

# THE WHITE BOOK

## CHAPTER 7

### Cadet Personnel and Administration

#### SECTION 1A:

#### Cadet Discipline for Allegations of Sexual Misconduct

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Position: Assistant Commandant for Discipline and Title IX Coordinator

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- I. **Purpose:** This process, nested within Cadet Discipline writ large, outlines how The Citadel will respond to, investigate, and resolve allegations of sexual misconduct, which includes the offenses of sexual harassment, sexual assault, dating violence, domestic violence, and stalking as defined herein.
- II. **Organization:** The Commandant has primary responsibility for the Cadet Disciplinary System and administers the system through the Assistant Commandant for Discipline (AC-D), Battalion/Company TACs, and TAC NCOs. The office of the AC-D is located on the second floor of Jenkins Hall. **As it relates to the various functions described throughout this procedure, only those persons who have been adequately and annually trained per the Federal Clery Act will investigate and resolve complaints of sexual misconduct.**
- III. **Definitions Used in This Procedure:** The following definitions pertain to this special procedure.
  - **Complainant:** The student alleging being the victim of a form of misconduct as defined by this special procedure.
  - **Respondent:** The student who is accused of being the perpetrator of a form of misconduct as defined by this special procedure.
  - **Preponderance of the Evidence** is the standard of evidence by which The Citadel will utilize to reach a finding. Preponderance means that the evidence must demonstrate that it is more likely than not that the alleged offense occurred to issue a finding of in violation of policy.
  - **Rights and Options:** Both the Complainant and Respondent have rights and options in this process. Said rights and options are enumerated throughout this document.
  - **Sexual Misconduct** is an umbrella term that collectively refers to the offenses of sexual harassment, sexual assault, dating violence, domestic violence, and stalking.
  - **Sexual Harassment** means conduct that satisfies one or more of the following:

- a. Quid Pro Quo Sexual Harassment – Conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct.
  - b. Hostile Environment Harassment – Unwelcome conduct determined by a reasonable person to be so severe, pervasive, or objectively offensive that it effectively denies a person equal access to The Citadel’s education program or activity.
- **Domestic Violence:**
  - a. A Felony or misdemeanor crime of violence committed—
    - 1. By a current or former spouse or intimate partner of the victim;
    - 2. By a person with whom the victim shares a child in common;
    - 3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    - 4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
    - 5. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  - b. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - a. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - b. For the purposes of this definition—
    - i. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - ii. Dating violence does not include acts covered under the definition of domestic violence.
  - c. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Sexual Assault:** An offense that meets the definition of rape, **criminal sexual contact**, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim isn’t incapable of giving consent.”
  - a. **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - b. **Criminal Sexual Contact** is defined as the intentional touching of another person’s clothed or unclothed body parts without consent, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This definition explicitly applies when the victim is incapable of giving consent due to age, mental or physical impairment (temporary or permanent).

- c. **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent. The age of consent in the state of South Carolina is sixteen (16) years old.
- **Stalking:**
  - a. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
    - i. Fear for the person’s safety or the safety of others; or
    - ii. Suffer substantial emotional distress.
  - b. For the purposes of this definition—
    - i. *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
    - ii. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
    - iii. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - c. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Consent:** is voluntary, informed, uncoerced agreement through words and/or actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

Indications that consent is not present include:

- a. When physical force is used or there is a reasonable belief of the threat of physical force, including when one person overcomes the physical limitations of another person.
- b. When coercion is present. Coercion means the improper use of pressure to compel another individual to initiate or continue sexual activity against the individual’s will. Coercion may include intimidation, manipulation, and/or blackmail. Words or conduct may constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether to engage in sexual activity.
- c. When a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation, which could be permanent or temporary. Evaluations of capacity will be viewed in hindsight using a reasonable person standard.

Important points regarding consent include:

- a. Consent to one act does not constitute consent to another act.
- b. Consent on a prior occasion does not constitute consent on a subsequent occasion.
- c. The existence of a prior or current relationship does not, in itself, constitute consent.
- d. Consent can be withdrawn or modified at any time.

