

REGULATIONS FOR NON-CADET STUDENTS
FOR FALL AND SPRING SEMESTERS
AND ALL STUDENTS
FOR MAYMESTER AND SUMMER SCHOOL

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THE CITADEL
The Military College of South Carolina
171 Moultrie Street
Charleston, S.C. 29409

MEMORANDUM
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1. INTRODUCTION:

With the approval of the President, the Provost/Designee of the Provost, or the Commandant of Cadets, as appropriate, prescribes such rules and regulations as are necessary for the good government and well being of the College during the academic year, Maymester, and summer school. Such rules and regulations will be consistent with the current edition of "*College Regulations*."

The Provost/Designee of the Provost is responsible for the policies and procedures for addressing matters of discipline for non-cadet students during the academic year and for non-cadet students who are not living in the barracks but are enrolled in classes during Maymester or summer school or are working for The Citadel during a period of furlough for the Corps of Cadets. These policies and procedures are presented in this document.

The Commandant of Cadets is responsible for the policies and procedures for addressing matters of discipline for members of the Corps of Cadets at all times and for the discipline of all students, including non-cadets, residing in the barracks while attending Maymester or summer school or working for The Citadel during a period of furlough for the Corps of Cadets. These policies and procedures for members of the Corps of Cadets are presented in the "Blue Book." The policies and procedures for all students living in the barracks while attending Maymester or summer school or while working for The Citadel during a period of furlough for the Corps of Cadets are presented in this document and in "Regulations for Barracks Life." During Maymester and summer school, the Commandant keeps the Provost informed regarding disciplinary matters, and recommendations for suspension, dismissal, or expulsion are sent to the President through the Provost.

Matters of honor for the Corps of Cadets during the academic year are addressed in the "*Cadet Honor Manual*."

The Provost/Designee of the Provost is responsible for the policies and procedures addressing matters of academic integrity for non-cadet students during the academic year and all students, including cadets, who are attending Maymester or summer school.

2. GENERAL INFORMATION:

A. I.D. Cards: At the time of registration, each student must have a Citadel Identification Card made. An appropriate sticker will be affixed to the ID card to indicate the term for which the student is enrolled. These ID cards will be used for library purposes and for identification purposes when using campus facilities. The first ID card is free; the student must pay for each replacement card.

B. ACTIVITIES AND FACILITIES:

1) Students who have paid the College Fee are accorded the privilege of participating in all activities of the College and using all facilities of the College, except the barracks and infirmary, on the same basis as cadets.

2) Parking decals will be issued for a nominal fee by the Office of Public Safety.

3) Students should pick up their athletic tickets at the Ticket Office, McAlister Field House. Tickets are given at no charge to students who have paid the College Fee, but ID cards must be presented.

4) The Citadel Laundry, Dry Cleaners, and Tailor Shop are available on a cash basis. Students will pay cash for services at the time of delivery.

5) The Citadel Infirmary's primary mission is to provide medical care to The Citadel Corps of Cadets during the regular academic year and boarding students during The Citadel's Summer Sessions. Given the limited staffing of The Citadel Infirmary, the Infirmary is not able to provide primary health care for non-boarding students. These students should ensure that they have selected a primary health care provider from among the many qualified physicians in the Charleston area. Emergency cases are immediately referred to the appropriate hospital or physician in the Charleston area.

C. COMMUNICATIONS:

1) Special Bulletin Boards are maintained across from the Post Office and in the Day Student Lounge area of Mark Clark Hall for the purpose of disseminating information to students. Students are expected to check these boards daily and are responsible for complying with instructions posted thereon.

2) In order to provide for timely communication between officials of the College and students, each student is assigned an e-mail account and is expected to check this account at least once each week and reply promptly to official communications.

D. SAFETY AND SECURITY:

1) Citadel Public Safety Officers are State constables and are charged with enforcing all State Laws and all College rules. Their jurisdiction includes the campus and areas contiguous to the campus. These officers are available to provide assistance as needed.

2) All automobiles must be registered as appropriate with the Director of Public Safety, and traffic regulations must be adhered to.

3) Two- and three-wheeled motorized vehicles may not be operated on campus. There is limited parking for such vehicles near Lesesne gate.

4) All crimes, thefts, dangerous situations, injuries, etc. will be reported to the Public Safety Officer on duty as quickly as possible.

5) The Director of Public Safety operates a lost and found service.

