside The Citadel, all presidential appointments will be made from the faculty, department heads, deans, or senior staff. The President prepares the charge for the committee and approves all position announcements. The committee will select its own chair and will present to the President for approval the procedures for conducting the search and screening. Recommendations are made to the President, who is responsible for making a recommendation to the Board of Visitors.

4. Academic Freedom and Tenure.

- a. **Academic Freedom.** The first statement on academic freedom and tenure was adopted by the Board of Visitors of The Citadel on 4 October 1958. This original statement has undergone periodic revision, and the current version is as follows:

- (1) All faculty members are entitled to academic freedom as defined in the statement formulated by joint conferences of the Commission of Academic Freedom and Tenure with the officers of the American Association of University Professors at their 1940 meeting and quoted below:

“(a) The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon understanding with the authorities of the institution.

(b) The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

(c) The college or university professor is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinion of others, and should make every effort to indicate that he is not an institutional spokesman.”

NOTE: The above language is a direct quote from the source cited. Under The Citadel's gender equity program and policy, the term "he" and "man" are assumed to be generic and to include women in the profession.

b. Academic Tenure. At The Citadel there are four kinds of full-time appointments with rank:

- (1) Temporary Appointment. A full-time temporary appointment will be for a limited period of time. An individual may be reappointed for multiple full-time temporary appointments.
- (2) Probationary Appointment. A probationary appointment is given in connection with a tenure-track faculty position, will be for one academic year, and is subject to renewal. Persons receiving probationary appointments who previously held full-time temporary appointments at The Citadel may request credit for this prior service through the school/department. The final decision on such a request is the responsibility of the Provost/Dean of the College or the Designee of the Provost.
- (3) Terminal Appointment. A terminal appointment is one given in view of terminating the employment of a faculty member; it shall be for a specified term, not to exceed twelve months.
- (4) Appointment with Continuous Tenure. It is the policy of The Citadel to grant certain members of the faculty tenure status, assuring them continuous

appointment until resignation or retirement, except under conditions explained in this statement. Those eligible for tenure are assistant professors, associate professors, and professors. Tenure is not automatic but is granted on the basis of appropriate recommendations made at a time after eligibility has been established. A faculty member shall be notified in writing of the decision to grant or deny tenure.

- (a) Active duty military personnel assigned to instruct in ROTC and members of the staff are not eligible for tenure.
- (b) Once acquired, tenure shall be continuous until retirement or resignation except that it may be terminated for just cause. The following shall be considered just cause for the termination of a faculty member with tenured appointment, a faculty member on probationary appointment before the end of the specified term of appointment or without the specified period of notice, or a faculty member on contract before the end of the contract period:
 - (i) conduct seriously prejudicial to the College through infraction of law or gross immorality;
 - (ii) failure to perform satisfactorily, for reasons including but not limited to physical or mental incapability or incompetence, the duties of the position to which the faculty member is assigned;
 - (iii) repeated, flagrant and willful violation of published college regulations and policies, insofar as they do not contravene academic freedom or the rights of any citizen;
 - (iv) institutional contingencies such as curtailment or discontinuance of programs or schools/departments or other conditions requiring reduction of faculty.
- (c) Action for termination for cause may be initiated by the President upon recommendation of the Provost/Dean of the College. The faculty member concerned shall be provided with a written statement of reasons for the action and have an opportunity to be heard by the Standing Appeals Committee. This standing committee of five persons with two alternates is appointed by the Provost/Dean of the College based upon recommendations from the Committee on Committees. Members of the Standing Appeals Committee are selected from among those faculty members who are eligible to serve on the Faculty Tenure and Promotion Committee but are not currently serving on that committee. The faculty member in question has the right to challenge up to two members of the Standing Appeals Committee for cause. During the proceedings, the faculty member in question is expected to present his/her case but may have a member of the faculty or staff of his or her choice present as an advisor. A faculty member who is facing disciplinary hearings for an act which is also the subject of the termination proceedings may request that an attorney attend the hearing. An attorney may act only in an advisory role to the faculty member and may only advise the faculty member during recesses of the hearing. Any attorney who attends a hearing may not ask questions of witnesses, speak on behalf of the faculty member,

or actively participate in the hearing process. The President may designate an appropriate representative to assist in developing the case. If the faculty member has an attorney present as an advisor, the College may, at the discretion of the Standing Appeals Committee chair, have legal counsel present to provide advice. If there is a hearing, a complete stenographic record will be made. This recording will be available to all parties concerned. If the competence of the faculty member is questioned, the testimony will include that of qualified faculty members of The Citadel or other comparable institutions. The recommendation of the Standing Appeals Committee will be sent to the President for action. The faculty member in question will have the privilege of requesting an appeal to the Board of Visitors for a final review or hearing at its discretion, provided a request in writing for such a review or hearing is submitted to the President within ten days of the receipt of the notification of termination. If a hearing before the Board is granted, the faculty member may have counsel and may request that a stenographic record be made of the hearing. Pending the consideration of the case, the faculty member may be suspended, with pay, at the discretion of the President.

- (d) The time of completion of the review process for probationary reappointments is governed by the length of notice required for non-renewal of appointments. For members of the faculty who are hired effective with a fall semester, notice for non-renewal at the end of the first year of service must be given not later than 1 March; at the end of the second year, not later than 15 December; at the end of the third or subsequent years, not later than twelve months prior to termination. The term of a terminal appointment need not be linked to the academic year.
- (e) For members of the faculty who are hired effective with a spring semester, notice that employment will not be extended through the next academic year must be given not later than 15 May. Thereafter, the periods of notification for probationary reappointments shall be as described above. The lengths of the periods of probation for tenure decisions will not be affected for faculty members who are hired effective with a spring semester. That is, the periods of probation for these faculty members will begin officially in the August following their initial employment.
- (f) It should be noted that for purposes of notification each probationary period extends from 16 August-15 August. This means that an individual who is notified by 15 December of reappointment for a third year must be notified prior to the following 15 August if a fourth year is not to be recommended. Because many members of the faculty are not available during the summer months, decisions on reappointment after the second year should generally be made during the spring semester of the current appointment.

5. Reduction in Force for Financial Exigency. A policy has been approved by the Board of Visitors which recognizes three legitimate bases for terminating faculty employment because of external constraints: (1) demonstrable, bona fide financial exigency or (2) program change for demonstrable, bona fide institutional reasons, on the basis of a decision by the President, concurred in and approved by the Board of Visitors or (3) mandatory reduction in force that prevents the College from meeting its contractual obligations. If financial exigency necessitates

termination of appointment with continuous tenure, the faculty member shall be given at least twelve months' notice before the date of termination. The position of the released faculty member will not be filled by a replacement until at least two years have elapsed, unless the released person has been offered reappointment and has refused to take it. This policy, with implementing procedures, was coordinated with the Faculty Council, approved by the Board of Visitors, and published by separate order. It is available in the Office of Human Resources.

6. Policy on English Fluency for Faculty. In compliance with the laws of the State of South Carolina, The Citadel ensures the English fluency of its teaching faculty through a two-stage review process.

- a. During the interview process, each applicant will make an oral presentation before a group consisting of faculty members and students. Each participant will evaluate the candidate's English fluency and clarity of presentation. These evaluations will be a major factor in the selection process, and should a candidate who is ultimately selected be deemed by this evaluation to have an English language fluency problem, the extent of this problem, the support to be provided the candidate by the College in addressing this problem, and the expectations for improvement in English fluency will all be clearly stated in the offer of employment.
- b. Should the English fluency of a member of the faculty be challenged by a student, standard procedures for student academic grievances (see Faculty Manual) will be followed.

SECTION III

The Academic Program

1. Criteria for Admission. The general criteria and educational qualifications for admission to the College are such as may be adopted by the Academic Board or Graduate Council, approved by the President, and published in the appropriate college catalog.

2. General Qualifications for Admission as a Cadet. Applicants to the South Carolina Corps of Cadets should meet the U.S. Army standard for height/weight and be physically qualified for military duty as determined by The Citadel Surgeon. In making these decisions, the Department of Army physical standards are used as basic guidelines. Should an accident, injury, or serious illness in any way change the physical status of the applicant after acceptance but prior to arrival on campus, the applicant's physical qualifications must again be determined by The Citadel Surgeon subsequent to any such change. Any physical impairment could result in cancellation or postponement of admission. After admission, any condition or physical impairment that prohibits a cadet from participating in normal training activities may result in a discharge. In addition, an applicant must meet the following personal requirements:

- a. An applicant must be at least 17 and less than 23 years old on the day of matriculation at The Citadel. Exceptions to this policy may be considered on an individual basis for extenuating circumstances such as military service prior to application for admission. Any exception must be approved by the Provost/Dean of the College.
- b. An applicant may not be married now nor have childcare responsibilities for any minor child related to him or her by blood or marriage. Any cadet who marries or who assumes childcare responsibilities for any minor child related to him or her by blood or marriage will be discharged immediately.
- c. An applicant must agree in writing to participate in The Citadel's drug testing program. (See required Consent Form at the end of Section IV.)
- d. An applicant must not have a record of a felony conviction.
- e. An applicant must provide evidence from school authorities and personal references to show good moral character and to prove the applicant has the potential and the personality to conform to the ethical standards and the strict regimentation of cadet life.
- f. Applicants are expected to successfully complete the Citadel Physical Fitness Test (CPFT) prior to arrival on campus. This test will be administered for record early in Fourth Class Training. Individuals who do not meet the established standards will be required to participate in remedial physical training until the test has been satisfactorily completed.
- g. Each applicant entering the Corps of Cadets shall subscribe to the following cadet oath:
I, (state your first, middle and last name), hereby engage to serve as a cadet in The Citadel, The Military College of South Carolina, until graduation or until I shall be discharged by proper authority; and I promise to support loyally the constituted authorities thereof as long as I remain a member of the Corps of Cadets. I further

promise that I will never bring discredit on The Citadel or the South Carolina Corps of Cadets. I certify that I am not married. I further certify that I have no childcare responsibilities for any minor child related to me by blood or marriage.