- e. Consent is not implicit in a person's manner of dress.
- f. Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- g. A person's lack of verbal or physical resistance or submission resulting from the use or threat of force does not constitute consent.
- h. Silence and passivity do not constitute consent.
- i. Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.
- j. A person's consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another.

A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation when a person is incapacitated or not of legal age.

A person who is asleep or unconscious is considered incapacitated and unable to consent. Additionally, a person may be incapacitated due to a temporary or permanent mental or physical disability.

In the context of this policy, incapacitation is the state in which a person's perception or judgment is so impaired that he or she lacks the cognitive capacity to make or act on conscious decisions. The use of drugs or alcohol can cause incapacitation, which is a state beyond mere intoxication. An individual who is incapacitated is unable to consent to a sexual activity. **Engaging in sexual activity with an individual who is incapacitated (and therefore unable to consent), where a person knows or ought reasonably to have understood that the individual is incapacitated, constitutes Sexual Misconduct and is a violation of this Policy and the state laws of South Carolina.**

#### IV. Procedures:

##### A. Making a Complaint

- i. Violations or suspected violations of this process should be made verbally and directly to the institution's Title IX Coordinator. A Complainant may also report directly to the Assistant Commandant for Discipline (AC-D) if (a) the Complainant and Respondent are members of the same Battalion or (b) the Complainant requires immediate assistance. Regardless of where the complaint is initially reported, the Title IX Coordinator will make the Complainant aware of their right to file a Formal Complaint. Upon the filing of a Formal Complaint, the Title IX Coordinator will conduct an assessment regarding whether the institution's Title IX Policy applies or if this process will apply.
- ii. The Title IX Coordinator, or their designee, will provide the party with their rights and options. At such time that the Title IX Coordinator determines the Title IX Policy applies, the complaint will proceed only through that process and is not eligible for resolution under this process.
- iii. ***Any person always has the right to report the incident immediately to law enforcement*** and has the right to be assisted by the Title IX Coordinator or the AC-D in doing so if they desire. Persons retain the right to report to the Police and not The Citadel or to The Citadel and not law enforcement. The options are not mutually exclusive.
- iv. If the Title IX Coordinator determines that the Title IX Policy does not apply, the case will be transferred to the AC-D for investigation and resolution under this process. In such cases, the AC-D will advise the party of his or her rights and options.
- v. The details or facts surrounding the report of an offense are most frequently determined through an Explanation of Report, Written (ERW) and/or any face-to-face session between the Complainant and the AC-D.

- vi. Any rank holding cadet, cadets acting in an official capacity, cadets who consider themselves victims of mistreatment as defined in this process, and any member of the faculty, staff, commissioned or noncommissioned officer may report an allegation of sexual misconduct to the AC-D. This procedure will attach when the allegation involves an act that, if proven true by a preponderance of evidence, would constitute sexual harassment, sexual assault, dating violence, domestic violence and/or stalking.
- vii. False Complaints: Members of The Citadel community who make false reports, with the exception of reports that, even if erroneous, are made in good faith, will be subject to disciplinary action.

## B. Processing of a Complaint

Protective Measures: The AC-D may employ protective measures, including but not limited to temporary suspension, class changes, housing changes, meeting room changes, restriction of interaction, no trespass orders, and no contact orders regardless of if a Formal Complaint is filed. The college reserves the right to take interim measures as appropriate. For incidents of sexual assault, dating violence, domestic violence and stalking, The Citadel will make changes to living, transportation, working and academic situations if reasonably available and upon request.

