

Cozen and O'Connor Recommendation		Status	Date Updated	Action Taken
Remedy the Flaws Identified in Its Institutional Response to the Allegations Against LTC Boes				
1	Evaluate and take appropriate steps to address and remedy any effects on impacted individuals.	 Complete	1/10/2019	Barred employee (no longer an employee), attempted remedies with complainant
2	Evaluate and take appropriate steps to address failures by Citadel employees to respond to known disciplinary violations.	 Complete	1/4/2020	Senior staff reassigned employee; included formal written counseling. Employee retired 3 Jan 2020
3	Given the high-profile nature of this matter, and The Citadel's shortcomings with respect to compliance and culture, schedule a debrief for senior leadership to address tone-at-the-top messaging that will promote compliance and cultural changes consistent with The Citadel's stated values.	 Partially complete	1/4/2020	Debrief complete multiple times to senior staff; BOV on 1 Oct 2019; communications to faculty, town hall, etc.; TIX training to senior staff on 14 Oct 2019; tone from the top communication being worked - will also satisfy action item (23)
4	Consider issuing a public communication that addresses its shortcomings with respect to campus culture. Such a communication should promote a climate on campus that fosters reporting and reinforces The Citadel's commitment to prioritizing support for and belief of complainants.	 Partially complete	1/4/2020	Communications to faculty, town hall, etc.; Annual TIX training to senior staff occurred on 14 Oct 2019 and is scheduled for 9 Sep 2020; tone from the top communication being worked (3 & 23)
5	Develop and implement a high-profile, institutional campaign to communicate the changes and commitments that emerge from The Citadel's review in this matter.	Ongoing	9/30/2019	Will be completed once report is finalized
Conduct an Audit of Standards, Policies, Procedures, and Practices				
We recommend the audit specifically address and implement:				
6	All prior recommendations from the MHA, Wise and Audit Council Reports.	 Complete	2/26/2020	Updates provided on IPAC, IR and LAC tracking spreadsheets to Title IX Tiger Team on 26 Feb 2020- Complete

7	The coordination of multiple intersecting and overlapping policies.	 Complete	9/11/2020	New Title IX Grievance Policy replaces previous 2-025/2-026 Complete ; College Regs Complete ; 6-507 (Title IX Council) Complete ; 6-404 (Use of Citadel Facilities) Complete Alcohol: 2-003 (Alcohol and Other Drugs)- Complete 2-27 (Campus Safety and
8	The role and authority of the Title IX Coordinator.	 Complete	1/13/2020	Title IX Coordinator Position Description is finalized and provides the institution with oversight, management, and adoption of best practices. Title IX Coordinator was hired in Jan 2020
9	Professional boundaries for interactions between cadets and employees, including policy and oversight methods to monitor one-on-one time between cadets and employees.	 Complete	11/26/2019	Professional Relationship Policy published 26 Nov 19 Title IX Grievance Policy covers Quid Pro Quo sexual harassment
10	Alcohol and tobacco policies outlining clear expectations for supervisory staff and cadet consumption. Was #6 on spreadsheet.	 Partially complete	12/20/2019	Tobacco policy is on hold pending SC State guidelines. Alcohol Policy reviewed in 2019 - No changes
11	Employee and cadet reporting obligations that are consistent with the definitions and requirements of Title IX (e.g., relating to responsible employees), the Clery Act (e.g., relating to Campus Security Authorities), South Carolina law (The Jessica Horton Act and mandatory child abuse reporting obligations) and all other intersecting legal and policy reporting requirements. Old language (was #5 on spreadsheet): Employee and cadet reporting obligations (coordination and integration of responsibilities for clarity in reporting under Title IX (responsible employee), Clery (campus security authority), South Carolina law (The Jessica Horton Act and mandatory child abuse reporting obligations) and all other intersecting legal and policy reporting requirements).	 Partially complete	8/14/2020	Clery Compliance Committee structure, composition, and purpose is being developed to oversee Campus Safety & Security Reporting.

