

THE WHITE BOOK

CHAPTER 7

Cadet Personnel and Administration

SECTION 1

Cadet Discipline

Version (date): 15 August 2023

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Position: Assistant Commandant for Discipline

I. **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.

II. **Functions:** This policy prescribes procedures for the following functions:

A. Performance Reports

1. General
2. Processing a PR in CAS
3. Creating a PR
4. Responding to a PR
5. Explanation of Report, Written (ERW)
6. Responsibilities

B. Punishments

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2. Restrictions
3. Confinements
4. Tours
5. Accelerated CONs and Tours
6. CONs for Tours
7. Cadet Reductions
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9. Alternative Punishments (Community Service, AC-D assigned work, BN assigned work)
10. Suspension and Remission of Punishment (Punishments Held in Abeyance)
11. Appeals

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D. Investigations and Boards

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2. Conduct Review Board

3. Cadet's Rights Board
4. Suitability Board
5. Commandant's Board
6. Appeals
7. Resignations
8. Hearing Officer Guide
9. Commandant's Board Sequence of Events

III. Procedures:

A. Performance Reports (PR):

1. General:

- i. Cadets are expected to check CAS and their email accounts twice daily.
- ii. Violations or suspected violations of regulations on the part of cadets are reported on a Performance Report (PR) in the Cadet Accountability System (CAS). PRs are also used to reward outstanding performance with merits.
- iii. The details or facts surrounding the report of an offense are most frequently determined through an Explanation of Report, Written (ERW) and face-to-face sessions between the accused and the Chain of Command and TAC Officers.
- iv. Any rank holding cadet, cadets acting in an official capacity, cadets who consider themselves victims of mistreatment, and any member of the faculty, staff, commissioned or noncommissioned officer may complete a Performance Report (PR) alleging disciplinary violations against a cadet for violations of The College Regulations, Blue Book, or other applicable orders or regulations.
- v. For violations involving groups of cadets or cadet units, observers should report the allegations to the appropriate TAC and/or Cadet Chain of Command.
- vi. A PR shall describe with reasonable particularity the conduct of the accused cadet.
- vii. A PR should be submitted as soon as possible after the event takes place but there is no statute of limitations.
- viii. Prior to the issuance of a PR, the Commandant, or his or her designee, may conduct an investigation to determine if allegations of disciplinary violations have merit or a more egregious infraction has occurred. If the Commandant concludes, the charges are without merit, such disposition shall be final and there shall be no subsequent proceedings. If the charges are found to have merit, the investigating officer may issue or recommend issuance of a PR and may later serve in the same matter as a member of a Hearing or Commandant's Board.

2. Processing of a PR in CAS:

- i. On the spot corrections for minor offenses do not necessarily require a written PR, but a PR may be submitted at the discretion of the observer.
- ii. PRs are mandatory for Class I and II Offenses.
- iii. PRs are also used to reward outstanding performance with merits. PRs submitted for merits will be posted to the cadet's record, and no further action is required.
- iv. Once the PR is submitted in CAS, it is automatically routed to the cadet for whom the PR is written. The PR is also automatically logged into the Cadet Accountability System (CAS) for tracking.

PR Time Line	
Official	Days
Cadet	4
Co CDR/XO	2
CO TAC	2
BN TAC	2
AC-D	Indef

- v. Cadets will receive an email prompt telling them that they have a PR waiting for a response. The cadet will have **four duty days** to write an Explanation of Report, Written (ERW) and submit the PR/ERW electronically.
- vi. Cadets desiring a Commandant's Board or Hearing will state so on the ERW.
- vii. The PR is then automatically sent to the Cadet Company Commander or Executive Officer who will review the PR/ERW, recommend a punishment or provide extenuating circumstances and a rationale for increased, reduced or no punishment.
- viii. The PR is then automatically submitted electronically to the Company TAC, Battalion TAC and finally to the AC-D for final adjudication. Each of these reviewing authorities has **two duty days** to review and submit the PR/ERW to the next higher level for adjudication.
- ix. The code column of Annex B shows the approval authorities for all offenses (See Annex B and the legend at bottom of page). While these approval authorities are optimal, the next or higher authority may override them. Codes without authorities are adjudicated by the AC-D.
- x. Failure to meet the timelines outlined above results in the PR automatically being sent to the next higher level for adjudication.
- xi. TAC Officers can serve as investigating officers on Class I and II offenses at the direction of the Commandant or the AC-D.
- xii. TAC Officers may make specific recommendations for punishment to the AC-D.
- xiii. The AC-D will review the Class I or II PR/ERW and either assign punishment (Class II or Class III) or convene a Commandant's Board or Hearing to determine the facts of the case and a resulting punishment.
- xiv. A cadet requesting a Board has the option of personally presenting the case before the board or allowing the ERW to stand as his/her defense. Cadet Company Commanders and other members of the accused's Chain of Command should attend the Hearing whenever possible. Hearings are conducted in accordance with paragraph 3.D. of this chapter.
- xv. The AC-D will review all Class I and II punishments prior to publication of the punishment order. This review is to confirm compliance with the provisions of this chapter and to insure consistency of punishment and disciplinary trends.
- xvi. The Commandant will make a final decision on punishments if a proposed punishment falls outside of "normal" ranges.