### Investigations

- i. Once this process has been determined to have jurisdiction to respond, the AC-D will provide the Complainant and Respondent with written notice outlining the allegations, the name of the investigator(s), the major timeframes of the process, information regarding their rights, and the process to submit evidence and names of witnesses they would like interviewed.
- ii. Investigations will only be conducted by people who have been annually trained in how to conduct such investigations, including how to engage in proper interviewing techniques and collection of evidence in accordance with the Clery Act.
- iii. The parties (Complainant and Respondent) have the right to an advisor of choice, who may be present at any meeting or disciplinary proceeding in which the party is required to be present. An advisor may be anyone, including legal counsel. An advisor may counsel, advise, and support their party but may not disrupt any meeting or proceeding nor may they ask questions of the investigators or speak for their party. Legal counsel may fully represent the Complainant if the Respondent is formally charged by a law enforcement agency.
- iv. Investigations will consist of interviewing the Complainant, the Respondent, any witnesses deemed to be relevant by the Investigator, and the collection of relevant evidence. Neither party is required to submit witnesses or evidence, however, if evidence or witness testimony is not presented for purposes of the investigation, it will not be permitted in the hearing.
- v. The parties have the right to provide questions to the investigator that they would like asked of the other party. The investigator will ask the questions provided if the investigator determines the question is relevant and appropriate (questions regarding prior sexual history, **sexual orientation**, or regarding information considered to be privileged, i.e., mental health or medical records, will not be asked). The investigator will capture the applicable party's responses and share those responses with the requesting party. Both parties will be offered this right.
- vi. **All evidence and witnesses shall be provided to the investigator prior to the completion of the investigation. Should either party seek to submit new evidence or witnesses after the investigation has been completed, they must provide written justification for doing so to the Assistant Commandant for Discipline (AC-D). This justification must include the following:**
  - a. **Why the evidence or witness was previously unavailable**
  - b. **How the inclusion of the evidence or witness might impact the board's decision.**

**The AC-D will determine whether the late submission is admissible. If approved, the investigator will reopen the investigation under the direction of the AC-D.**

- vii. The investigation will be finalized as soon as possible. The process will be transparent to both the **Complainant** and the **Respondent**. The timeline for completion of the investigation may be extended if the investigation extends over a scheduled Corps furlough or for another good cause and with written notice.
- viii. **Once the investigation has been finalized, and the investigator will no longer be accepting additional evidence or witnesses, the investigator will notify the Complainant and Respondent simultaneously and in writing.**
- ix. **Once completed, the evidentiary summary will be shared, in a timely manner, with the Complainant and Respondent. Both parties are encouraged to inspect the summary and offer feedback in writing to the investigator regarding any inaccuracies in the document. Both parties have five business days to review and provide feedback to the investigator. Should the investigator receive no written notice in this time frame, it will be assumed both parties approve of the draft, and the summary will be considered final.** The investigator will review the feedback and determine if further investigation is required and if any changes should be made or if the **summary** is final. **Should changes be made, the investigator will do so and share the updated evidentiary summary with both parties. Both parties will then have three business days to review and provide any feedback to the investigator. Should the investigator receive no written notice in this time frame, it will be assumed both parties approve of the draft, and the summary will be considered final.**
  - a. **Should either party need additional time to review the summary, they may request an extension in writing to the AC-D, who will have discretion whether to grant the extension, and the length of the extension.**
- x. The Complainant and Respondent shall have equal access to evidence and information that will be used to reach a finding.
- xi. The Complainant and Respondent will have timely notice for meetings with sufficient time to prepare.
- xii. No person is required to participate in an investigation as a Complainant or Respondent, however, The Citadel may proceed despite a party's cooperation. If a Complainant or Respondent chooses not to participate, they will still be provided with written notice as if they had participated.
- xiii. The Citadel shall not discourage or prohibit persons from sharing information with others about their experience with sexual assault, dating violence, domestic violence or stalking or punish them for such speech (unless said speech violates another institutional policy), however, The Citadel strongly encourages the parties to keep such information regarding the investigation private as to protect the integrity of the investigation.
- xiv. Under this process, The Citadel retains discretion to conduct an administrative review into allegations of sexual assault, dating violence, domestic violence, and stalking, in absence of a Formal Complaint if and only when the information the college receives is determined to be especially egregious. In determining whether to initiate an administrative review of allegations (1) the nature and the severity of the information; (2) the age of the parties; (3) the history of prior complaints regarding the same individuals, department and/or area; (4) the expressed wishes, if known, of the affected individual(s); and (5) any other pertinent information. If The Citadel does determine to proceed with an investigation without a Formal Complaint, notice will be provided to the involved parties, Complainant and Respondent, and all other "regular" procedures listed herein will follow, including ongoing notice, opportunities to be heard and to present evidence and witnesses, and the right to be notified of the major timeframes of the process and outcome, including rationale and sanctions, if applicable.
- xv. Once the **evidentiary summary** is amended with feedback from the parties, the **summary** will be provided, along with relevant evidence, to the AC-D, who will begin the process of convening a Commandant's Board (CB).