12	<p>Support, resource and reporting options (including confidential and private reporting options) for all community members.</p> <p>Old language: Support, resource and reporting options for all community members (confidential and private).</p>	 Complete	8/1/2020	EthicsPoint is used as the institutions Fraud, Waste, and Abuse reporting system and provides an anonymous reporting option. The new Title IX Grievance Policy clearly identifies reporting options, areas for support and resources, and who is considered confidential.
13	<p>Multi-disciplinary response teams responsible for the coordinated implementation of Title IX, Clery, VAWA and other applicable state and federal regulatory requirements. Teams should include representatives from the institutional units responsible for the effective implementation of these pan-institutional requirements.</p> <p>Old language: Multi-disciplinary response teams.</p>	 Partially Complete	10/15/2019	Title IX Council - Complete ; Clery Compliance Committee - under development
14	<p>The establishment of lines of authority, decision making responsibility and rubrics for decision making. The multi-disciplinary team should collaborate to identify lines of authority, and responsibility. The team should also standardize the elements for informed and compliant decision-making related to Title IX, Clery and VAWA.</p> <p>Old language (was 12 on spreadsheet): Authority, responsibility and decision-making rubrics.</p>	Ongoing	8/1/2020	Title IX Council Action Item; input into Title IX Council Policy - set to address in Sept meeting (post-policy adoption)
15	<p>Documentation and record keeping solutions. The multi-disciplinary team should identify a workable and effective way to document and record efforts to comply with law, regulation, and policy, and care for The Citadel's constituents.</p> <p>Old language (was #13 on spreadsheet): Documentation/ record-keeping systems and requirements.</p>	 Partially complete	12/20/2019	Crime log format; template from Cozen & O'Connor - Complete ; no-trespass order deliberation process for all fired with cause - Complete ; No Trespass policy published 20 Dec 2019- Complete ; New Timely Warning Checklist - Complete
16	<p>Internal protocols that specify any and all requirements relating to the timing, sharing and coordination of information.</p> <p>Old language: Internal protocols for required timing, sharing and coordination of information.</p>	 Ongoing	8/14/2020	Incorporate internal and external communications into Critical Communications Policy -revised draft policy ready for coordination

17	Intake protocols for initial assessment, assessment of risk and provision of interim measures.	 Complete	8/1/2020	Align intake and assessment role with the expectation of the New Title IX Regulations/role of the Title IX Coordinator - Complete
18	Discipline system oversight and accountability (including updating the CAS database to create an audit trail that includes the identity of the requestor, as well as the identity of the individual who inputs changes in the database). Old language (was #11 on old spreadsheet): Discipline system oversight and accountability (including updating the CAS system to include the name of the requester, as well as the person who inputs the entry).	 Complete	8/14/2020	CAS system includes transparency of actions taken in system. Annual TAC training provides discipline system oversight and compatability. TAC Officers can only request discipline modifications on cadets within their command authority. Requests must be approved by an appointed Commandant POC.
Elevate Oversight of the Title IX Program to Ensure Pan-Institutional Commitment				
	We recommend that The Citadel consider the following steps to develop and administer an effective Title IX program and institutional response to reports of sexual and gender-based harassment and violence:			
19	Identify an implementation coordinator steeped with sufficient authority and respect in the organization to lead and coordinate an institutional, multi-disciplinary implementation team.	 Complete	10/15/2019	SVPOA will be kept informed by Title IX Coucil; also kept up to date on cases/progress/completion
20	Create a multi-disciplinary team that meets regularly and coordinates with respect to the formation of institutional responses that are informed by all available information and driven by consistent protocols.	 Complete	10/26/2019	The "multi-disciplinary team" is the Title IX Council. The policy will be updated to reflect changes brought about by this investigation and the council will meet on a regular basis.
Strengthen and Develop a Comprehensive Education and Training Program				
Was "C" Section				
21	We recommend that The Citadel develop a comprehensive, consistent and compliant Title IX training program with a specific focus on the following topics: institutional culture; the dynamics of abuse; the impacts of power differentials and grooming behaviors in The Citadel's hierarchical environment; and reporting responsibility requirements based on regulatory and policy reporting obligations. We recommend that the training program:	 Complete	8/14/2020	EVERFI training for students is mandatory and covers areas related to Title IX, grooming, Bystander Intervention, resources, reporting and support. - Complete Adoption of the Title IX Grievance Policy- Complete