3. Procedures for Creating PRs in CAS:

- i. To create a PR, go to the left side of the CAS screen and select "Discipline." Then select "Create a PR." The screen will change to an electronic performance report

The screenshot shows the 'Cadet Accountability System' interface. On the left sidebar, the 'Discipline' menu is expanded, and the 'Create a PR' option is highlighted with a red box. The main content area displays a 'Cadet Record Brief' for George C. Smith, including his status, class information, and a list of offenses. A yellow box with the text 'Create a PR' is overlaid on the 'Create a PR' button in the sidebar.

- Begin entering the name of the cadet who will receive the PR. When the correct name pops up, select the name and the top line of the PR will self-populate.
- The Date and Time will populate with the current date and time and can be changed if the exact date and time are known.
- Select the offense from "Report of Performance."
- Write a detailed description of the offense/meritorious action.

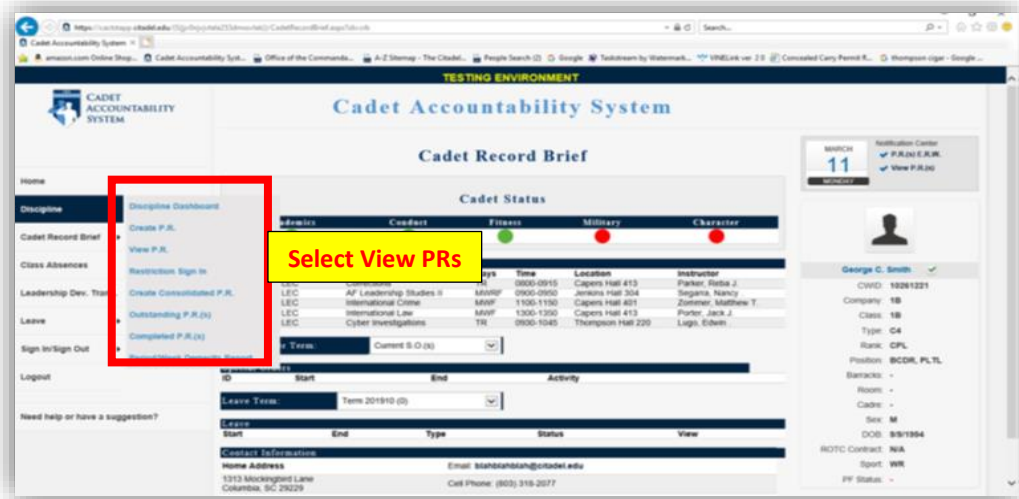
ii. **Additional documentation** can be attached to the PR by selecting "Supporting Documents." That will open a screen to select attachments from your computer.

The screenshot shows the 'Create a PR' form in the 'Cadet Accountability System'. The form is titled 'TESTING ENVIRONMENT'. It includes fields for 'Name', 'Date of Offense/Performance', 'Time of Offense/Performance', 'Report of Performance', 'Supporting Documents', and a 'Sign & Submit PR' button. The 'Name' field is highlighted with a red box. The 'Date of Offense/Performance' and 'Time of Offense/Performance' fields are also highlighted with red boxes. The 'Report of Performance' dropdown menu is highlighted with a red box. The 'Supporting Documents' section, which includes a 'Browse' button, is highlighted with a red box. The 'Sign & Submit PR' button is highlighted with a red box. A yellow box with the text 'Thorough description of the event' is overlaid on the 'Report of Performance' field. Another yellow box with the text 'Supporting Documents If needed' is overlaid on the 'Supporting Documents' section. A third yellow box with the text 'Sign And Submit' is overlaid on the 'Sign & Submit PR' button.