3. Payment of Fees. Failure to make the required payment at the time specified may, at the discretion of the President or designee, subject the student to being discharged for non-payment of fees.

4. Indebtedness to the College. A student whose account is in an unsatisfactory condition will not be issued transcripts or a diploma, may not be permitted to participate in commencement ceremonies, and may not be permitted to enroll in additional course work until satisfactory settlement of the account has been made.

5. Academic Arrangement of the Corps of Cadets. The Corps of Cadets is arranged in four distinct classes corresponding to the years of attendance and academic status. Beginning cadets constitute the Fourth or Freshman Class. Promotions to the Third or Sophomore Class, to the Second or Junior Class, and to the First or Senior Class are based on the number of credit hours earned and completion of other specific academic requirements. The criteria for advancement from one class to a higher one are published in the college catalog.

6. College Calendar. The regular academic year consists of a Fall semester and a Spring semester. Two Summer sessions and a Maymester are also conducted.

7. Progress Reports. Faculty members shall keep records of the progress of their students and shall provide reports at the end of each academic term. For members of the Corps of Cadets, reports shall also be made at each mid-semester.

8. Criteria for Graduation. In questions regarding academic qualification for graduation, the recommendation of the Academic Board or the Graduate Council, as appropriate, approved by the President, is final. The criteria for graduation are fixed by the Academic Board or the Graduate Council, as appropriate, with the approval of the President, and published in the appropriate college catalog.

SECTION IV Student Administration

1. Activities. The President is responsible for all cadet and non-cadet student activities. The Commandant is responsible to the President for all cadet activities. The Provost/Designee of the Provost is responsible to the President for student activities for non-cadet students.

2. Campus. For purposes of these regulations, the campus is defined as all property and buildings owned or leased by The Citadel or the Board of Visitors including, but not limited to, 171 Moultrie Street, Johnson Hagood Stadium, The Citadel Beach House, the Lockwood Property, College/Riley Parks, and The Citadel Alumni Facility(ies) when in use by The Citadel or when The Citadel is participating in an event.

3. Agent. No cadet or non-cadet student shall engage in buying or selling or act as an agent for furnishing any service, article, or entertainment without the approval of the Commandant of Cadets or Provost/ Designee of the Provost, as appropriate.

4. Alcoholic Beverages. Except as specifically authorized by the President, cadets and non-cadet students will not drink alcoholic beverages on the campus (as defined in Section IV, paragraph 2 above) or bring to or have in their possession such beverages on the campus. Elsewhere, cadets and non-cadet students will not drink, possess, or traffic in alcoholic beverages in violation of law or in such a manner or under such conditions as to reflect discredit upon the College or student body.

5. Arms, Ammunition, or Explosives. Cadets and non-cadet students shall not have in their possession on campus firearms, ammunition, or explosives of any kind, except as specifically authorized by the Commandant of Cadets.

6. Arrest of Cadets. This paragraph refers to on-campus arrests related to violations of cadet regulations and not with violations of the law which would be handled by Public Safety Officers. Only the President and Commandant of Cadets are authorized to place a cadet under arrest, except for mutiny, direct disobedience of orders, or gross disrespect to a superior officer, in which case any commissioned College official is authorized to place a cadet under arrest; and in fighting or committing a breach of the peace, the offender may be placed under arrest by a commissioned College official, cadet officer, or cadet non-commissioned officer, even though inferior in rank. In all cases where arrest is imposed, notice will be sent at once to the Commandant of Cadets. Cadets may be released from arrest only by the President or the Commandant of Cadets.

7. Clubs, Societies, and Associations. Requests for official recognition of clubs, societies, or associations on campus will be submitted through the sponsoring Citadel organization and the Director of Cadet Activities to the Commandant of Cadets or the Provost/Designee of the Provost, as appropriate, with details of organization, membership, purpose, and financing. For each society, association, or club formed by cadets or non-cadet students, and recognized officially by the College, there shall be an advisor who will be either a faculty or staff member selected by the association or appointed by the Commandant of Cadets or the Provost/Designee of the Provost, as appropriate, and who will confer with and advise the officers of such organization. All books and accounts of such organizations will be subject to inspection by the advisor and the Director of Cadet Activities or the Designee of the Provost, and no payments shall be made or debts contracted except on approval of the advisor. The Commandant of Cadets or the Provost/Designee of the Provost, as appropriate, shall publish regulations governing the

administration of the funds of such organizations to include a requirement for periodic audits. The College assumes no liability for any indebtedness by such organizations, except those funded by the College. Cadets will not belong to associations or fraternities of other colleges or universities without the prior approval of the President.

8. Communications with College Officials. Cadets, non-cadet students, and others connected with the College will communicate with College authorities individually, and their communications as individuals will be given due consideration.

9. Dress of Students.

- a. Cadets.** The uniforms of the cadets shall be such as are prescribed by the President and furnished by the College. Cadets will be in uniform at all times except when the Corps of Cadets has been furloughed. The President may authorize the wearing of civilian clothes by cadets granted leaves.
- b. Active Duty Enlisted Personnel.** Active duty enlisted personnel who have been admitted into The Citadel's Day Program will be in appropriate duty uniform at all times while in class or participating in other activities where contact with the Corps of Cadets is likely.
- c. Other Students.** While the Corps of Cadets is in session during the fall and spring semesters, the dress of non-cadet students will conform to the general atmosphere of a military college campus. During summer school, the dress code is more relaxed, but cadets and non-cadet students must still dress in a manner which is conducive to an atmosphere of study and learning. The President approves specific dress code restrictions which are published annually and made available to each non-cadet student.

10. Furloughs and Leaves. The South Carolina Corps of Cadets (SCCC) becomes operational in phases during late July and early August as selected cadets report for Cadre. These phases continue until the entire SCCC is formed in late August. On-campus disciplinary regulations become effective for each cadet at the official reporting time for that cadet.

Leaves are defined as authorized periods of time during which a cadet or selected group(s) of cadets, but not the entire SCCC, is authorized to be away from campus.

Furloughs are periods when the entire SCCC “stands down” and leaves campus. Normally, there are four furlough periods as follows:

- (1) Thanksgiving Break,
- (2) Winter Break (between Fall & Spring semesters),
- (3) Spring Break (during Spring semester),
- (4) Summer Break (from SCCC graduation until the Regiment begins to form again in late summer).

Other furlough periods may be designated by the Governor, Board of Visitors, or the President.

11. Gratuity. Students may not give, pay, or offer, directly or indirectly, to any officer or cadet officer of the College any money or other thing of value with intent to influence such

officer or cadet officer in the discharge of his/her duty. Furthermore, no officer or cadet officer may accept from any person or from any agent or employee of such person any gift, money, or other thing of value given with intent to influence action.

12. Hair, Mustaches, Beards, or Jewelry. Appearance standards for cadets, as approved annually by the Board of Visitors, are detailed in the *Blue Book, Regulations for the South Carolina Corps of Cadets*.

13. Hazing, Harassment, and Discrimination.

- a. Hazing.** Hazing is prohibited. Hazing is defined as a wrongful striking, an unauthorized laying hand upon; a threat of violence; an offer to do bodily harm by any student to another student; any other unauthorized treatment by one student toward another student of a tyrannical, abusive, shameful, insulting, or humiliating nature; or a requirement of any student to perform personal services for another student except as specifically provided for cadets in the *Blue Book, Regulations for the South Carolina Corps of Cadets* or the *Red Book, The Fourth Class Manual for the Corps of Cadets*.
- b. Sexual Harassment.** Sexual harassment is prohibited. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - (1) submission to such conduct is made either explicitly or implicitly as a term or condition of a person's employment, academic standing, or other student opportunities;
 - (2) submission to or rejection of such conduct by an individual is used as the basis for decisions affecting an individual's employment, academic standing, or other student opportunities;
 - (3) such conduct has the purpose or effect of unreasonably interfering with a person's work; interfering with a person's professional or academic performance; or creating an intimidating, hostile, or offensive work, learning, or social environment.
- c. Other Forms of Harassment.** Discrimination or harassment based on race, color, religion, or national origin is strictly prohibited.

14. Ombudsperson. The purpose of The Citadel's ombudsperson is to foster values, decent behavior, fairness, equity, justice, equality of opportunity, and respect. The Citadel's ombudsperson shall serve as a trained and confidential source of informal resolution to receive complaints, answer inquiries, and informally address a wide range of inappropriate behaviors. All communications with the ombudsperson are to be absolutely confidential except violations of federal or state criminal law. The scope of The Citadel's ombudsperson's concerns include workplace concerns and mistreatment, learning environment mistreatment, sexual harassment (including rape/sexual assault, date/acquaintance rape), peer harassment, hazing, Fourth Class System violations, and discrimination. The ombudsperson will listen and act to facilitate fair and equitable resolutions to concerns/disputes on behalf of those with problems.

15. Ignorance of Regulations. Ignorance of any order or regulation is not considered an excuse for neglect or misconduct.

16. Information about the College. The Vice President for Communications is the official source of information to the news media about the College, except for athletic matters which will be disseminated by the Director of Athletics or a designated representative.

17. Publications. Any authorized student publication, such as the yearbook, the college newspaper, and student academic literary journals, will be issued under the responsible supervision of a student editor and a designated faculty advisor. The Director of Cadet Activities retains final responsibility for these student publications related to cadet activities. The Provost/Designee of the Provost is responsible for student publications related to activities of non-cadet students. Other official publications prepared by the faculty or staff will be coordinated with the Vice President for Communications.

18. Non-Academic Graduation Requirements. Having incurred punishments which would extend beyond commencement, a cadet will not be permitted to graduate or participate in commencement exercises until such punishments have been served or disposed of to the satisfaction of the Commandant of Cadets.