E. STUDENT SUPPORT PROGRAMS, SERVICES, AND ACTIVITIES:

The student support programs, services, and activities offered by The Citadel complement and support students' academic development by:

- promoting discipline, responsibility, character development, and self-confidence;
- equipping students with skills necessary for academic success;
- developing leadership skills;
- enhancing moral and spiritual development;

- increasing cultural awareness and the appreciation of diversity;
- encouraging students to become responsible professionals in their chosen fields; and
- providing activities that promote personal health and physical fitness.

The intent of the student support programs is to encourage the development and integration of personal values and habits that will remain with the individual for life.

The Student Development Committee has been established to advise the College in efforts to ensure that The Citadel provides student support programs, services, and activities consistent with its mission that promote student learning and enhance the development of its students.

The Committee shall have the authority to study any problem or topic associated with student activities and development throughout the College, to publish its findings, and to propose any changes it deems appropriate. However, the Committee is advisory in nature. The authority to implement change lies entirely with the senior executives through the customary decision-making channels and processes of the College.

The Committee is chaired by the Provost with permanent membership as follows:

- Commandant or his designee
- Director of Athletics or his designee
- Associate Dean of the CGPS or her designee
- The head of one of the ROTC departments
- The head of one of the academic departments (not an ROTC department), or the dean of a school, to be elected by the Academic Board
- Director of Cadet Activities
- Director of the Writing and Learning Center
- Director of the Counseling Center
- Director of Intramural, Club, and Recreational Athletics
- Director of Multicultural Student Services
- One member of the faculty at large, appointed by the Committee on Committees

The Committee also has the authority to elect up to four additional members depending upon specific requirements of the tasks at hand.

The Committee concerns itself with all College activities that have as a primary mission student development outside of academics or in support

of academics. These activities may be housed in any department, but they are concentrated in the following areas:

- Alumni Affairs
- Athletics Department
- Cadet Activities
- Career Services
- College of Graduate and Professional Studies
- Commandant's Department
- Counseling Center
- Honor Court
- Infirmary
- Information Technology Services
- International Studies
- Intramural, Club, and Recreational Athletics
- Multicultural Student Services
- Office of Access Services, Instruction and Support (OASIS)
- Religious Activities
- School/Department Activities
- Writing and Learning Center

The duties of the Student Development Committee are as follows:

- Monitor the needs of the College in the area of student activities, and when necessary, respond to these needs by recommending the establishment of new activities or the discontinuation of old ones.
- Monitor the content and purposes of all student development activities to ensure that they are consistent with The Citadel's statement of philosophy on student support programs, services, and activities.
- Monitor the effectiveness of all student development programs and activities and recommend changes where appropriate. As part of this effort, review annual assessment reports of the departments or activities whose primary mission is in the area of student development.
- Coordinate the administration of the student development activities throughout the College to ensure both effectiveness and cost-efficiency.
- Prepare and implement those parts of the Quality Enhancement Plan that are concerned with student development activities.

F. OWNERSHIP OF INTELLECTUAL PROPERTY:

1) Preamble

The Citadel has among its primary purposes teaching, research, and the expansion and dissemination of knowledge. Products of these endeavors include the development and use of intellectual property. It is the policy of the College that its faculty, staff, and students carry out their scholarly work in an open and free atmosphere that encourages publication and creation of such works without constraint but consistent with applicable laws and College policy. This policy *will be* in accord with the guidelines and criteria published in The American Association of University Professors' "Statement of Copyright" (*Policy Documents and Reports*. Ninth Edition, 2001, or subsequent editions).

2) Definitions

Directed Works are defined as those specifically funded or created at the direction of the College, and which may or may not include exceptional use of College resources. They are distinguished from non-directed works, which are pedagogical, scholarly, literary, or aesthetic works resulting from non-directed effort.

Exceptional Use of College Resources is defined as the provision of resources or support by the College for the creation of a work that is of a degree or nature not routinely made available to College employees. Sabbatical leaves, faculty research grants, and faculty development grants awarded by the College upon the recommendation of the Research, Faculty Development, or Sabbaticals Committees, although competitive, are routinely available to the faculty and are therefore deemed non-exceptional unless specifically designated otherwise by agreement between the originator and the Provost.

3) Policy

Ownership of intellectual property will reside with the originator, whether a member of the faculty, a member of the staff, or a student, unless: (a) the property is created at the specific direction of the College; or (b) the originator has made exceptional use of College resources in creating it.

At the time when the work is directed by the College or at the time when the College makes exceptional resources available to the originator of intellectual property, the Provost and the originator

will together determine ownership and will negotiate a written agreement concerning that property. These determinations will be made on a case-by-case basis.