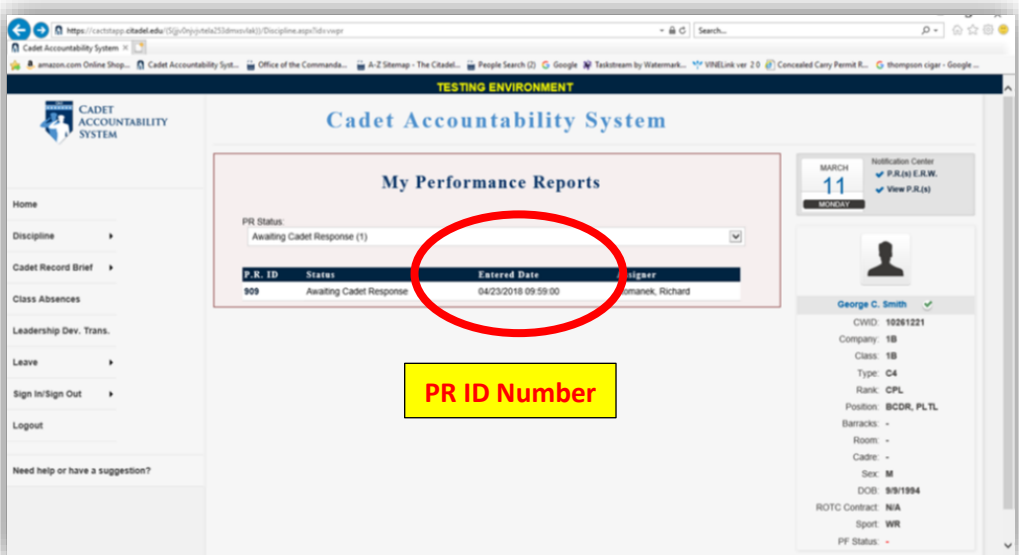
- iii. **“Sign & Submit PR”** is the last step after which you will receive a message that your PR was successfully submitted. The PR will be routed to the cadet for whom the PR is written. It will also be logged into the Cadet Accountability System (CAS) automatically for tracking. PRs submitted for merits are posted to the cadet’s record, and no further action is required.

4. **Respond to a PR:**

- i. Cadets will receive an email telling them that they have a PR waiting for their response. The cadet will have **four duty days** to respond to the PR. After four days, the PR will automatically process to the cadet’s company commander for recommendations. Upon receipt of the PR, the receiving cadet will either acknowledge the offense or write an Explanation of Report, Written (ERW) and submit the PR with the ERW electronically.
- ii. Cadets will see the “Outstanding PR” in the “Notification Center.” Cadets will then select “Discipline” and on the drop-down menu select “View PRs.”



- iii. From “View PRs,” select “PR I.D.” and then select the “PR I.D.” number.



TESTING ENVIRONMENT

Sign In/Sign Out | AVPLA - 1/20/2020 - 10:42:00 - 04/22/2019 09:59

Logout

Need help or have a suggestion?

SUPPORTING DOCUMENTS: (click document name to view)

REPORTING OFFICIAL: Romanek, Richard **CUID:** 13612383

RESPONSE REQUIRED

EXPLANATION OF REPORT, WRITTEN
CIRCUMSTANCES OF EXTENUATION OR MITIGATION ARE:

SUPPORTING DOCUMENTS: (click document name to view)

Additional Documents

THIS REPORT IS CORRECT:

☐ Yes ☐ No

ELECTRONIC SIGNATURE

© 2018 - 2019 The Citadel. All Rights Reserved. Session ID: 8040 seconds

Supporting Documents If needed

Thorough description of the event

Report Correct Yes or No

Sign And Submit

iv. Review the PR and respond “Yes” or “No” to “This Report is Correct.”

- **Explanation of Report, Written (ERW):** Any cadet accused of an offense for which a PR is written can provide a written explanation of the circumstances surrounding the alleged offense and any matters of extenuation or mitigation. Cadets desiring a Commandant’s Board will state so on the ERW. Cadets also can upload any supporting documents they think helpful in their explanation. After writing the ERW, submit using the “Electronic Signature.”

5. **Responsibilities:** The PR is automatically sent to the Cadet Company Commander or Executive Officer who will review the PR/ERW, recommend a punishment, provide any rationale for the recommendation, and submit it electronically. The PR will continue to the Company TAC, Battalion TAC, and on to the AC-D for final adjudication. Each of these reviewing authorities has two duty days to review and submit the PR/ERW to the next level for adjudication. The TAC Officer may make specific recommendations for punishment to the AC-D. The AC-D will review the PR/ERW and either assign punishment (Class IIs or Class IIIs) or make a specific punishment recommendation to the Commandant or a recommendation that a Commandant’s Board be convened.

B. Punishments

1. **Demerits:**

- i. Demerits are punishments awarded either separately or in conjunction with other punishments, such as tours or confinements.
- ii. Demerits accumulate by month and semester and are not affected by amnesty.
- iii. The number of demerits a cadet can accumulate without further penalty is based upon the class status of the cadet.
- iv. Cadets exceeding their authorized demerit allotment during a demerit period (a demerit period is defined as four consecutive weeks) will receive appropriate counseling.
- v. Cadet authorized demerit totals are shown in the table above
- vi. **Cadets exceeding 100% of their allotment will go to a Suitability Board. Cadets below the 100% demerit threshold can go to a Suitability Board at the discretion of the Assistant Commandant for Discipline.**
- vii. Cadets that are not present during the first semester (overseas study / suspension / dismissal / medical leave) will have their second semester demerits treated as though they are annual demerits.