19. Policy on Hallucinogenic, Narcotic, and Other Controlled Drugs and Substances; Drug Paraphernalia; and The Citadel Drug Testing Policy.

a. Prohibited Activity. The Citadel will not tolerate the possession, solicitation, distribution, sale, or use of hallucinogenic, narcotic, or other controlled drugs and substances, or of drug paraphernalia.

- (1) The Citadel therefore prohibits all students at any time or place, whether on- or off-campus, from possessing or using any hallucinogenic, narcotic or other controlled drug or substance or any paraphernalia as defined in South Carolina Code Ann. Sec. 44-53-110, unless authorized by a legal prescription for such substance or otherwise specifically permitted by law. Any student knowingly and willfully possessing or using any such substance or item in violation of this policy will be expelled from the College. Any student possessing or using any such substance or item in violation of this policy, but for whom the possession or use is not knowing and willful, will be subject to expulsion from the College.
- (2) The Citadel has a drug testing program which gives the College the right to randomly test members of the Corps of Cadets periodically for the presence of illegal drugs and other controlled substances. Agreeing to participate in this program is a condition of acceptance at The Citadel, and submitting to testing when required under this program is a condition for remaining as a student. (See required Consent Form at the end of this section.)
- (3) The Citadel additionally prohibits any person - whether a student, visitor, employee, or other person - from bringing onto or possessing on The Citadel campus or other Citadel property any hallucinogenic, narcotic or other controlled drug or substance or any drug paraphernalia except as specifically permitted by law. The possession of any such substance or item by any person on Citadel property is contrary to and in violation of the permission of any person to be on Citadel property, and possession or control of any such substance or item on

Citadel property is regarded as criminal trespass. Further, any such prohibited item located on Citadel property is regarded as contraband and subject to immediate seizure.

- (4) Drugs and substances which are prohibited by this policy include all of those controlled substances listed in the schedules in South Carolina Code of Laws Sections 44-53-190, 44-53-210, 44-53-250 and 44-53-270, as amended, including, but not limited to, the following:

- (a) anabolic steroids;
- (b) cannabis or marijuana;
- (c) cocaine, "crack cocaine," "crank" or "ice";
- (d) hallucinogens;
- (e) narcotics;
- (f) depressants;
- (g) LSD;
- (h) opiates or opiate derivatives;
- (i) amphetamines;
- (j) stimulants.

- (5) Items constituting paraphernalia which are prohibited by this policy are those items identified in South Carolina Code of Laws Section 44-53-110, as amended, including, but not limited to, the following:

"Paraphernalia" means any instrument, device, article, or contrivance used, designed for use, or intended for use in ingesting, smoking, administering, or preparing marijuana, hashish, hashish oil, or cocaine and shall not include cigarette papers and tobacco pipes but shall include but not be limited to the following:

- (a) metal, wooden, acrylic, glass, stone, plastic, or ceramic marijuana or hashish pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
- (b) water pipes designed for use or intended for use with marijuana, hashish, hashish oil, or cocaine;
- (c) carburetion tubes and devices;
- (d) smoking and carburetion masks;
- (e) roach clips;
- (f) separation gins designed for use or intended for use in cleaning marijuana;
- (g) cocaine spoons and vials;
- (h) chamber pipes;
- (i) carburetor pipes;
- (j) electric pipes;
- (k) air-driven pipes;
- (l) chilams;
- (m) bongs;
- (n) ice pipes or chillers.

b. Drug Testing Policy

- (1) The Citadel's "Policy on Hallucinogenic, Narcotic, and Other Controlled Drugs and Substances and Drug Paraphernalia" provides for drug testing for members of the Corps of Cadets.
- (2) The Citadel will conduct unannounced random drug tests periodically during the Academic Year. Cadets selected for random testing will be directed to report to a specified location at a specified time for the purpose of providing an observed specimen for testing. Each cadet will be briefed on the process and will remain at the designated location until an acceptable sample is provided for use by the testing laboratory.
- (3) In addition, the College will direct members of the Corps of Cadets to be tested when reasonable suspicion of drug use exists. "Reasonable suspicion" is defined as the existence of circumstances, reports, information or direct observation of such a nature as to create a reasonable belief of a violation of the Drug Policy of The Citadel.
- (4) Refusal to provide an observed specimen upon request in accordance with the provisions of this Policy will be treated as the equivalent of a positive test and turned over to the Commandant for appropriate disciplinary action in accordance with the Drug Policy of The Citadel.

c. Punishable Violations

A finding that any student has engaged in the following conduct shall constitute a violation of this policy:

- (1) the possession of any drug, substance or item prohibited by this policy without specific authorization in accordance with law to possess such drug, substance or item (such as a valid and legal prescription, a state license authorizing possession, etc.);
- (2) an admission or confession in any legal or administrative proceeding of the possession or use of any such drug, substance or item prohibited herein;
- (3) a positive finding of the presence of a prohibited substance pursuant to any generally accepted test including, but not limited to, a blood, urine, or hair follicle test for such substance;
- (4) a refusal to submit to testing for drugs in accordance with The Citadel's drug testing program;
- (5) a conviction, a plea of guilty, a plea of *nolo contendere*, or a plea pursuant to North Carolina v. Alford to any criminal charge regarding the prohibition or controlled use of hallucinogenic, narcotic, and other controlled drugs and substances;
- (6) the purchase, sale, manufacture, delivery, or bringing onto The Citadel campus (as defined in Section IV, paragraph 2.) or providing financial assistance or

otherwise aiding or abetting any other person in the purchase, sale, manufacture, delivery or bringing on The Citadel campus any such prohibited drug, substance or item;

- (7) assisting or otherwise aiding and abetting any other person in possessing any prohibited drug, prohibited substance, or item constituting drug paraphernalia.

FORM FOR DRUG TESTING CONSENT AGREEMENT

THE CITADEL
THE MILITARY COLLEGE OF SOUTH CAROLINA
CHARLESTON, SOUTH CAROLINA

Consent to Drug Testing

I hereby acknowledge that I have been advised of The Citadel's "Policy on Hallucinogenic, Narcotic, and Other Controlled Drugs and Substances and Drug Paraphernalia and Drug Testing Policy." I hereby further acknowledge that I am aware of the following specific requirements of that policy:

- _____ The Citadel will not tolerate the possession, solicitation, distribution, sale, or use of hallucinogenic, narcotic or other controlled drugs or substances or of drug paraphernalia.
- _____ Violation of The Citadel's policy on controlled drugs and substances and drug paraphernalia will result in my being expelled from The Citadel.
- _____ I may be required to submit to unannounced random drug tests during the academic year.
- _____ I may be directed to submit to drug testing by officials of The Citadel if a reasonable suspicion of drug use by me exists.
- _____ Refusal to submit to drug testing in accordance with The Citadel Drug Testing Policy will be regarded as the equivalent of a positive drug test and can also result in my being expelled from The Citadel.

I have read and I understand The Citadel's "Policy on Hallucinogenic, Narcotic, and Other Controlled Drugs and Substances and Drug Paraphernalia," and by signing this form I agree to abide by the terms of that Policy, and I hereby agree to The Citadel Drug Testing Policy, and I consent to be tested for controlled drugs and substances as required by that policy. I further agree that refusal to submit to testing as required by The Citadel Drug Testing Policy may subject me to being expelled from The Citadel.

Signature by Cadet

Signature by Parent/Guardian (if minor)

Date

SECTION V
Disciplinary Matters

1. General.

- a. With the approval of the President, the Provost/Designee of the Provost and the Commandant prescribe for the various student bodies of the College such rules and regulations as are necessary for the good government and well being of the College. The Commandant prescribes these rules and regulations for the Corps of Cadets and for all students living in the barracks in Maymester/Summer School. The Provost/Designee of the Provost prescribes these rules and regulations for all non-cadet students, including all students enrolled in Maymester/Summer School at The Citadel but not residing in the barracks.
- b. Infractions of rules and regulations will be handled administratively in the simplest fashion which will guarantee due process for the alleged offender and ensure that truth and justice prevail.
- c. Obedience to orders is the basis of all military discipline, and cadets will obey without argument or comment all lawful orders received by them from proper authority. If, in their judgment, such orders are improper, they may, after compliance, make an official statement of the circumstances in writing to the Commandant of Cadets, who will investigate and take appropriate action.
- d. Members of the faculty and staff are expected to participate in the maintenance of good order and discipline at the College.
- e. During periods of furlough, the cadet disciplinary system shall apply if the conduct meets the criteria established in Section V paragraph 4 of these regulations for the application of Citadel jurisdiction for an off-campus offense.

2. Command of the Corps of Cadets. The cadets of the College constitute a military corps and are subject to military discipline under the immediate command of the Commandant of Cadets.

3. Cadet Demerits and Merits.

- a. For each recorded delinquency, a cadet is awarded punishment and/or a number of demerits corresponding to the degree of delinquency. The degree of punishment and the number of associated demerits are fixed by the Commandant of Cadets with the authority of the President and published in the *Blue Book, Regulations for the South Carolina Corps of Cadet* or appropriate cadet regulation. A system of merits will similarly be established and published. Allowable demerits for each academic class shall be established and published in the *Blue Book, Regulations for the South Carolina Corps of Cadets* or appropriate cadet regulation by the Commandant of Cadets, with the approval of the President.
- b. When cadets accumulate more than the total number of demerits allowed each month for their academic class, such cadets shall be declared deficient in conduct. Those cadets who have exceeded a monthly allowance but have not exceeded the maximum number of demerits allowed for their academic class for either or both semesters will

be removed from conduct deficient status when they complete a month without accruing excessive demerits and without committing Class I or II offenses (defined in Paragraph 5 of this section).