3. GENERAL CODE OF STUDENT CONDUCT:

Responsibility for professional conduct rests with students as adult individuals, and as members of The Citadel community. All students are expected to conduct themselves as responsible adults. All members of the campus community are expected to use reasonable judgment in all aspects of campus life and activity and to show due concern for the welfare and rights of others. Students are expected to adhere to all federal, state, and local laws.

The Citadel protects freedom of action and speech, so long as the exercise of this freedom is not of an inflammatory or demeaning nature and does not interfere with the rights of others, the teaching/learning environment of the campus, or the administrative operation of the College. The Citadel's Conduct Policy prohibits the possession of drugs, destruction of property, making false statements of emergency situations, physical or verbal abuse, or harassment of any sort.

Students who violate the rules and regulations of The Citadel are subject to expulsion or lesser sanctions. These rules and regulations are prescribed in this document which is available through the College of Graduate and Professional Studies. The Provost or his designee is responsible for administering the disciplinary conduct code for non-cadet students unless they reside in the barracks Maymester and summer school. The Commandant of Cadets is responsible for administering the disciplinary code for cadets and for all students residing in the barracks during Maymester or summer school.

All students are expected to be cleanly and neatly dressed. Proper dress includes, among other things, shoes and either an outer blouse or shirt, which must be worn at all times. For Maymester and summer school, dress codes are more relaxed, but short-shorts (running shorts, P.T. shorts, bathing suits, etc.), cut-off trousers, and / or tank tops are not proper attire for the classroom, library, or other academic areas.

For Day Students, former cadets who have been authorized to complete degree requirements with the Corps of Cadets but in civilian status, additional dress codes are in force:

- Students taking RPED activity courses are required to wear the cadet p.t. uniform in class.
- Regulations pertaining to body piercing and tattoos are the same as those for members of the Corps of Cadets.

- A broken uniform is unattractive anywhere, but it is especially unsuited for a military college campus or classroom. Portions of cadet uniforms are not, therefore, to be worn by non-cadets.
- Students' hair will be neatly trimmed and styled; as will mustaches and sideburns if they are worn. Men are permitted to wear beards only when required to do so for medical reasons, which must be explained in writing by a physician and submitted to the Associate Vice President for Academic Affairs.
- Students will wear business attire when attending formal hops and similar occasions when the members of the Corps of Cadets are required to appear in the full dress or white uniform.
- Any student who is not in compliance with minimum standards for personal appearance will be required to leave campus until discrepancies are corrected. Repeated offenses may result in discharge from the College.

Loud talking, yelling, or making unnecessary noise in or near academic buildings is prohibited, and the use of any tobacco product in classrooms or in the halls of academic buildings is prohibited.

Students are not permitted to use elevators on campus unless use is dictated by a medical problem.

Class attendance is expected, and students must be punctual. Should a student have to miss a class because of sickness or other circumstances beyond his/her control, he/she is expected to inform the professor at the earliest opportunity, in advance if possible. Only the professor is authorized to excuse a class absence. Absences, whether authorized or unauthorized, in excess of 20 percent of the meetings of a particular course can, at the discretion of the instructor, result in a grade of "F" in that course. Other consequences for unauthorized class absences may be imposed the instructor.

4. ACADEMIC INTEGRITY POLICY AND PROCEDURES:

Absolute integrity is expected of every Citadel student in all academic undertakings. Academic integrity is grounded on the concept of honesty with respect to the intellectual efforts of oneself and others. A student's submission of work for academic credit indicates that the work is the student's own. Students are responsible for knowing what constitutes violations of the Academic Integrity Policy. Examples of violations of the Academic Integrity policy include, but are not limited to the following:

- Plagiarizing or representing the words, ideas, or information of another person as one's own without documentation;

- Giving or receiving prior to an examination any unauthorized information concerning the content of that examination;
- Using, without authorization of the instructor, notes, books, prompts, or other materials, or receiving verbal assistance to aid in answering questions on an examination;
- Giving or receiving substantive aid during the course of an examination;
- Asking or permitting another person to take a test or engage in other academic work; or taking a test or engaging in academic work for another, whether voluntarily or for hire, in conjunction with class work or for admissions purposes;
- Violating personal property rights (for example, stealing or attempting to steal tests, keys, or grade books);
- Fabricating data in support of laboratory or fieldwork;
- Engaging in other acts of academic misconduct.

While academic integrity is a shared responsibility, it is incumbent upon the student to abide by the academic integrity requirements. It is the responsibility of the faculty member to inform the student of any atypical academic integrity requirements.