Class	Semester	Year
C1	120	240
C2	100	200
C3	90	180
C4	80	160

2. **Restrictions: Cadets signing Attestation Statements are stating that they will remain on campus during the entirety of the restriction period.** Restrictions are automatically awarded to cadets who are assigned punishments for the period of time in which they are serving punishments. Because Conduct Deficient Cadet Athletes are on restriction, they may not take performance overnights.
 - i. Cadets on restriction are required to open the restriction file in CAS found under “sign in / sign out.” Restricted cadets must sign an Attestation Statement only once a day stating that they will remain on campus during the restricted period. Cadets must sign the Attestation Statement fifteen (15) minutes prior to the start of the first punishment hour to fifteen (15) minutes after the hour. Sign ins for Saturdays and Sundays is at 0800 each morning. Therefore, on Saturdays and Sundays, cadets must sign the Attestation Statement between 0745 to 0815. If for some reason, you have a computer problem, sign in with your Company Duty officer and he will submit it to the AC-D. Restricted Cadets who fail to sign the Attestation Statement can receive up to 60 demerits, 120 tours and a battalion transfer.
 - ii. Attestation sign -in is required on Wednesday from 1445-1515, on Friday 1845-1915, on Saturday from 0745-0815, and on Sunday from 0745-0815.
 - iii. Cadets needing to sign for restrictions start on their CRB page. Select “Leave” or “Discipline.” On the drop down menu, select “Restriction Sign In.”

Cadet Accountability System

Cadet Record Brief

Cadet Status

Academics	Conduct	Fitness	Military	Character
●	●	●	●	●

Class Schedule

Course	Class Type	Title	Days	Time	Location	Instructor
CRMJ 380	LEC	Corrections	TR	0900-0915	Capers Hall 413	Parker, Robin J.
AERO 302	LEC	AF Leadership Studies II	MWRF	0900-0950	Jenkins Hall 304	Segarra, Nancy
CRMJ 384	LEC	International Crime	MWRF	1100-1150	Capers Hall 401	Zommer, Matthew T.
PSCI 331	LEC	International Law	MWRF	1300-1350	Capers Hall 413	Porter, Jack J.
CRMJ 331	LEC	Cyber Investigations	TR	0930-1045	Thompson Hall 220	Lugo, Edwin

Sign In/Sign Out

Term: Current S.O. (s) [v]

Start [] End [] Activity []

Term 201950 (0) [v]

End [] Type [] Status [] View []

Would you like to store your password for citadel.edu? [More info](#)

George C. Smith

CWID: 10261221

Company: 1B

Class: 1B

Type: C4

Rank: CPL

Position: BCDR, PLTL

Barracks: -

Room: -

Cadre: -

Sex: M

DOB: 9/9/1994

ROTC Contract: N/A

Sport: WR

PF Status: -

- iv. The cadet will select his current location and then select “Submit” (the date and CWID should auto-populate) and the previous restriction is now signed for.
3. **Confinements:** A confinement is a 50-minute- period during which confined cadets, in duty uniform, are required to remain in their assigned confinement classroom (or, when

Cadet Accountability System

Restriction Sign In

Current Location: []

Date: []

CWID: []

You are signing in for the Restriction Punishment Time on Wednesday - 3/13/2019 from 1100 to 1200.

The next Restriction Sign in will be today from 0640 to 1220.

03/13/2019 09:30:19

George C. Smith

CWID: 10261221

Company: 1B

Class: 1B

Type: C4

Rank: CPL

Position: BCDR, PLTL

Barracks: -

Room: -

Cadre: -

Sex: M

DOB: 9/9/1994

ROTC Contract: N/A

Sport: WR

PF Status: -

approved by the AC-D, their own room which will be in MRI order) studying. Sleeping or other forms of entertainment are prohibited. Confinement Periods are Wednesday from 1500 until 1800, Friday from 1900 until 2200, and Saturday from 1400 until 1700 and again at 1900 until 2200. Sunday confinements are optional and run from 1400 to 1800.

- i. Confinements will be served by battalions in the following designated classrooms:

1st – Jenkins 311 2nd – Jenkins 306 3rd – Jenkins 307 4th Jenkins 3105th – Jenkins 313