- c. When cadets receive three-quarters of the maximum allowances of demerits for either or both semesters, they will appear before a Conduct Review Board composed of their company tactical officer and their cadet company commander. This board will review their records and counsel the cadets.
- d. Any Tactical Officer may at any time recommend a Conduct Review Board for a cadet based on that cadet's conduct record. When cadets accumulate more than the number of demerits allowed for a member of their academic class for the semester or the year, their records of delinquencies will be reviewed by a Conduct Review Board. The examination of the cadets' records will be accomplished in their presence, and they will be afforded the opportunity to present evidence in their own behalf for consideration of removal of demerits or clarification of their conduct. The report of this review is presented to the Assistant Commandant for Discipline. If after this review the cadet still exceeds the maximum allowable number of demerits or if the cadet has not been able to clarify his or her conduct, the Assistant Commandant for Discipline may recommend to the Commandant that a Suitability Hearing be conducted. No cadet whose record has not been reviewed as stated above will be reported to the Commandant for action. If deemed appropriate by the Commandant, a Suitability Hearing will be conducted by the Assistant Commandant for Discipline, a senior cadet officer nominated by the Regimental Commander, and either the Academic Advisor or Company Advisor of the cadet who is to face the hearing or a senior faculty member appointed by the Provost/Dean of the College. In the absence of the Assistant Commandant for Discipline, one of the other Assistant Commandants will conduct the hearing. In the Suitability Hearing, the cadet's records will be reviewed, and the cadet may present matters in his or her own behalf. The Suitability Hearing may result in a recommendation to the Commandant for suspension or dismissal or other appropriate punishment (Section VII, paragraph 4.). If the Commandant concurs, a recommendation for suspension or dismissal is forwarded to the President.

4. Off-campus Offenses. A cadet who commits an act off-campus that reflects adversely on The Citadel or the Corps of Cadets may be punished as if the act had been committed on-campus if the alleged misconduct violates the cadet disciplinary code and the act...

- potentially endangers the health, safety, or welfare of members of the campus community, or
- potentially places college property at risk of damage, loss, or destruction, or
- occurs at a time when the cadet represents the College in an off-campus activity, or
- involves conduct that charges one or more of the following:
 - a felony act; a crime of moral turpitude; an act of violence; an act that involves the possession, use, or sale of an illegal drug or alcohol; or, an act involving racial or sexual harassment.

5. Cadet Offenses. The offenses for which a cadet shall be punished are divided into three categories as follows:

a. Class I Offenses.

- (1) Expulsion from the College may be the punishment for the following offenses:
 - (a) knowingly making a false oral or written statement in response to an oral or written requirement from an individual or officer of the College authorized by position or function to place such a requirement;
 - (b) commission of any act which is a felony under the laws of any state, the United States, or any other jurisdiction;
 - (c) conviction of a violation of the Cadet Honor Code;
 - (d) violating The Citadel's drug policy as outlined in Section IV, paragraph 19. above;
 - (e) tolerating (d) above;
 - (f) hazing as defined in Section IV, paragraph 13.a.;
 - (g) commission of any act of a vicious or immoral nature unbecoming to a cadet;
 - (h) sexual assault or attempted sexual assault;
 - (i) sexual harassment (as defined in Section IV, paragraph 13.b.)
 - (j) serious sexual activity on and off campus (Cadets may not engage in serious sexual activity on campus. Serious sexual activity may include oral sex, sexual intercourse, or public display of nudity or partial nudity. Cadets may not engage in serious sexual activity off campus between fourth class and upper class cadets.).
- (2) Dismissal from the College may be the punishment for the following offenses:
 - (a) disruptive alcohol related behavior, bringing intoxicating beverages onto the campus (as defined in Section IV, paragraph 2), or the possession of intoxicating beverages on the campus (as defined in Section IV, paragraph 2), except as otherwise authorized herein;
 - (b) disobedience of the lawful command of or an act of disrespect toward any superior officer or official of the College;
 - (c) breach of arrest;
 - (d) accumulation of more than the semester or annual allowable number of demerits;
 - (e) any threat to or act against the person or property of another, the effect of which tends to intimidate or influence the enforcement of the rules and regulations of the College;

- (f) discharge or possession of firearms on campus (as defined in Section IV, paragraph 2.) except under proper supervision on authorized ranges;
 - (g) the commission of any act unbecoming to a cadet and/or one which would tend to bring discredit upon the institution or to the uniform;
- (3) Suspension from the College may be the punishment for the following offenses:
- (a) insubordination or disorderly conduct;
 - (b) drinking, possessing, or trafficking in intoxicating beverages in such a manner and under such conditions as to reflect discredit upon the College or the Corps of Cadets but not involving such beverages in barracks or on the campus;
 - (c) demonstrating or exhibiting disrespect to a member of the guard in any way, disobeying a lawful order of a member of the guard, or interfering in any way with a member of the guard in the proper discharge of duties;
 - (d) challenging another cadet in a verbally abusive or physically threatening manner for actions taken while in the discharge of duties;
 - (e) sexual harassment (as defined in Section IV. 13. b. except as defined in Section V, paragraph 5.a.(1)(i) above).
- (4) The Commandant of Cadets may award and enforce up to and including 60 demerits and 120 punishment tours for other offenses not enumerated above but considered serious violations of good order and military discipline.

b. Class II Offenses.

Offenses in this category are all those enumerated in *Regulations, South Carolina Corps of Cadets* for which the Assistant Commandant for Discipline shall have the authority to assess against any cadet penalties up to and including 20 demerits and 40 tours.

c. Class III Offenses.

Offenses in this category are other offenses, except those cited in paragraphs 5.a. and b. above, as enumerated in *Regulations, South Carolina Corps of Cadets* for which penalties have been assigned. All such offenses have assigned punishments.

6. Offenses of Non-Cadet Students during the Academic Year and All Students, Including Cadets, Attending The Citadel Maymester/Summer School or Employed by The Citadel. These provisions apply to students other than cadets during the academic year and to all students including cadets during Maymester/summer school. These provisions also apply to students employed by The Citadel. The offenses are as follows:

a. Expulsion may be the punishment for the following offenses:

- (1) knowingly making a false oral or written statement in response to an oral or written requirement from an individual or officer of the College authorized by position or function to place such a requirement;
- (2) violating the academic integrity policy;
- (3) stealing or the commission of any act which is a felony under the laws of any state, the United States, or any other jurisdiction;
- (4) violating The Citadel's drug policy as outlined in Section IV, paragraph 19;
- (5) sexual assaults or attempted sexual assaults;
- (6) sexual harassment (as defined in Section IV, paragraph 13.b.);
- (7) serious sexual activity on campus (Students may not engage in serious sexual activity on campus. Serious sexual activity may include oral sex, sexual intercourse, or public display of nudity or partial nudity.);
- (8) commission of an act of a vicious or immoral nature unbecoming of a Citadel student.

b. Dismissal may be the punishment for the following offenses:

- (1) disruptive alcohol related behavior, bringing intoxicating beverages onto the campus (as defined in Section IV, paragraph 2.), or the possession of intoxicating beverages on the campus (as defined in Section IV, paragraph 2.), except as otherwise authorized herein;
- (2) disobedience to the directives of or an act of disrespect to any official of the College;
- (3) commission of any unbecoming act or one which would tend to bring discredit to the College;
- (4) discharge or possession of firearms on campus (as defined in Section IV, paragraph 2.), except under proper supervision on authorized ranges.

c. Suspension may be the punishment for the following offenses:

- (1) insubordination or disorderly conduct;

- (2) challenging another student in a verbally abusive or physically threatening manner for actions taken while in the discharge of duties;
 - (3) sexual harassment (as defined in Section IV, paragraph 13.b. except as defined in Section V, paragraph 6.a.(6)).
- d.** Other punishment may be imposed by the appropriate authority for the following:
- Any disorderly act, neglect, or misbehavior listed in regulations specifically prepared for students other than cadets.
- e.** All students, including cadets, who attend Maymester/Summer School at The Citadel will abide by Maymester/Summer School and other regulations published separately.

SECTION VI
Investigations and Hearings for Student Violations

1. Investigations.

- a. Investigations of violations of disciplinary regulations will be made by officers on boards appointed by the President, the Commandant of Cadets, or the Provost/Designee of the Provost, as appropriate. Investigations of violations of the Cadet Honor Code will be made by the Cadet Honor Committee. Investigations of violations of Academic Integrity for non-cadet students and for cadets enrolled in Maymester/Summer School will be made by the Provost/Designee of the Provost.
- b. An individual who has been accused of an offense under investigation may furnish names of individuals and materials to the investigating board for its consideration.

2. Advisors. In all college hearings and boards, to include appeals before the Board of Visitors, the student may be assisted by another student or a member of the permanent faculty and staff not to exceed two.

- a. Advisors are not permitted to speak or to participate directly in any board or hearing. The accused student, and also any alleged victim who chooses to be assisted by an advisor, is responsible for presenting his or her own information.
- b. Under no circumstances will any faculty or staff member or student who is serving as an advisor for a student before any board or hearing at The Citadel be remunerated for such services.
- c. Students who are facing disciplinary hearings for an act, which is also the subject of an off-campus criminal proceeding, may request that an attorney attend the hearing. A request to have an attorney present at a hearing or board must be made in writing to the board president or chairman at least two days in advance of the hearing. An attorney may act only in an advisory role to the student and may only advise the student during recesses of the hearing. Any attorney who attends a hearing may not ask questions of witnesses or board members, speak on behalf of the student, or actively participate in the hearing process. If the student has an attorney present as an advisor, the College may, at the discretion of the board president or chairman, have legal counsel present to advise the board.