#### **Cadet Statements**

- i. When a cadet makes an oral or written report or statement, regardless of circumstance, the expectation is that the report or statement is true and contains all the relevant facts known to the cadet.
- ii. Cadets will not use recording devices in investigations without the approval of the Commandant.

- iii. In any official investigation directed by the President, the Commandant, or their representatives, cadets are required to answer questions regarding facts within their scope of knowledge. Cadets are not required to incriminate themselves, though the Board, Hearing, or other measure can infer from a cadet's failure to answer questions. Cadets may not refuse to answer a question because it might incriminate someone else. Refusal to answer such questions is disobedience of orders.
- iv. See the Honor Manual for a discussion of improper questions.

### C. Commandant's Board

#### 1. General

- viii. The AC-D, or their designee, shall convene a Commandant's Board as soon as feasible from the date the final **evidentiary summary** is received by the AC-D. Both the Complainant and Respondent will be notified in writing of the date, time, and location for the Board. They will also receive their Cadets Rights Briefing and be afforded the right to have their advisor of choice present. The advisor may not participate in the hearing and will only be permitted to advise, counsel, and support their party if the Respondent is formally charged by a law enforcement agency. **Up to two** cadet representatives may also be selected. **If requested, and the party is not a member of the Corps of Cadets, the College will appoint two cadet representatives.**
- ix. Time limits for the scheduling of a Board are at the discretion of the Commandant.
- x. Boards may accept testimony by telephone or via video teleconferencing.
- xi. Boards are administrative in nature and therefore do not constitute legal proceedings.

#### 2. Cadet's Rights Briefing and Commandant's Boards

- i. Students accused of a violation of disciplinary regulations which may lead to suspension, dismissal, or expulsion are entitled to the following:
  - a. To have a fair and prompt hearing before an officer or a board of officers of the College.
  - b. To be informed, in writing, of the offense (the Performance Report is notice of the accused charges), and to have reasonable time to prepare a defense. Extensions are approved at the discretion of The Commandant.
  - c. In all college hearings and boards in which a student faces suspension, dismissal, or expulsion, up to two cadet "representatives" may represent the accused. Representatives must be cadets in the same academic program as the cadet facing disciplinary action, i.e., graduate students may not serve as representatives for cadets.
  - d. To be present and present information and evidence on their own behalf.
  - e. **The cadet is not required to make statements that might incriminate themselves; however, a Board can infer from a Cadet's failure to make a statement.**
  - f. To have a list of witnesses against them and either a summary of their testimony or the opportunity to confront and cross-examine the witnesses.
  - g. **The cadet may challenge any member of the Board/Hearing for cause and that doing so will not prejudice the Board/Hearing against them. The Assistant Commandant for Discipline will decide all challenges to Board/Hearing members.**
  - h. To be able to submit a petition of appeal to the proper authority should the decision go against them.
  - i. To resign from the College at any time prior to a hearing or an appeal that they have requested.
  - j. **A Cadet may request that their attorney attend the Board/Hearing. The request must be made in writing, at least two business days prior to the date of the Board/Hearing. If the cadet is facing disciplinary action for an act which is also the subject of an off-campus criminal proceeding, the attorney may speak or actively participate directly in the Board/Hearing process. However, if the disciplinary action is not the subject of an off-campus criminal proceeding, the attorney may still**

attend the Board/Hearing but may not speak for or advise the cadet during the Board/Hearing, nor directly participate in the proceedings. The attorney may advise the cadet during breaks.