- ii. Ten minutes before the start of the first confinement period, cadets serving confinements will report in front of the company letter in duty uniform and stand by for inspection. All Company Duty Officers will inspect their company confinees and then march them to Jenkins Hall and escort them to their respective classrooms.
 - iii. Cadets may only bring laptops, schoolbooks, and a bottle of water to the Confinement Classroom.
 - iv. Credit for Confinements is in the *White Book* Chapter 7, Section 2 under "Duty Teams."
 - v. Optional punishment periods for cadets who have not completed 16 hours of punishment in the past week are as follows:
 - a. Sunday's 1400- 1800. These will be served in the appropriate confinement classrooms based on your battalion.
 - b.
 - c. **In Season NCAA Optional Confinements on Mondays.** In season, NCAA Athletes may serve punishments (Confinements for Tours) on Mondays from 1500 to 1800 and again at 2000 until 2300. In season athletes can also serve confinements on Tuesdays, Wednesdays and Thursdays from 2000 to 2300. The cadet must notify his/her Company Duty Officer that he/she is serving these optional punishments. Additionally, the Company Duty Officer will keep track of and inspect cadets each hour. The Company Duty Officer will then provide the AC-D with paperwork showing who served optional confinements, when they served, and how many hours they served. The Company Duty Officer and the cadet serving the punishments will sign the paperwork to verify the accuracy of the report.
4. **Tours:** A tour is a 50-minute- period of time during which a cadet marches on the quadrangle at **120** steps a minute with a rifle at right or left- shoulder arms. **The uniform for walking Tours is seasonal leave uniform under arms.** The BDO will direct raincoats if necessary. Tours are walked in battalion quads (unless otherwise directed by the OD). Tour Periods are Wednesday from 1500 until 1800, Friday from 1900 until 2200, Saturday from 1400 to 1700 and 1900 to 2200. Cadets can serve optional tours on Sundays from 1400 to 1800.
- i. **The COC and BDO will conduct an in-ranks inspection of Tour walkers prior to each Tour period to inspect uniforms, haircuts, shoes, brass, and weapons.**
 - ii. After the tour period is completed, cadets will report to the Battalion Duty Officer to insure they receive appropriate credit. A cadet will not receive credit for improperly walked tours or BDOs can generate new PRs for infractions occurring while walking tours.
 - iii. No other activities are allowed on the quad while tours are being walked, including crossing the quad by class privilege unless on guard duty.
 - iv. There will be no talking, eating, or drinking while walking a tour.
 - v. Cadets having both tours and confinements must walk tours first.
 - vi. Senior Cadets may walk accelerated tours at the end of each semester in order to meet the requirements for graduation. Underclassmen can only do accelerated Tours as outlined in the winter and spring memo. Cadets may still walk one tour for two cons during this period. Accelerated tour instructions are published at the end of each semester.

- vii. Cadets who have completed academic requirements for graduation and still have tours to finish, will walk tours in accordance with the accelerated tour instructions. A cadet must be Conduct Proficient at the time of commencement. Exceptions to this policy are at the discretion of the Commandant.
 - viii. Diplomas are awarded only after all punishments are complete.
5. **Accelerated CONs and Tours: Accelerated** Confinements and Tours can be served in accordance with the Winter and Summer Furlough orders under the sole approval of the Assistant Commandant for Discipline.
6. **CONs for Tours:**
- i. Ordinarily, tours cannot be worked off, however; cadets who are designated by The Citadel Surgeon as Excused from Military Duties (XMD) serve confinements for tours on a one-for-one basis. XMD Cadets will not walk tours. Cadets sitting confinements in lieu of tours will initial each tour period with their initials and write "XMD: C's for T's" next to their tour line.
 - ii. After a cadet's last final exam in the Spring Term, they can walk tours for confinements at a one for two-credit ratio. **A credit of 15 confinements or tours will be awarded during the final exam period only.** Credits will not be given for mid-term exams. In-season cadet athletes will also serve confinements for tours on a one-for-one basis while on in-season orders.
 - iii. Confinements will be served for tours on a one-for-one basis during periods of inclement weather, when requested by the Regimental Commander, Regimental Adjutant, COC or the Cadet Staff Duty Officer.
 - iv. Confinements in lieu of tours for Academically Deficient Cadets. Cadets will refer to Commandant's Memo # 8 Dated 17 November 2014 for guidance. Cadets will use CC form 5 Dated November 2014 for permission to sit Confinements In lieu of Tours due to academic deficiency. (The memorandum and form is on The Commandant's Web Page.)

Punishment Periods							
	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
0800						Sign 0745-0815	Sign 0745-0815
0900							
1000							
1100							
1200							
1300							
1400			Sign 1445-1515			CONs and Tours	Optional for all Cadets
1500	In Season Athletes		CONs and Tours				
1600							
1700							
1800					Sign 1845-1915		
1900					CONs and Tours	CONs and Tours	
2000	In Season Athletes	Optional for In Season Athletes	Optional for In Season Athletes	Optional for In Season Athletes			
2100							
2200							
2300							
Restriction Sign In Times							

7. **Cadet Reductions and Company Transfers:**

i. **Reductions**

- a. Rank-holding cadets may be immediately relieved of duties if it is determined that one of the following conditions exists:
 - The cadet exhibits poor leadership characteristics.
 - Does not set a proper example for subordinates.
- b. TAC officers or Cadet Company Commanders may reduce cadets in these categories.
- c. The Commandant is the reduction authority for Cadet Commanders, Sergeants Major, and First Sergeants.
- d. BN TACs are the reduction authority for all other rank holders.
- e. Rank holding cadets will also be administratively reduced rank if:
 - The cadet becomes conduct deficient for a tour offense
 - The cadet becomes physically deficient by failing the CPFT.
 - The cadet becomes academically ineligible by failing to maintain a 2.0 cumulative GPA or failing to be academically aligned with the rank they hold.
- f. All conduct reductions remain in effect for the current semester plus one. Non-rank holding cadets who receive tours are also not eligible to hold rank for the current semester plus one. Physically deficient Cadets become eligible for rank/proficient upon successful passing of a Citadel CPFT (remedial or record). Academically deficient Cadets become eligible for rank/proficient when they achieve a green status in CAS.