3. Hearings for Violations of Disciplinary Regulations.

- a. Students accused of a violation of disciplinary regulations which may lead to suspension, dismissal, or expulsion are entitled to the following:
 - to have a fair and prompt hearing before an officer or a board of officers of the College;
 - to be informed in writing of the offense of which accused and to have reasonable time to prepare a defense;
 - to present information in their own behalf;
 - to be able to submit a petition of appeal to the proper authority should the decision go against them;

- to resign from the College at any time prior to a hearing or an appeal which they have requested.
- b. For offenses that may lead to suspension, dismissal, or expulsion, the Commandant of Cadets will appoint the officer or board of officers to hear cases which involve cadets during the academic year and for all students living in the barracks during Maymester or one of the summer sessions. The Provost/Designee of the Provost will appoint the officer or board of officers to hear cases which involve non-cadet students in the academic year and for all students not living in the barracks during Maymester or one of the summer sessions. For Class I or II offenses that do not involve suspension, dismissal, or expulsion, cadets may request a hearing in writing to the Office of the Commandant, which is responsible for deciding if a hearing is warranted.
 - c. Policies and procedures for hearings for all students are approved by the President and published and distributed annually. Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in boards or hearings.
 - d. The hearing officer's or board's determination shall be made on the basis of whether it is more likely than not that the accused student violated the disciplinary code. Based on the evidence presented, the hearing officer or board may recommend any appropriate penalty to the appointing authority. Disciplinary penalties involving suspension, dismissal, or expulsion may be recommended to the President by the appointing authority and shall be imposed only by the President. The President may impose punishment based on the information in the Board's report as well as the cadet's entire disciplinary record.

4. Hearings for Violations of Honor Code or Academic Integrity Policy.

- a. An Honor System as designed by the Corps of Cadets and approved by the President will be in effect at The Citadel. This system is presented in the cadet *Honor Manual*.
- b. The Citadel expects all its students to conduct themselves honorably. The Academic Integrity Policy and procedures for non-cadet students during the academic year and for all students--cadets and non-cadet students--attending The Citadel's summer sessions--Maymester, Summer Evening, Summer I, and Summer II-- or employed by The Citadel are approved by the President and published and distributed annually.

5. Appeals for Honor Cases and Violations of the Academic Integrity Policy. The Citadel Board of Visitors will not entertain petitions of appeal on honor cases or violations of the Academic Integrity Policy.

6. Appeals of Cases Other Than Honor.

- a. Disciplinary decisions may be appealed in writing to the authority one level higher than the penalty approval authority.
 - (1) The Board of Visitors will only hear appeals in which the punishment imposed is suspension, dismissal, or expulsion.

- (2) The President is the appellate authority for all Class I offenses in which the punishment imposed is not suspension, dismissal, or expulsion.
 - (3) The Commandant of Cadets is the appellate authority for all other disciplinary offenses.
- b.** An appeal does not provide a second forum in which to present the case. Appeals deal only with how a decision has been reached and not with the decision itself. The following are the exclusive grounds for appeal:
- (1) that the hearing officer or board failed to follow approved written procedures;
 - (2) that the decision is arbitrary, that is, unreasonable and not based upon or consistent with the evidence and testimony presented;
 - (3) that significant evidence has been discovered since the hearing that was not available at the time the decision was reached.

c. Appeals to the Board of Visitors

- (1) A cadet or non-cadet student may appeal the President's decision of suspension, dismissal, or expulsion to the Board of Visitors. The preparation and submission of the appeal, which must include grounds on which relief is being sought, is exclusively the responsibility of the cadet or non-cadet student. The cadet or non-cadet student must present the appeal to the Office of the President within five (5) working days of the announcement of the punishment. Extensions beyond the five (5) working days may only be granted in extraordinary cases and will not be granted simply to accommodate the schedule or other needs of anyone involved in the preparation of the appeal. Requests for extensions must be submitted in writing by the cadet or non-cadet student and must include the justification for the extension. The Office of the President will deliver the appeal, the report of the board or hearing, and the response of the College, if any, to the Customs, Regulations, and Cadet Liaison Committee of the Board of Visitors. The Office of the President will also provide the response of the College to the cadet or non-cadet student.
- (2) The Customs, Regulations, and Cadet Liaison Committee shall review the submitted record, including the cadet's disciplinary record, without appearance of parties or argument, and determine whether or not the appeal is meritorious. If the Committee determines that the petition of appeal is not meritorious, it will be dismissed with finality. If the Committee determines that the petition of appeal merits consideration by the Board of Visitors, it shall identify those issues to be heard by the Board of Visitors.
- (3) The Board of Visitors will receive the same petition of appeal and evidence of record as was received by the Customs, Regulations, and Cadet Liaison Committee in advance of the meeting of the Board of Visitors at which the petition of appeal will be scheduled to be heard. Such appeals will be heard as expeditiously as possible and not later than the next regularly scheduled meeting of the Board of Visitors. In hearing such petitions of appeal, the Board of Visitors will hear oral arguments from the cadet or non-cadet student and a

representative of the administration. Such arguments shall be limited to those issues identified as meritorious by the Customs, Regulations, and Cadet Liaison Committee. The presentations of the cadet or non-cadet student and the administration representative shall be limited to fifteen (15) minutes. The cadet or non-cadet student shall have the right to open and close the argument. A cadet or non-cadet student may request that an attorney attend the hearing if the cadet/student is facing criminal charges as the result of the action(s) which form(s) the basis of the disciplinary proceedings, but attorneys may not speak on behalf of the cadet or non-cadet student. The determination of the Board of Visitors shall be final.

- (4) A cadet or non-cadet student who is under sentence of suspension, dismissal, or expulsion and who has submitted a petition of appeal to the proper authority may request permission of the President to attend classes until final action is taken on the petition of appeal.

SECTION VII
Discharges and Reinstatement

1. Authority to Discharge.

- a. No student shall be discharged before graduation except by Special Order from the Office of the President or by policy stated in a catalog of the College. The President may, by written authorization, delegate the authority to discharge students administratively to an appropriate official of the College.
- b. The President has authority to discharge a student:
 - (1) on the student's application or, if the student is a dependent and acquiesces, on request of the parent or guardian;
 - (2) for whom expulsion, suspension, or dismissal has been recommended;
 - (3) who otherwise fails to meet continuing conditions of admission or matriculation set forth in these *College Regulations* or a college catalog;
 - (4) on recommendation of the Medical Review Board.
- c. The Chair of the Board of Visitors will be informed of the discharge of students for disciplinary reasons. A disciplinary finding of expulsion, dismissal, or suspension or an honor finding of expulsion shall be imposed only by the President.

2. Temporary Suspension. The President may suspend a student temporarily pending a hearing when, in the President's opinion, such action is in the best interests of the suspended student or the maintenance of good order and discipline.

3. Resignation.

- a. A cadet or non-cadet student who has been accused of a disciplinary offense that could require a board or hearing or a cadet who has been called before a suitability board may resign in lieu of facing the prescribed board or hearing. The cadet or non-cadet student will be counseled that by resigning he or she will be treated by The Citadel as if he or she has been found guilty of the offense in question and has been awarded the maximum punishment authorized.
- b. A cadet or non-cadet student who elects to leave the College without resigning and with a disciplinary board, hearing, or offense pending that could result in suspension, dismissal, or expulsion, will be suspended, dismissed, or expelled in absentia, as determined by the maximum punishment allowed for the charge in question. The Office of the President will direct the Office of the Registrar to so inform the student.
- c. A cadet accused of an honor violation or a non-cadet student accused of a violation of the academic integrity policy may resign at any time prior to the final disposition of the case. A cadet who leaves the College with an honor trial or accusation pending or a non-cadet student who leaves the College with an academic integrity accusation or hearing pending will be expelled in absentia. The Office of the President will direct the Office of the Registrar to so inform the cadet or non-cadet student.

4. Types of Discharge. The following terms are used by the Office of the President in announcing internally the discharge of cadets or non-cadet students for disciplinary reasons. These terms do not appear on the cadet's or non-cadet student's academic transcript. In all cases the terms "Discharged" or "Permission to Resign" will appear on the academic transcript.

- a. PERMISSION TO RESIGN indicates that the cadet or non-cadet student has resigned in lieu of facing a board or hearing that could have led to his or her suspension, dismissal, or expulsion from the College. This cadet or non-cadet student will be treated by the College as if he or she has been suspended, dismissed, or expelled which ever is the maximum punishment the cadet or non-cadet student could have received had he or she elected to face the charge or accusation that had been made.
- b. SUSPENDED indicates that the cadet or non-cadet student has been required to leave the College for a period of one semester beyond the semester in which the suspension is awarded.
- c. SUSPENDED IN ABSENTIA indicates that the cadet or non-cadet student has left the College without resigning while facing a charge for which the maximum punishment is suspension.
- d. DISMISSED indicates that the cadet or non-cadet student has been required to leave the College for a period of two semesters beyond the semester in which the dismissal is awarded.
- e. DISMISSED IN ABSENTIA indicates that the cadet or non-cadet student has left the College without resigning while facing a charge for which the maximum punishment is dismissal.
- f. EXPELLED indicates that the cadet or non-cadet student has been required to leave the College and is not eligible to return. A cadet or non-cadet student who has been expelled may not enroll in classes in any of The Citadel's programs--Cadet, Citadel Graduate College, Maymester, or Summer School.
- g. EXPELLED IN ABSENTIA indicates that the cadet or non-cadet student has left the College without resigning while facing a charge or accusation for which the maximum punishment is expulsion. A cadet or non-cadet student who has been expelled in absentia may not enroll in courses in any of The Citadel's programs--Cadet, Citadel Graduate College, Maymester, or Summer School.