5. VIOLATIONS OF THE ACADEMIC INTEGRITY POLICY:

A. When a faculty member suspects or has been informed that a student may have violated the Academic Integrity Policy, the faculty member should inform the student in writing within ten working days of discovery. Some situations may require more time; however in no case should this written notification be delayed by more than one month. Written notification should include the allegation and a suggested time, place and date for a meeting of the student, the professor, and Department Head or Associate Dean of the school in which the alleged violation took place. If the faculty member making the allegation is the Department Head or Associate Dean of the school in which the alleged violation took place, the meeting should include the student, the faculty member, and Dean of that school.

B. After this meeting, if the faculty member decides that no violation occurred, the matter will be dropped. If the faculty member decides that a violation has occurred but that only a grade penalty is warranted, the

student may be assigned an "F" for the work in question, or, in more serious cases, an "F" in the course. If it is determined that a more serious penalty is warranted, or if the student does not accept the grade penalty offered, the accusation will be remanded to the Dean of the school in which the alleged violation occurred. If that Dean participated in the meeting with the faculty member and the students, the matter is referred to the Associate Vice President for Academic Affairs.

C. Upon receiving the allegation, the Dean of the school where the alleged violation occurred or the Associate Vice President for Academic Affairs will appoint a three-member hearing board comprised of two faculty members from outside the program of the accused student, and a currently enrolled student of the same student classification, but outside the program of the accused student. The hearing will be convened within two weeks from the date the hearing board receives the case. If circumstances preclude meeting this deadline, the accused will be so informed in writing. A minimum of seven days notice will be provided the student prior to the hearing. The accused student may be assisted by another student or member of the permanent faculty or staff, not to exceed two. No legal counsel is allowed. The student and/or the student's advisor may cross-examine all witnesses and the accuser. A tape recording of the hearing, which will be closed, will be made. Upon conclusion of the hearing, the hearing board will vote and report its findings and recommendation to the Dean of the school in which the alleged violation occurred or the Associate Vice President for Academic Affairs.

D. Upon reviewing the recommendation, the Dean of the school where the alleged violation occurred or the Associate Vice President for Academic Affairs will either exonerate the student; impose a sanction less than suspension, dismissal or expulsion; or recommend a sanction of suspension, dismissal, or expulsion to the Provost. If the sanction is not suspension, dismissal, or expulsion, the student may appeal this sanction to the Provost who makes the final decision. If the sanction is for suspension, dismissal, or expulsion, the Provost will review the case and the process that has been followed and make the final decision on removal of the student from The Citadel for a violation of academic integrity. The student may appeal that decision to the President of the College.

6. APPEALS OF VIOLATIONS OF ACADEMIC INTEGRITY:

Students who have been found guilty of a violation of academic integrity where the punishment is suspension, dismissal, or expulsion shall be entitled to petition an Academic Integrity Board of Review to hear an appeal provided the petition is submitted to the Office of the President within five working days after receiving notice of

the findings of the Provost, and provided the petition states the grounds on which the appeal is based. An Academic Integrity Board of Review is established by the President. An Academic Integrity Board of Review will consist of a dean, who serves as chair; a department head; a senior member of the faculty; and a non-voting recorder. Once established, an Academic Integrity Board of Review will be furnished the record of the original proceedings and will evaluate the petition of appeal to determine if any of these grounds have been met:

- new evidence has been found since the individual was found guilty;
- the individual's rights were not protected;
- there was a procedural error during the trial.

If after considering the petition of appeal, the Academic Integrity Board of Review determines that the request for appeal sets forth reasonable grounds for appeal and agrees to hear the appeal, the accused student and advisor (another student or a member of the permanent faculty or staff, not to exceed two) will be present during the formal portion of the hearing, which will be taped. Oral arguments from the student or advisor will be heard and will normally be limited to 30 minutes each. In addition, the accused or advisor will have the opportunity to question any witnesses called by the Academic Integrity Board of Review. The formal appeal hearing will be taped, and the tape will become part of the record of the Academic Integrity Board of Review. The findings of the Academic Integrity Board of Review will be transmitted to the President in the form of sealed, confidential written recommendations, with appropriate justifications.

7. STUDENT GRIEVANCES:

Students who feel that they have an academic grievance are directed first to confer with the instructor or other individual(s) involved. Where this does not result in satisfaction or if this step is not feasible, the student should present the grievance in writing to the lowest appropriate level not involved in the grievance, department head or associate dean.