8. **Amnesty:**

- i. Only the President of the United States, a foreign Head of State, the Governor of South Carolina, The Citadel Board of Visitors, or The Citadel President can grant amnesty.
- ii. Amnesty applies to all un-served punishments except those designated by the Blue Book as not qualifying for amnesty. Punishments not qualifying for amnesty are those stating "No Amnesty" in Annex B, plus any offense related to substance abuse, alcohol, hazing, discrimination, sexual assault or sexual harassment.
- iii. If it is determined that an offense was committed in anticipation of amnesty, then the punishment resulting from that offense will not qualify for amnesty. The Commandant will make this decision.
- iv. Amnesty does not affect demerit totals.

9. **Alternative Punishments.** Any alternative means of working off assigned punishments requires communication with the AC-D. There are three alternatives:

- i. Community Service. The Krause Center has specifically designated community service opportunities that may be used as alternatives to punishments. **The AC-D must approve these alternatives before a cadet begins work.** Guidelines for community service are as follows:
 - a. **Cadets receiving Class I punishments are not eligible for community service.**

- b. **Cadets must complete 50% of assigned punishments to be eligible for community service.**
 - c. Cadets desiring to work off punishments by community service must submit a CC Form 104 through their Chain of Command to the AC-D for approval.
 - ii. **AC-D assigned work**
 - a. Occasionally college officials need cadets to provide work details in support of specific events. College officials submit requests to the AC-D who then disseminates approved opportunities directly to the Corps of Cadets via email. This communication will specify the exact nature of the work, how to apply for it, the standard of performance expected, the time and dates of the work and the uniform.
 - iii. **BN assigned work.**
 - a. BN TACs and TAC NCOs can assign work in the battalion area as a one-for-one alternative for cons. Such work is documented on CC Form 16 and turned in to the AC-D for credit.
- 10. **Suspension and Remission of Punishment (Punishments in Abeyance):**
 - i. When a cadet, who receives punishments, demonstrates superior performance of duty and exemplary conduct, and shows that the punishment has served its purpose, he/she may request suspension of not more than one-third of the original award.
 - ii. Abeyance is not automatic; a cadet who maintains a good appearance, serves punishments properly, is an asset to the company, and has learned a lesson, may have his/her punishment held in abeyance.
 - iii. If a cadet is presently serving more than one punishment, he/she will complete two thirds of the total before becoming eligible for abeyance.
 - iv. A letter or memorandum requesting abeyance must originate with the cadet and will be processed in writing through the Cadet and TAC Chain of Command for approval by the Assistant Commandant for Discipline. The letter or memorandum must include lessons learned by the cadet through the discipline process.
 - v. Cadets with punishments held in abeyance who finish the semester without additional tour/confinement awards will have the suspended tours/confinements remitted permanently by the Assistant Commandant for Discipline.
 - vi. Cadets who receive abeyance who commit a Class I offense or obtain three or more unexcused class absences during the semester will have all punishments restored to their punishment record.
 - vii. **A cadet may receive abeyance of punishments ONCE in their cadet career.**
 - viii. **Abeyance of punishments in this section does not apply to special orders issued by the President of The Citadel for punishments resulting from a board or hearing.**
- 11. **Appeals:**
 - i. Cadets may appeal the award of any punishment received.
 - ii. Appeals are considered for two primary reasons; a violation of due process or for new evidence that, had the approval authority had at the time of adjudication, would have possibly changed the given punishment.
 - iii. No appeal is required when the punishment awarded is determined to be incorrect due to an administrative error.

- iv. Correction of administrative errors requires the cadet to point out the error either in person or in writing to the Commandant through the channels listed in the appeals chart below.
- v. Appeals should focus on the justification for requesting a reduced punishment and not on information already considered by the punishment authority.
- vi. Appeals must be received within 5 working days from the date of the punishment.
- vii. Unless otherwise authorized by the Commandant, once punishment is awarded and announced, cadets will serve punishments regardless of the status of an appeal.
- viii. For Appeals of Suspension, Dismissal or Expulsion refer to the *College Regulations* Section VI, Paragraph 5 d.
- ix. Appeals are submitted as shown below:

Offense	Through	Appellate Authority
Class III	AC-D	Commandant
Class II	AC-D	Commandant
Class I	Commandant	President

C. Reports and 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 failure to answer such a question can be used against them in a Board, Hearing or other measure. 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.

D. Investigations and Boards:

1. General:

- i. In Class I Offenses where suspension, dismissal, or expulsion is the maximum punishment, the Commandant shall conduct a Commandant's Board. In all other Class I cases where there are conflicting versions of the circumstances surrounding the offense, the Commandant may appoint an Investigating Officer (IO) or convene a Commandant's Board (CB). If the Commandant does not convene a Commandant's Board or appoint an Investigating Officer, a cadet may submit a written request to the Office of the Commandant for a hearing. The Commandant may elect to convene a Commandant's Board, appoint an investigating officer, or impose punishment at his sole discretion. Only the Commandant of Cadets, the Deputy Commandant or the Assistant Commandant for Discipline may appoint an IO.
- ii. Time limits for the scheduling of a Hearing or a Board are at the discretion of the Commandant.
- iii. Boards or Hearings may accept testimony by telephone or via video teleconferencing.