5. Reinstatement.

- a. A cadet or non-cadet student who has been expelled, has been expelled in absentia, or has resigned with a possible expulsion offense pending will not be eligible for readmission to the College unless new evidence becomes available which indicates to the satisfaction of the Provost/Dean of the College that the original findings or charges were in error. This new evidence must be presented in the form of an appeal for reinstatement by the cadet or non-cadet student to the Provost/Dean of the College within one academic semester after the charges were filed or the action of the College is finalized. The Provost/Dean of the College must obtain approval from the

office or board which made the final decision on the expulsion in order for the reinstatement to be granted. (Revised 20 September 2003)

- b.** A cadet or non-cadet student who has been dismissed, has been dismissed in absentia, or has resigned with a possible dismissal offense pending may make written application during the second semester following the semester of discharge for readmission at the beginning of the semester following the application; i.e., a minimum of two semesters must elapse after the semester of dismissal before the semester of readmission. The summer will not serve as a semester for these purposes. Such applications will be considered by the Provost/Designee of the Provost who is responsible for the process of clearing readmission to the College.
- c.** A cadet or non-cadet student who has been suspended, has been suspended in absentia, or has resigned with a possible suspension offense pending may make written application during the first semester following the semester of discharge for readmission at the beginning of the semester following the application (i.e., a minimum of one semester must elapse after the semester of suspension before the semester of readmission). The summer will not serve as a semester for these purposes. Such applications will be considered by the Provost/Designee of the Provost who is responsible for the process of clearing readmission to the College.
- d.** In the event that a cadet or non-cadet student who has been suspended or dismissed, or suspended in absentia or dismissed in absentia, or who has resigned with a possible suspension or dismissal offense pending, leaves the college at such point in time during a semester that the cadet or non-cadet student is precluded from completing academic course requirements and participating in a significant amount of military training and other mandatory activities of the Corps of Cadets, such cadet/student may submit a request to have the semester during which the suspension or dismissal was awarded credited as one (1) full semester of punishment. This request will be submitted to the Commandant who will make a recommendation to the President, whose decision will be final and not subject to further review. If the request for relief is granted, the cadet or non-cadet student must make application for readmission as provided for in Subsections 5b and 5c.

SECTION VIII

The Citadel Board of Visitors: Extracts, Code of Laws of South Carolina 1976 (as amended)

Section 59-121-10. Composition of Board of Visitors of The Citadel.

The Board of Visitors of The Citadel, the Military College of South Carolina, shall be composed of the Governor, the Adjutant General, the State Superintendent of Education, who shall be members ex-officio of said board, and eleven others who shall be graduates of said college, seven of whom are to be elected by joint vote of the General Assembly as hereinafter provided, three of whom are to be elected by such means and methods as may be determined by the Association of Citadel Men or any succeeding organization of Citadel men, the result of election to be certified by the president of the Association to the Secretary of State, and one of whom shall be appointed by the Governor. The Governor shall make the appointment based on merit regardless of race or economic status and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

NOTE: The name, "Association of Citadel Men," has been changed to "The Citadel Alumni Association."

Section 59-121-20. Terms of Board Members.

The regular term of office of the elected members in office on 18 April 1947, who are still in office shall end on the last day of June in the years stated in the table in Act 108 of the regular session of 1947 (Acts 1947, p. 144). The regular term of office of the elected members who were not in office on that date and all members hereafter shall be six years, provided that the third member authorized to be elected by the Association of Citadel Men shall serve an initial term of four years. All elected terms shall begin on the first day of July and end on the last day of June, provided, however, that each incumbent shall be entitled to hold office until his successor is duly elected. In electing members of the board, the General Assembly shall elect members based on merit regardless of race or economic status and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

The term of office of the at-large trustee appointed by the Governor shall be effective upon certification to the Secretary of State and shall be six years.

Section 59-121-30. Election of Board Members, age limit.

The General Assembly shall hold an election to fill vacancies during the session immediately preceding the expiration of terms and as necessary to fill vacancies of unexpired terms, except that vacancies of unexpired terms of members elected by the Association of Citadel Men shall be filled in the same manner as is provided in section 59-121-20. No elective member shall be elected or re-elected either by the General Assembly or by the Association of Citadel Men to fill any term of office the duration of which shall extend beyond the member's seventy-fifth birthday.

NOTE: Section 2 of House Bill 3669, approved by the Governor on 13 June 1997 amends Section 59-121-30 to read that beginning with election of members of the Board occurring on or after July 1, 1997, the seventy-fifth birthday limit no longer applies.

Section 59-121-40. Board created body corporate and politic, general powers.

The Board of Visitors of The Citadel, the Military College of South Carolina, is hereby created a body corporate and politic of this State, by the name and style of "The Board of Visitors of The Citadel, the Military College of South Carolina," and by said name it and its successors in office shall have perpetual succession and be able and capable in law to have, receive and enjoy to it and its successors and convey lands, tenements and hereditaments of any kind or value in fee

or for life or years and perpetual property of any kind whatever and all sums of money or any amount whatsoever which may be granted, devised or bequeathed to it for the purpose of building, erecting, endowing or supporting The Citadel, the Military College of South Carolina. But in receiving any such bequest no liabilities of any character shall be made binding or obligatory upon the State, except such as are accepted by the General Assembly. The board shall have a common seal for themselves and their successors with liberty to alter the same from time to time.

Section 59-121-50. Powers of board in educational matters.

Said Board may establish such regulations as it may deem necessary for the organization and good government of said college and establish such bylaws for the management thereof as shall not be inconsistent with the laws of this State or of the United States. It may appoint professors qualified to give instruction in military science and other branches of knowledge which it may deem essential and may fix their salaries and the period for which they shall serve. And the Board may confer degrees on graduates of the College and confer honorary degrees on such persons of distinction as it shall deem proper.

Section 59-121-55. Establishment of The Citadel Trust, Inc.

(A) The Board of Visitors, or individual members or employees of the board or college as designated by the board, are authorized to form or cause to be formed a nonprofit, eleemosynary corporation pursuant to Chapter 31 of Title 33, the purpose of which is to provide scholarships and other financial assistance or support to the college.

(B) The Board of Visitors is further authorized to transfer not exceeding twenty million dollars of nonstate appropriated funds and property it holds in its name or in the college's name for scholarship and other college support purposes to the nonprofit corporation formed pursuant to subsection (A). These funds and property must be used by the nonprofit corporation for its stated purposes, except that any restrictions or limitations applicable to a specified portion of these funds or property continue to be applicable after the transfer of these funds or property to the nonprofit corporation. Any encumbrances or liability on the funds and property so transferred must be assumed by the nonprofit corporation.

(C) The records and proceedings of the nonprofit corporation are subject to disclosure in the manner provided by the Freedom of Information Act.

Section 59-121-60. Quorum at special meeting of Board.

At any special meeting of the Board of Visitors of The Citadel, the Military College of South Carolina, when at least five days' notice in writing has been given by mail or otherwise to all of the members of the Board of the time and place of such meeting, any four or more of the members so notified who shall attend such special meeting shall constitute a quorum for the transaction of business.

Section 59-121-70. Annual Report of Board.

The Board of Visitors shall make a minute and full report of the condition and management of the college to the State Superintendent of Education and to the Governor, to be by the latter laid before the General Assembly in each and every year. (See Section IX. 1.c.)

Section 59-121-80. Burial of past presidents and their wives.

The Board of Visitors of The Citadel, the Military College of South Carolina, is hereby authorized to set aside a suitable plot, the size and location thereof to be determined by the Board and by the State Budget and Control Board, wherein may be interred the remains of past presidents of The Citadel who may be so minded to be buried therein with their wives, if so desired; provided that the approval and selection of such past presidents and their wives to be

buried therein shall be wholly in the discretion of the Board of Visitors of The Citadel, the Military College of South Carolina.

SECTION IX
Organization and Operating Rules of The Citadel Board of Visitors

1. Charge of the Board of Visitors.

- a. The Board of Visitors.** The direction and supervision of the College is the responsibility of the Board of Visitors, while delegating the administration to the President and his administrative officers. The powers of the Board of Visitors are derived from the Legislature of South Carolina and are defined in the statutes quoted in Section VIII above.
- b. Official Communications.** All official communications to the Board from persons connected with the College must be forwarded through the President.
- c. Annual Report.** The annual report submitted by The Citadel administration to members of the Budget and Control Board and General Assembly shall constitute the report required by S.C. Code Ann. Section 59-121-70.
- d. Rank of Board of Visitors Members.** All members of the Board of Visitors have the rank of colonel in the Unorganized Militia of South Carolina and appropriate commissions are issued.

 - (1) Any member who may have earned a rank other than colonel in any branch of the Federal or State armed services is entitled to be designated by such rank, if the individual so desires, but precedence among members of the Board is determined by total service on the Board whether this service be continuous or not.
 - (2) If the total service on the Board is identical for two or more members, Citadel graduates shall take precedence over non graduates, and Citadel graduates shall take precedence among themselves by year of graduation and class standing within the same graduating class.
 - (3) The Board of Visitors shall elect from among their members a chairman and a vice chairman who take precedence in that order and ahead of other members of the Board, regardless of length of service.
- e. Terms of Office for Officers of the Board.** Terms of office will coincide with the fiscal year of the College (i.e. 1 July through 30 June). A Board member elected as an officer to fill an unexpired term of office of the Board shall serve until the next annual meeting. Such interim term shall not count against the mandatory provision for term of office.
- f. Emeritus Members.** A member of The Citadel Board of Visitors who terminates membership after a total of eighteen years of service and who, in the opinion of the Board, has contributed significantly to the governance of the College, may be selected to be named "Member Emeritus" if this action is supported by an affirmative vote of three-fourths of the votes cast.
- g. Presidential Candidate Search Committee.** The Board of Visitors will establish the procedure for selection of a President when there is a vacancy or notification of a

forthcoming vacancy. However, no more than two (2) members of the Board of Visitors shall serve on a committee formed to conduct a search.

- h. Transactions involving Real Estate:** No real estate may be disposed of, nor may property or money realized from the sale of property be sold, transferred or reinvested unless **two thirds of the total number of Board members who are eligible to vote** agree thereto.

2. Officers.

a. Chair.