### 3. Composition of the Commandant's Board (CB)

- i. Commandant's Boards, in sexual misconduct proceedings, are the same as Commandant's Boards as defined in Chapter 7 Section 1 with the following adjustments:
  - a. Either party has the right to request to join the hearing virtually or, if physically present in the same space, to have a partition placed between their tables.
  - b. All questions shall be asked by the Board President to each party. At no time shall the parties speak directly to each other. No advisor may ask questions of the board or speak on behalf of their party.
  - c. The Complainant will be questioned by the Board first. The Respondent will be questioned second. Any witnesses will be questioned third, if applicable.
  - d. Both the Complainant and Respondent can provide an impact statement to the Board. Such statements will be provided to the Board President at the beginning of the proceeding in a sealed envelope and shall not be read until and unless the Respondent is found, using the preponderance of the evidence standard, more likely than not to have engaged in the behavior in violation of The Citadel's policy. The letters, if provided, will be considered before sanctioning decisions are made.
  - e. A decision will not be issued at the conclusion of the proceeding. The Complainant and Respondent will be notified, simultaneously and in writing, as soon as feasible with the outcome of the Board, as well as the associated sanction, if applicable. Both parties have the opportunity to appeal the finding as described in Chapter 7 Section 1.

### 4. Commandant's Board for Sexual Misconduct Sequence of Events:

This is notice that I am recording the events of this hearing so there will be a record for summary and transcription purposes and for any clarification needed after the fact. Commandant's Board No. \_\_\_\_\_ is convened at \_\_\_\_\_ hours on \_\_\_\_\_. This Board is pursuant to Discipline General Order No. \_\_\_\_\_ dated \_\_\_\_\_ and \_\_\_\_\_ is appointed President for Commandant's Board No \_\_\_\_\_.

#### Members of the Board:

Recorder: \_\_\_\_\_

Member: \_\_\_\_\_

Cadet Member: \_\_\_\_\_

To the Respondent: Are you satisfied with the composition of the Board? *(Respondent acknowledges.)*

To the Complainant: Are you satisfied with the composition of the Board? *(Complainant acknowledges.)*

This Board has been called as a result of Performance Report for Cadet \_\_\_\_\_, CWID # \_\_\_\_\_, Class \_\_\_\_\_, C/ \_\_\_\_\_, \_\_\_\_\_ Co.: \_\_\_\_\_ for the following offense: Code # \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_;  
a violation of Code # \_\_\_\_\_, Class I; Maximum Punishment is \_\_\_\_\_. The PR is dated \_\_\_\_\_, contains \_\_\_\_\_ signed statements, and is signed by \_\_\_\_\_. Cadet \_\_\_\_\_'s ERW is dated \_\_\_\_\_ and contains \_\_\_\_\_ additional signed statements. These documents are now entered into the record of this Board.

I ask the Respondent to acknowledge receipt of the evidentiary summary. *(Respondent acknowledges.)*

At this time, I enter into the record:



The initialed and signed Cadet Rights Briefings for Disciplinary Hearings and Boards dated \_\_\_\_\_. Cadet \_\_\_\_\_, I ask you to acknowledge your initials and signature signifying receipt and understanding of your rights as read to you by \_\_\_\_\_ on this form.

Are these your initials? (*Respondent acknowledges.*)

Is this your signature? (*Respondent acknowledges.*)

**The following are the rights of the Respondent(s) as presented in the Cadet Rights Brief:**

You have the right to...