- iv. Boards or Hearings are administrative in nature and therefore do not constitute legal proceedings.

2. **Conduct Review Board (CRB):**

- i. When cadets exceed 50% and 75% of authorized yearly demerit allotments, their respective TAC or cadet supervisor will conduct a formal performance counseling using CC FORM 98 (found on the Commandant's Web Site).
- ii. When cadets exceed 50% or 75% of authorized semester demerit allotments, they may be referred to a Conduct Review Board (CRB).
- iii. The CRB is composed of the Company TAC Officer and the Cadet Company Commander or Executive Officer.
- iv. The purpose of the CRB is to determine whether a cadet should be referred to a Suitability Board (SB).
- v. When a cadet exceeds 75% of authorized annual demerit allotments, they are required to go before a Conduct Review Board (CRB).
- vi. A CRB is a mandatory counseling session with a cadet, his or her Cadet Company Commander or XO, and a TAC Officer to explain exceeding the yearly demerit allotment.
- vii. In cases where cadets exceed their semester demerit authorizations, the CRB must produce a specific recommendation by the TAC Officer concerning a Suitability Board.
- viii. A CRB is also required to initiate suspension of cadets whose flagrant disregard for authority is apparent by receiving four or more Class I or II Offenses in a semester.
- ix. The CRB is the only procedure that initiates the Suitability Board process.
- x. In all cases where a CRB results in a recommendation for a Suitability Board, the recommendation must be submitted in writing.

3. **Cadet's Rights in Hearings 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 (when feasible, Class I offenses will be heard by a board or hearing after receipt of the ERW). 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. 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.
 - f. To be able to submit a petition of appeal to the proper authority should the decision go against them.
 - g. To resign from the College at any time prior to a hearing or an appeal that they have requested.

4. **Suitability Board (SB):** (Refer to *the College Regulations* Section VI, Paragraph 3c). Suitability Boards are convened by The Commandant of Cadets to determine the future status of deficient cadets. The purpose of the Suitability Board is to determine whether a referred cadet should continue as a cadet, be suspended, or be dismissed.
5. **Commandant's Board (CB):** CBs are composed of a Battalion TAC Officer or an Assistant Commandant as President, one other TAC Officer or TAC NCO, a Cadet Captain or above not from the accused's battalion, and a TAC Officer or TAC NCO, to serve as the Recorder (non-voting member). The accused's Commander or Executive Officer should be present at the Board.
6. **Appeals: Appeals** for Class II and Class III offenses go through the AC-D to the Commandant. Class I offenses, including Suspensions and Dismissals go through the Commandant to the President. Class I offenses resulting in expulsions are made through the Commandant to the President who will confer with the BOV. College Regulations, Chapter VI, establishes the procedures for appeals. This section highlights and summarizes aspects of those procedures, but, in cases of conflict, the College Regulations is supreme.
 - i. An appeal does not provide a second forum to present or retry the case.
 - ii. The following are exclusive grounds for appeals:
 - a. The Hearing Officer or Board failed to follow due process;
 - b. That significant information has been discovered since the Board or Hearing, which might change the result, but which could not, in the exercise of due diligence, have been presented to the Board or Hearing.
 - iii. Cadets and/or students who have been suspended, dismissed, or expelled by proper authority, are entitled to appeal.
 - iv. Written petitions of appeal must state the grounds on which the appeal is based and must be received by the Office of the President within five (5) working days of the date the punishment is announced.
 - v. The President will then transmit to members of the Review Committee the petitions of appeal and all related evidence of record if required.
 - vi. If the Review Committee determines that the petition of appeal is not meritorious, the case will be dismissed with finality.
 - vii. If the committee determines that the petition merits consideration of the Board of Visitors, it shall identify those issues for review by the President or the Board of Visitors.
 - viii. A cadet and/or student awarded punishment 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.
 - ix. Once a cadet is expelled, dismissed, or suspended and the appeal process is complete, that cadet will not wear The Citadel uniform or use a Citadel identification card, unless readmitted.
7. **Resignations: Refer** to the *College Regulations* Chapter VII, Paragraph 3.

8. Hearing Officer's Guide :

Step 1. Hearing Officer

Notes: _____

Step 2. Hearing Officer – Review all statements, white slips, ERWs and other pertinent materials.

Notes: _____

Step 3. Hearing Officer – Begin the Hearing with the accused, all witnesses, and other Hearing participants, such as the TAC and members of the chain of command, present.