- (1) Duties.** The duties of the Chair shall be to preside over meetings of the Board and meetings of the Executive Committee, to represent the Board on ceremonial occasions, to keep informed of the administration of The Citadel, and to call such meetings of the Board or Executive Committee as deemed necessary or appropriate, to be the Board member responsible for communicating official positions of the Board, and to appoint members and chairs of all standing committees.
- (2) Committee membership.** The Chair shall be an ex-officio member of all committees of the Board, but shall be Chair of the Executive Committee only. The Chair of the Board may attend all meetings of the Board of Trustees elected by the Board of Visitors and shall have the privileges of the floor at such meetings, but shall not have a vote unless the Chair is a Trustee by individual right.
- (3) Election and Term.** To be eligible for election as Chair, the nominee must have served at least two (2) years in his current term, or be serving in a consecutive term, as a member of the Board. The Chair shall be elected to serve for a term of four years, or until his Board service terminates. The entire service as Chair will not exceed four years. Prior to an election for a new Chairman, any member who wishes to offer for consideration of nomination should inform the Board of Visitors Secretary **at least fourteen (14) days** prior to the annual meeting. The Secretary shall inform all members of the Board **at least seven (7) days** prior to the annual meeting of all members who have expressed interest. All nominations shall be made from the floor at the annual meeting. In the election of a Chairman, the balloting will be secret. The ballots will be canvassed by the Secretary and verified by the junior member. Voting shall continue until one candidate receives a majority of the votes cast, or until the Board decides, by majority vote, to cease voting until the next meeting of the Board, which meeting shall immediately be set by majority vote of the Board.

b. Vice Chair.

- (1) Duties.** The duties of the Vice Chair will be to act as Chair when the Chair is absent, to assist or represent the Chair when called upon to do so, and to perform such other duties as may be assigned by the Chair or the Board of Visitors.
- (2) Election and Term.** The Board of Visitors shall elect from among its members a Vice Chair by the same process as the Board Chair. The Vice Chair shall serve

a term of four years, or until his Board service expires. Total service of the Vice Chair shall not exceed four years. The Vice Chair shall take precedence immediately after the Chair and ahead of all other members.

c. Secretary.

(1) Duties. The duties of the Secretary shall be to attend and record the minutes of meetings of the Board, all meetings of the Executive Committee, and other committee meetings when requested to do so by the Chair of the committee. The Secretary shall issue notices of the meetings when called by competent authority, prepare minutes and promptly present them to the Board, and perform other duties as may be assigned by the Chairman or Board of Visitors. Unless the Secretary is a member of the Board of Visitors in his or her own right, the Secretary shall not vote. The Secretary shall serve as the custodian of the Board of Visitors records, but shall promptly provide a copy of all records to the Citadel Archives.

(2) Selection and Term. . The Board may elect a Secretary who is not a member of the Board. The Secretary's term of office shall coincide with that of the Chairman, and the Secretary may be re-appointed without limitation. In the absence of the Secretary, a temporary secretary may be arranged for from any source. If no secretary is present, the junior member present at the meeting will act as such.

(3) Compensation. The Secretary shall be paid for services provided and necessary travel, in a manner to be determined by the Board of Visitors.

d. Removal from Office. (1) Any member of the Board, (2) any officer of the Board, Trustee, or Committee member elected or appointed by the Board or by its authority, and (3) the President of the College, may be removed at any time for cause, or upon any inability to perform duties assigned, upon the vote of **not less than two thirds of the total number of Board members who are eligible to vote** . However, there must be **at least ten (10) days** notification in advance of proposed action required and there must be an opportunity for the one in question to be heard before the vote is taken.

3. Meetings of the Board.

a. Regular Meetings. The Board of Visitors will meet at least three times annually. The June meeting is typically designated as the annual meeting. Meetings of the Board will be presided over by the Chairman of the Board of Visitors, or in the Chairman's absence, the Vice Chairman. If neither is present, the senior member of the Board shall act as Chairman.

b. Special Meetings. A Special Meeting of the Board may be called at any time deemed advisable by the Chairman. A meeting of the Board must be called at the request of the President of The Citadel or of any three members of the Board. If the Chairman does not call a meeting in these circumstances, the Vice Chairman or the Secretary may issue the necessary notices. The presiding member shall be the same as for Regular Meetings.

- c. **Committee Meetings.** A Committee shall meet as directed by the Chair of the Board or on the call of the Chair of the committee or upon the resolution adopted by a majority of the committee to consider matters referred to it or matters within the scope of its responsibility. The Chair of the committee, or in the Chair's absence, the next senior member, shall preside at meetings of the committee. Such meetings may be held by teleconference if deemed necessary.
- d. **Meetings by Teleconference.** In cases when a Board of Visitors decision is needed before the next regular Board meeting, a Teleconference Meeting may be called by the Chair of the Board, provided that the electronic means utilized for the teleconference enable each participant to hear all other participants' comments. Participation by such means shall constitute presence in person at such meeting. The Secretary of the Board and the College's General Counsel shall be consulted if questions arise concerning the adequacy of the electronic media.
- e. **Meeting Notices.** The Secretary to the Board of Visitors, or the designated College Senior Staff Liaison Officer to a Committee of the Board of Visitors, shall be responsible for coordinating meeting notices. These notices will be made **at least five (5) working days in advance** of the Board or Committee meeting with the Chair of the Board or Committee Chair, the Secretary to the Board of Visitors, and the Executive Assistant to the President. The College Senior Staff Liaison Officer shall also be responsible for the preparation and posting of such notices as may be required by the South Carolina Freedom of Information Act. The Secretary of the Board of Visitors will be responsible for the preparation of minutes for Board meetings, and the College Senior Staff Liaison Officer will be responsible for the preparation of minutes for committee meetings, as required by the College's established Retention Schedule, guidelines promulgated by The Citadel Board of Visitors, and as required by the State of South Carolina.
- f. **Agenda.** A written agenda and supporting materials shall be prepared for each meeting in advance. The Secretary of the Board of Visitors or the College Senior Staff Liaison Officer will mail the agenda and supporting materials **at least five (5) working days in advance** of all meetings. The President of The Citadel and any member of the Board of Visitors may have placed on the agenda such subjects as they may wish to have considered. As a general policy, any member who wishes to introduce new matters should request the matter be included on the agenda in order to give members prior notice. Exceptions to these requirements must be coordinated in advance with the Chair of the Board or the Committee concerned and will require an affirmative vote of three-fourths of the members present to vote for approval.
- g. **Quorum.** At all meetings of the Board of Visitors, a quorum shall consist of a majority of the voting members of the Board, exclusive of *ex officio* members. At all meetings of Committees of the Board of Visitors, including the Executive Committee, a quorum shall consist of a majority of the voting members of the committee. At any special meeting of the Board, as prescribed in Paragraph IX, 3.b, above, when **at least five (5) days notice** has been given by mail or otherwise to all members of the Board of the time and place of the meeting, any four or more voting members of the Board, exclusive of *ex-officio* members, so notified who shall attend such special meeting shall constitute a quorum for the transaction of business. (See S.C. Code Ann. § 59-121-60.)

- b. Executive Committee.** The Executive Committee of the Board of Visitors shall consist of the Chair of the Board of Visitors; the Vice Chairman of the Board; and three (3) other members of the Board, at least **one (1)** such member to be elected from those members elected by The Citadel Alumni Association, and at least **one (1)** such member to be elected from those members elected from the General Assembly. This committee has the authority to dispose of matters affecting the interests of the College upon which the Board has already indicated its policy as well as those matters which may require immediate action when it is not practical to assemble the full Board.
- c. Special or Ad Hoc Committees.** Special or Ad Hoc Committees may be appointed by the Chair of the Board of Visitors as needed or as directed to do so by the Board. When its purpose has been accomplished, the committee is dissolved. No Special or Ad Hoc Committees shall be created to act upon any matter appropriate to be acted upon by a Standing Committee.
- d. Joint Committees.** Joint Committees are comprised partly of members appointed from the Board of Visitors and partly of members from other groups or organizations. Standing Joint Committees shall be approved for participation by the Board of Visitors and Board representatives on the Committee shall be elected by the Board. Special Joint Committees may be approved by the Chairman. A Joint Committee has authority only to investigate, observe, or recommend.

5. Committees.

- a. Finance Committee.** The Finance Committee shall be responsible for Finance, Budget, Investments and Scholarships, as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee shall review all matters under its purview and make appropriate recommendations to the Board of Visitors at the next regularly scheduled meeting of the Board. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this Committee:

 - (1) review proposed student and cadet fees in advance of the development of the annual operating budget of the College and recommend adoption of such fees, along with any changes proposed by the Committee, to the full Board of Visitors;
 - (2) review the proposed annual operating budget of the College in advance of the start of each fiscal year and recommend approval to the full Board of Visitors to include any changes proposed by the Committee;
 - (3) review all proposed expenditures from the trust, endowment, scholarship, and miscellaneous funds, both restricted and unrestricted, for which the Board of Visitors is responsible and make appropriate recommendations to the full Board of Visitors;
 - (4) develop policy and guidelines for fund-raising matters of the College;

- (5) review proposed deeds of trust and other documentation related to establishment of restricted or unrestricted funds and make recommendations to the full Board of Visitors for the acceptance, modification or rejection of all such documents;
- (6) recommend approval of the athletic budget to the full Board of Visitors to include any changes proposed by the Committee.

b. Education Committee. The Education Committee shall be responsible for all matters related to **Education, Curriculum, and Faculty Liaison**, as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee shall review all matters under its purview and make appropriate recommendations to the Board of Visitors. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this committee:

- (1) be informed of and apprise the Board of all pertinent matters relating to the educational programs and curriculum of the College, and shall, in general, make inquiry into and report to the Board of Visitors, with appropriate recommendations, on all such matters as it may consider relevant to the achievement of academic excellence;
- (2) meet with the respective Deans of the College from time to time to discuss the academic programs within the purview of each Dean, and to evaluate the effectiveness of programs to recruit and retain the best qualified faculty possible within the limits of available resources;
- (3) be thoroughly informed of and apprise the Board of Visitors of the adequacy of resources and facilities required to support the academic programs and academic support programs of the College;
- (4) be familiar with current admissions policies of the College as well as policies for retention and advancement of students and make recommendations to the Board of Visitors for improvements in each of these areas;
- (5) review and evaluate proposals for the development of new academic or academic support programs, proposals for new degrees, proposals to discontinue programs or degrees, and major changes in the curriculum. Be prepared to discuss all such changes with and make appropriate recommendations to the Board of Visitors;
- (6) regularly review the status of the accreditation of the College's schools and departments ,

c. Athletics Committee. The Athletics Committee shall be responsible for all matters related to the functional area as delineated in its title as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee will review all matters under its purview and make appropriate recommendations to the Board of Visitors. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this Committee:

- (1) keep the full Board informed on all aspects of The Citadel's Intercollegiate Athletics Program;
- (2) consult with the President and the Director of Athletics in advance of the termination of the head coach in any intercollegiate sport;
- (3) monitor the Athletics Program of the College and assist the Director of Athletics when requested, to include receipt of information from the Sports Information Director and the Director of The Citadel Brigadier Foundation;
- (4) conduct a yearly inspection of all athletic facilities, review scheduling policies for each sport, and assist the Chair of the Board of Visitors and the President in the annual evaluation of the performance of the Director of Athletics;
- (5) review the proposed annual operating budget and grants-in-aid budget of the Athletics Department in coordination with the Finance Committee of the Board of Visitors.

d. Special Recognition Committee. The Special Recognition Committee shall be comprised of the entire Board of Visitors with responsibility for all matters related to Honorary Degrees, Palmetto Medal, and Special Recognition, as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee shall review all matters under its purview for discussion and action. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this Committee:

- (1) accept no later than 1 February of each academic year the nominations with supporting documentation for award of the Palmetto Medal and Honorary Degrees. Members of the Board of Visitors are ineligible to be awarded or receive an Honorary Degree or Palmetto Medal during their tenure on the Board. Board members may be considered for these honors after their term on the Board has been completed. (All recommendations must be accompanied by supporting documentation. The Board of Visitors shall vote by secret written ballot for nominees and shall require a unanimous vote to award the Palmetto Medal.)

Honorary Degree and Palmetto Award Process

Honorary Degree Criteria

An honorary degree from The Citadel may be awarded by the Board of Visitors based on the following criteria:

- The achievement by an individual of a position of personal or professional eminence and distinction in a field of learning, the professions, the military, scholarship and arts, or in public service.
- A compelling reason why it would be particularly fitting for The Citadel to honor the nominee, in the form of a clear link between the nominee's achievements and The Citadel's mission and its core values. The Board particularly welcomes nominations of alumni, friends and individuals who

have a close affiliation with The Citadel. Normally, however, individuals who are or have been members of The Citadel faculty or administration shall not be considered.

- The appropriateness of recognizing this individual at commencement, before an audience of the South Carolina Corps of Cadets or students of The Citadel Graduate College and their families and friends.

Palmetto Medal Criteria

A Palmetto Medal may be awarded by the Board of Visitors based on the following criteria:

- Exceptional service to The Citadel, the City of Charleston, the State of South Carolina, or the United States which demonstrates the ideals of The Citadel.

Process

- Alumni and friends of The Citadel are encouraged to submit nominations to the Office of the Provost by hard copy or by e-mail (to provost@citadel.edu). Nominations shall be accepted until 1 January and will be confidential.
 - A Faculty Committee shall also solicit, consider, and forward nominations, in particular, of individuals of great distinction in the fields of scholarship, science, military and public service, the arts and the professions. Recommendations from the Faculty Committee shall be submitted no later than 15 January to the Provost.
 - The Provost shall present all nominations to the President by 22 January and the President, in turn, shall submit nominations and comments to the Committee on Honorary Degrees, Palmetto Medal, and Special Recognition no later than 1 February.
- (2) limit Honorary Degree awards to no more than five per year to include an Honorary Degree for the Corps of Cadets commencement speaker (Exceptions to this limit must be approved by the Board of Visitors. Upon the recommendation of the President, the Committee may also consider awarding an Honorary Degree to the commencement speaker for The Citadel Graduate College and send an appropriate recommendation to the full Board of Visitors. The Board of Visitors shall vote by secret written ballot for nominees and shall require a simple majority of the members present when those present constitute a quorum of the voting members of the Board);
 - (3) limit Palmetto Medal awards to two annually with one award to a deserving cadet and one award to a non-cadet (One additional Palmetto Medal may be awarded each year, if, in the opinion of the Board of Visitors, there is an exceptionally deserving nominee);
 - (4) review recommendations for Board of Visitors Emeritus status and submit recommendations to the Board of Visitors;
 - (5) review recommendations for the naming of facilities or portions of facilities and submit recommendations to the full Board of Visitors giving due consideration to established policies previously approved by the Board of Visitors or the College.

- e. Customs and Regulations Committee.** The Customs and Regulations Committee shall be responsible for all matters related to the functional areas as delineated in its title, for cadet liaison and student activities related to CGC, as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee shall review all matters under its purview and make appropriate recommendations to the Board of Visitors. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this Committee:
- (1) review all major policy changes to rules and regulations affecting the Corps of Cadets and the conduct of cadets;
 - (2) review all disciplinary appeals submitted in accordance with these regulations and make appropriate recommendations to the Board of Visitors;
 - (3) serve as a sounding board for the Commandant of Cadets and his/her staff for all matters pertaining to the Corps of Cadets;
 - (4) serve as a sounding board for the Associate Dean of the College and Citadel Graduate College and his/her staff for all matters pertaining to the CGC.
- f. External Affairs Committee.** The External Affairs Committee shall be responsible for all matters related to the functional areas as delineated in its title as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee shall review all matters under its purview and make appropriate recommendations to the Board of Visitors. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this Committee:
- (1) coordinate policy activities with all external constituencies, to include coordination with supporting private organizations;
 - (2) provide guidance and policy oversight of College affairs related to Governmental Affairs, Community Relations, Alumni Relations, and Communications/Media Relations;
- g. Buildings and Grounds Committee.** The Buildings and Grounds Committee shall be responsible for all matters related to the functional areas as delineated in its title as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee shall review all matters under its purview and make appropriate recommendations to the Board of Visitors. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this Committee:
- (1) make recommendations on all matters concerning the development, improvement, or expansion of the campus;
 - (2) make recommendations on planning and development of the campus with the objective of minimizing utilization of resources for an orderly development of

the physical facilities of the College, in coordination with Strategic Planning Committee;

- (3) utilize funds from whatever sources which have been allocated for capital improvements to or additions to the College and establish priorities for the use of such resources;
- (4) review proposed acquisition and disposal of properties, as well as intended use of additional properties by the College and provide appropriate recommendations to the Board of Visitors;
- (5) review of proposed improvements to or renovation of existing facilities for which the anticipated cost exceeds \$500,000 in construction costs and provide appropriate recommendations to the Board of Visitors;
- (6) review proposed major changes to and utilization of existing real property and provide appropriate recommendations to the Board of Visitors;
- (7) ensure that no real estate acquisition or capital improvement project is initiated without prior review by the Committee and that no architectural contracts in excess of \$50,000 for basic services or construction contracts in excess of \$500,000 are entered into by the College without prior review by the Committee (Where appropriate, such actions should also be approved by the full Board of Visitors based upon recommendations from the Committee).

h. Strategic Planning Committee. The Strategic Committee shall be responsible for all matters related to the functional areas as delineated in its title as well as other matters which shall from time to time be referred to it by the Chair of the Board of Visitors. The Committee shall review all matters under its purview and make appropriate recommendations to the Board of Visitors. Unless otherwise directed by the Chair of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this Committee

- (1) provide a liaison between the Board of Visitors and the College with regard to strategic planning and provide coordination of such planning with other standing committees of the Board;
- (2) study the institution's external and internal environments, evaluate alternative courses of both short-range and long-range actions, understand the implications of such actions, establish a mechanism to evaluate plans in light of changing circumstances, and make appropriate recommendations to the Board of Visitors.

i. Audit Committee. The Audit Committee shall be responsible for all matters related to the functional areas delineated in its title as well as other matters which shall from time to time be referred to it by the Chairman of the Board of Visitors. The committee shall review all matters under its purview and make appropriate recommendations to the Board of Visitors. Unless otherwise directed by the Chairman of the Board of Visitors, or by the Board of Visitors itself, the following will be the primary responsibilities of this committee:

- (1) reviewing and understanding financial statements;

- (2) creating and adhering to a statement expressing “the tone from the top”;
- (3) assuring the full Board of Visitors that the financial statements reflect the College’s current financial condition, and assisting the full Board with its oversight responsibilities in reviewing the adequacy of internal controls, accounting policies and reporting financial information to the public;
- (4) ensuring the full Board of Visitors are promptly notified of any significant regulatory noncompliance brought to the attention of the Audit Committee;
- (5) approval of a document destruction protocol that reflects those of the State of South Carolina;
- (6) ensuring adherence to the College’s conflict-of-interest policy and review of procedures for the receipt, retention and treatment of complaints received by The Citadel regarding accounting, internal accounting controls, auditing matters, or suspected fraud that may have been submitted by any party, internal or external, to The Citadel;
- (7) selecting the external auditors to perform the annual financial statement audit, conduct a pre-commencement and post audit meeting with the external auditor, and provide the Board with a post audit report;
- (8) approving the appointment or removal of the internal auditor, assuring an unrestricted line of communication between the internal auditor and the Audit Committee and annually assuring his sufficient independence to conduct audits without interference from management;
- (9) reviewing all internal and external audits;
- (10) annually reviewing the NCAA compliance program of the Athletic Department;
- (11) meet privately and confidentially with the external auditors, internal auditors, chief financial officer, General Counsel and President of The Citadel as appropriate, but not less than annually;
- (12) review the Audit Committee Charter annually for its effectiveness and recommend any proposed changes to the Board of Visitors;
- (13) review and approve the audit agenda for the ensuing year submitted by the internal auditor;
- (14) assure the Audit Committee has at least one member that is a “financial expert”.

These *College Regulations* of The Citadel, the Military College of South Carolina, represent the general policies of The Citadel Board of Visitors and have been fully and completely reviewed and approved by the Board of Visitors this _____.

Approved

Chair of the Board of Visitors

NOTES

Amendments to College Regulations, 2009:

The following change(s) to College Regulations, 2009, approved by The Citadel Board of Visitors, is (are) as follows:

Section _____

Paragraph _____

Subject: (insert change/correction)

Date approved by Board of Visitors:

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