22	<p>Prioritize and implement educational programs that highlight the importance of required reporting of all policy violations—including minor infractions—as an essential element of The Citadel’s commitment to early detection and prevention of abuse.</p> <p>Old language: Prioritize and implement educational programs to highlight the importance of required reporting of all policy violations (including minor infractions) as an essential element of the institutional commitment to early detection and prevention of abuse in the context of a hierarchical military educational institution.</p>	 Partially Complete	8/7/2020	Step Up! Bystander Intervention Program has been added to the student awareness and prevention programming. All members of the Title IX Team have been trained on Step Up! - program has been adopted into training curriculum - Complete ; EVERFI Title IX Modules (online training) includes components of Bystander Intervention as well, is used for students and provides tracking information for completeness - Complete ; Campus Safety & Security Reporting policy- under review
23	<p>Highlight the significance of the tone-at-the-top and the importance that language and actions play in shaping a positive culture and systems designed to the prevent and respond to sexual and gender-based harassment and violence.</p> <p>Old language: Highlight the importance of an authentic commitment to demonstrate an effective tone at the top, the importance of words (written and spoken) and actions in shaping a positive culture and systems designed to the prevent and respond to sexual and gender-based harassment and violence.</p>	Ongoing	9/16/2020	Draft messaging still being developed (tied to 3 & 4) Kim Keelor provided proposed President's language (tone from the top) on 7/25/19 (see document in OCM Sharepoint folder); updated 8/19/19
	Provide comprehensive training for the following audiences:			
24	Senior leaders and implementers related to issues discussed above, including oversight, supervision and discipline of cadets, barriers to reporting and concerns attendant to a hierarchical, traditionally male-dominated military institutions.	 Partially Complete	8/1/2020	Training for President, VPs, and Deans was conducted on 14 Oct 2019 Complete Second session of executive leadership training scheduled for 23Sep20 and will continue annually

25	All community members (cadets, faculty, staff, leadership) on policies, procedures, reporting requirements, resolution options, resources and support.	Ongoing	8/14/2020	A training program that highlights the updated policy info, procedures, reporting requirements, resolution options, resources and support will be facilitated. Multiple training sessions for Faculty/Staff; cadets receive training every year; updates given at Town Hall and General Faculty Meetings
Review and Revise Monitoring, Auditing and Internal Reporting Systems Was "D" Section				
	Effective Title IX programs require a culture that promotes accountability and responsibility. Such a culture requires ensuring that all employees understand and embrace their reporting obligations, that the institution provide a consistent and values-based response and that the institution take steps to reinforce and sustain the Title IX program. We recommend that The Citadel:			
26	Update and clarify expectations regarding required reporting for all employees with respect to violations of policy by cadets or employees.	 Complete	4/15/2020	Briefed General Faculty on 26 Aug 2019; Pres Town Hall on 26 Sept 2019