Notes: _____

Step 4. Hearing Officer – Inform the accused as follows: "Cadet _____, you are accused of the following Blue Book violation(s):

You do not have to make any statement regarding the offense(s) of which you are accused. You are advised that this is not a trial but an administrative proceeding. The formal rules of evidence do not apply in administrative proceedings."

Step 5. Hearing Officer – To the Accused: "Do you have any questions?"

Accused/Notes: _____

Step 6. Hearing Officer – To the witnesses who have provided written statements that have been provided to the accused: "Do you have anything additional to say which is not in your written statement?"

Witnesses/Notes: _____

Step 7. Hearing Officer – To witnesses who had not provided written statements: "What information can you provide which would be helpful to this procedure?"

Witnesses/Notes: _____

Step 8. Hearing Officer – To accused: “Would you like to ask any questions of any of the witnesses?”

Accused/Notes: _____

Step 9. Hearing Officer – After all witnesses have spoken and the accused has had the opportunity to ask questions, the Hearing Officer reviews all documents in his possession that pertain to the case. To the accused: “Have you had the opportunity to review all these documents? Is there any other information you would like to present?”

Accused/Notes: _____

Step 10. Hearing Officer – To the accused: “After having considered all of the evidence brought before me in this case, I have made the following decision: To impose the following punishment; to recommend the following punishment; to dismiss the charges against you; or to deliberate further and announce my decision.

9. Commandant's Board Sequence of Events:

Notice is given 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 _____.

_____ is appointed President for Commandant's Board No. _____.

Members of the Board:

_____: Recorder

_____: Member

_____: Cadet Member

Explanation of the Nature and Process of a Board:

White Book; Chapter 7 Section 2: "Violations or suspected violations of regulations on the part of cadets are reported on a PR . . . The details or facts surrounding the report of an offense are most frequently determined through an ERW and face-to-face sessions between the accused and the chain of command and TAC Officers. In Class I Offenses where suspension, dismissal, or expulsion is the maximum punishment or in cases where there are conflicting versions of the circumstances surrounding the offense . . . [a] Commandant's Board (CB) is appointed. The formalization of the fact-finding process for Class I Offenses is intended to ensure that the accused has ample opportunity to present the facts and to confront the accuser or witnesses in the presence of the . . . [Commandant's Board]."

From this, you can see that Commandant's Boards are administrative and fact-finding in nature. Legal statutes do not bind the Board. Board members are not lawyers, but are charged with investigating the circumstances surrounding the matter at hand. At the conclusion of the Board, the members will seek to determine whether the Respondent conducted the act(s) for which the Performance Report was written and to make recommendation for punishment, if appropriate.

At this time, I also enter into the record:

Discipline General Order No. ___, dated _____: Witness List for

Commandant's Board No. ___ & Change #1 to Discipline General Order No. ___, dated _____.

The following are listed as witnesses

I note 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: _____

_____ Reason for absence: _____

This Board has been called because of Performance Report for:

Cadet _____, CWID # _____, Class ___, C/ _____, _____ Co.:

_____;

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.

All of these documents are now entered into the record of this Board.

At this time, I enter into the record:

A Cadet Rights Briefings for Disciplinary Hearings and Boards, dated _____, and I ask the Respondent, if he acknowledges his initials signifying receipt of and Understanding of his rights warnings and his signature on this form.

Are these your initials? (Respondent acknowledges.)

Is this your signature? (Respondent acknowledges.)

I also ask the Respondent to acknowledge receipt of all pertinent documents and statements for this Board.

(Respondent acknowledges.)

Explanation of Duties of 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 review the rights of the Respondent:

- 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, pertinent circumstances relating to the alleged offense(s), the alleged
Offense is not as serious as it might otherwise seem and, based on circumstances, any

Punishment received should be less severe.

- You have the right to question all witnesses.
- You have the right to call your own witnesses.
- You have the right to see all documents.
- You have the right to representation by up to two individuals.
- If you are facing disciplinary action for an act which is also the subject of an off campus criminal proceeding, you may request that an attorney attend the Board. Your attorney may attend the Board, but may not speak or actively, directly participate in Board proceedings, but will be available to advise you during breaks.
- You have the right to challenge any Board member for cause.
- 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 Representatives.

Is it your intention to proceed without a Representative? (Respondent acknowledges.)

Respondent _____ is accompanied by _____ and _____.

Is it your intention that _____ and _____ serve as your Representatives?

(Respondent acknowledges.)

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

Let me explain some final rules:

- I admonish 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 substantive discussions regarding this matter, to include comparison of testimony.
- You will remain in the waiting area.
- You will not leave the area until released by the Board President.
- For the Respondent, you will have the right to appeal any action of this Board, once the findings are acted upon. Those rights will be explained to you in detail when you are advised of the results. Your rights are also found in cadet and college regulations.

Does anyone have any questions regarding these proceedings?

Mr. President, subject to any comments you might have, I believe we are ready to proceed with the first witness.

(Cadet's Rights Briefing: Rights Briefing can be found on the Commandant's Web Page under Administration CC Forms. The Form is CC 14)