- Present information on your own behalf in defense, extenuation or mitigation; that is, information that will show you did not commit the alleged offense(s), pertinent circumstances relating to the alleged offense(s), the alleged offense(s) is not as serious as it might otherwise seem and, based on circumstances, any punishment received should be less severe.
- Question all witnesses.
- Call your own witnesses.
- See all evidence relevant to the proceedings.
- Be advised by up to two cadets.
- Challenge any Board member for cause.
- Request that your attorney attend the Board. This request must be made in writing, at least two business days prior to the date of the Board. Your attorney, if present for the Board, may only participate in this Board if the disciplinary action you are facing is for an act that is also the subject of an off-campus criminal proceeding.
- You do not have to testify before the Board, but inference can be drawn from your failure to testify. If you do testify, you will be subject to cross-examination. Once you begin to testify, you may not subsequently refuse to answer questions put to you.

**I note for the record:**

Respondent \_\_\_\_\_ is not accompanied by any advisors. Is it your intention to proceed without an advisor? (*Respondent acknowledges.*)

**<OR>**

Respondent \_\_\_\_\_ is accompanied by: Cadet \_\_\_\_\_ (and Cadet \_\_\_\_\_.)

Is it your intention that this/these cadet(s) serve as your advisor(s)? (*Respondent acknowledges.*)

**I note for the record the following individuals also present for this proceeding. As I go around the room, I ask all in attendance to state their name, rank, position, and purpose for attending this Board.**

*If applicable:* Be reminded that your attorney is not to participate in these proceedings. Should you need to confer with them, you must request a recess from the Board President. If you or your attorney do not follow these directions, your attorney can be removed from the proceedings by the Board President.

At this time, I would like to ask both parties to provide their impact statement to the Board President. Please ensure this statement is in a sealed envelope.

**I enter into the record:**

Discipline General Order No. \_\_\_\_\_, dated \_\_\_\_\_: Witness List for Commandant's Board No. \_\_\_\_\_ and change #1 to Discipline General Order No. \_\_\_\_\_, dated \_\_\_\_\_.

The following are listed as witnesses:

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**The following individuals listed as witnesses will not be present for testimony, for the reason indicated. The Respondent is aware of this absence / these absences and has no objection to proceeding without him / her / them.**

	Reason for absence: _____
	Reason for absence: _____
	Reason for absence: _____

**The following are the Rights and Duties for all Witnesses:**

- Cadet witnesses are bound by the Cadet Honor System.
- Witnesses may be cross-examined.
- Anything said may be used subsequently in other proceedings, to include legal proceedings outside of campus.
- Witnesses do not have to give testimony which may be self-incriminating.

**Let me explain some final rules:**

I caution everyone as to the confidential nature of all testimony and hearing processes until final decisions are rendered by the Commandant and/or the President of the College on the Board's findings and recommendations. Do not discuss any portion of your testimony or these proceedings outside of this room.

While in the waiting area:

- You are not to have any discussions regarding this matter, including comparison of testimony.
- You will remain in the waiting area.
- You will not leave the area until released by the Board President.

Does anyone have any questions regarding these proceedings?

**Board President, subject to any comments you may have, I pass the proceedings to you.**

**\*\*\*At the conclusion of all witnesses and questions, the Recorder states the following:**

"We understand that these proceedings are especially hard. We have read the evidentiary summary and heard from each of you and the witnesses. At this time, we will be concluding this proceeding. As you know, the Board's finding will not be issued today. By policy, the Board has seven business days to issue the finding. When that has been done, the finding will be issued to both of you, simultaneously and in writing, and will include the finding of 'in violation' or 'not in violation' for each specified allegation. Also included will be a written summary of how the Board arrived at their decision and their explanation as to how they applied the evidentiary summary and all testimony that was provided. Lastly, the written outcome will include the associated sanctions, if applicable. You both have equal rights to appeal the findings, sanctions, both, or neither and the written letter will explain the process for filing such an appeal. I, again, caution everyone involved in this board process that all information contained within this proceeding is private and you should not discuss this with anyone after departing this board. Should you need support or assistance, we encourage you to utilize our campus resources or other professionals. All administrative actions, such as No Contact Orders, remain in effect. Are there any final questions?"

After all questions are answered, the Recorder concludes the Board and notes the time for the record.