27	<p>Publicize a system that allows reporting or the receipt of guidance about potential and actual non-compliance without fear of retaliation.</p>	 Ongoing	1/7/2020	Revisit whistleblower policy and check employee progressive discipline, CGC Memo 7, and white book to ensure inclusion. Non-Retaliation ("Whistleblower Protection") Policy published 19 Nov 2019; Language added to cover all students (cadets and non-cadet students) to the policy after a question was asked by a faculty member. Policy re-published on 7 Jan 2020.
28	<p>Provide specific training that demonstrates the expectation of senior leadership for employees to report or seek guidance regarding potential grooming behaviors or abuse-of-power concerns that may or may not rise to the level of policy violations.</p> <p>Old language: Provide specific training that demonstrates institutional leadership's permission and expectations for reporting and seeking guidance regarding potential grooming behaviors or abuse of power concerns that may not rise to the level of a policy violation.</p>	 Partially Complete	8/1/2020	This will be included in the Sr. Leadership Training on 23 Sept 2020. Mark Brandenburg completed training with the Commandant's Dept in 2019.
29	<p>Emphasize a pan-institutional commitment to preventing discrimination and harassment through rigorous, open and consistently-enforced reporting expectations that message institutional care to constituents and institutional intolerance to potential abusers.</p>	 Partially Complete	8/14/2020	Volunteers/mentors, chapel supporters and TAC Training - Complete ; create and provide Title IX information pamphlet - Complete ; Per the Commandant, we are no longer facilitating a Host Family program - Complete ; Implement Mess Hall Communications Program

30	Conduct bi-annual audits and annual random sampling to test the effectiveness of training, systems and compliance.	 Complete	8/1/2020	Employee training completion is audited and tracked Title IX Coordinator reviews data for patterns and trends Faculty Training can be tracked in faculty Taskstream Training Portfolio
31	Review policies annually to update and incorporate any legal/policy changes or lessons learned through practice.	 Complete	8/1/2020	Combined 2-025 and 2-026 into 1 Title IX Policy and review biennially - Complete
32	Enhance systems to effectively monitor compliance with institutional policies.	 Partially Complete	8/14/2020	Whistleblower Protection Policy- Complete ; New (FT/PT) employees review all policies before NEO & sign a page in the Orientation paperwork -HR files in Employee File - Complete ; Need to look at Facility Use policy with alcohol
33	Revisit the methodology and approach to employee evaluations to focus on early detection and resolution of concerning behaviors that may compromise institutional values and place cadets at risk.	 Complete	8/14/2020	Bystander intervention is included in the mandatory employee Title IX training for faculty and staff for inclusion on annual evaluations - Complete ; add offenders to Progressive Discipline Policy - Complete ;
34	Prepare annual report of all reporting requirement metrics and disciplinary actions to identify trends, assess risks, inform training and education and implement program enhancements.	 Partially Complete	10/8/2019	Already in Commandants reports to BOV Beginning in 2020, HR will provide the report to Executive Staff
	Establish and Reinforce Culture of Accountability and Responsibility Was "E" Section			
	In keeping with the institutional commitment to centralized reporting, we recommend that The Citadel:			

35	Ensure that institutional reporting policies clearly promote and enforce policy up and down reporting chains and across institutional departments.	 Complete	8/1/2020	Consistent communication in policies and website; relatd to 32. Updated Title IX Website/CARE
36	Provide incentives for complying and sanctions for failing to comply with applicable policies and laws. Old Language: Provide incentives to comply and sanctions for failure to comply.	 Complete	8/14/2020	We will not provide incentives; re-emphasize requirements - Complete ; review Blue Book and Position Descriptions - Complete ; HR Progressive Discipline Policy - Complete
37	Implement systems to prevent or detect non-compliance.	 Complete	5/10/2020	HR will review training log and provide a bi-monthly list to VPs of those in their area who have not completed TIX training.
38	Document all failures to comply and any attendant response, discipline, or education.	 Complete	3/20/2020	EthicsPoint will be used to report; HR tracks in employee files; will be reported at April BOV meeting
39	Provide an annual report to senior leadership of any disciplinary actions for failing to comply. Old Language: Provide annual report of disciplinary actions for failure to comply to senior leadership.	 Partially Complete	9/17/2020	Cmndt already doing this with cadet info - Complete ; HR for Faculty/Staff - Complete ; Student Code of Conduct is drafted and will address for general student population. (linked to 34)
40	Require follow-up education and training for individuals involved in any failures to comply. Old language: Require follow-up education and training for constituents involved in the failure to comply.	 Complete	8/14/2020	In addition to in-person or Zoom training with the Title IX Coordinator, EVERFI is used for student/employee remedial training - Complete