If the matter remains unresolved, the student may present the grievance and the attempted solution in writing to the appropriate dean. If deemed appropriate, the dean may appoint a review committee consisting of three faculty members, with one designated as chair and a student in good standing from the same student category as the appellant. This committee shall have the authority to interview individuals who may have information pertaining to the grievance and to request records and materials pertaining to the grievance. In a grievance procedure, all employees and students are obligated to provide requested information to the dean/associate dean/department head, or review committee. The committee shall forward its findings and recommendations to the convening dean who shall decide the case. The student may appeal that decision to the Provost who has the authority to settle all student grievances.

8. ENGLISH FLUENCY POLICY:

In accordance with the laws of South Carolina, The Citadel ensures the English fluency of its teaching faculty through a two-stage review process.

A. During the interview process, each applicant will make an oral presentation before a group consisting of faculty members and/or students. Should a candidate who is ultimately selected be deemed to have a language problem, the extent of this problem, the support to be provided the candidate by the College in addressing this problem, and the expectations for improvement in English fluency will all be clearly stated in the offer of employment.

B. Should the English fluency of a member of the faculty be challenged by a student, standard procedures for student academic grievances (See Section VI.H.) will be followed. Under these procedures, the student first confers directly with the faculty member involved. Where this does not result in satisfaction, the student contacts the appropriate associate dean/department head. If the matter remains unresolved, the student may state the grievance in writing to the dean who reviews the case and determines whether there are sufficient grounds to warrant an official hearing. In that case, the dean appoints a hearing board of three faculty members and a student in good standing from the same student category as the student filing the grievance. For grievances related to English fluency, the native language of one of the faculty members will not be English. This board has the authority to hear witnesses, request testimony, and study records and materials. In the case where the grievance relates to English fluency, the board will, as a group or individually, attend a lecture given by the faculty member in question, and evaluate that lecture. The board forwards its findings and recommendations to the convening dean who shall decide the case. The student or faculty member may appeal that decision to the Provost who has authority to settle all student grievances.

9. POLICIES AND PROCEDURES REGARDING DISCIPLINE:

These provisions apply to students other than cadets during the academic year and to all students including cadets during Maymester/summer school. These provisions also apply to students employed by The Citadel during furlough.

A. Major Offenses:

- 1) Expulsion may be the punishment for the following offenses:
 - a) knowingly making a false oral or written statement in response to an oral or written requirement from an individual

or officer of the College authorized by position or function to place such a requirement;

b) violating the academic integrity policy;

c) stealing or the commission of any act which is a felony under the laws of the State of South Carolina or the United States;

d) possessing or using at any time or place, whether on- or off-campus, any hallucinogenic, narcotic or other controlled drug or substance or any paraphernalia as defined in South Carolina Code Ann. Sec. 44-53-110, unless authorized by a legal prescription for such substance or otherwise specifically permitted by law;

e) sexual assaults or attempted sexual assaults;

f) sexual harassment (Major), i.e. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly as a term or condition of a person's employment, academic standing, or other student opportunities;
- submission to or rejection of such conduct by an individual is used as the basis for decisions affecting an individual's employment, academic standing, or other student opportunities;
- such conduct has the purpose or effect of unreasonably interfering with a person's work; interfering with a person's professional or academic performance; or creating an intimidating, hostile, or offensive work, learning, or social environment.

g) sexual activity on campus (Students may not engage in serious sexual activity on campus. Serious sexual activity may include oral sex, sexual intercourse, or public display of nudity or partial nudity.)

- h) violation of a federally protected right (commission of an act of a vicious or immoral nature unbecoming of a Citadel student).
- 2) Dismissal may be the punishment for the following offenses:
- a) drunkenness, bringing intoxicating beverages onto the campus, or the possession of intoxicating beverages on the campus;
 - b) disobedience to the directives of or an act of disrespect to any official of the College;
 - c) commission of any unbecoming act or one which would tend to bring discredit to the College;
 - d) discharge or possession of firearms on campus, except under proper supervision on authorized ranges;
 - e) participation in extremist organizations, gang activities, racist or skinhead organizations, or any activity that will adversely affect the good order of The Citadel.
- 3) Suspension may be the punishment for the following offenses:
- a) insubordination or disorderly conduct;
 - b) calling another student to personal account for actions taken while in the discharge of duties;
 - c) sexual harassment (Minor) ,i.e. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 - submission to such conduct is made either explicitly or implicitly as a term or condition of a person's employment, academic standing, or other student opportunities;
 - submission to or rejection of such conduct by an individual is used as the basis for decisions affecting an individual's employment, academic standing, or other student opportunities;

- such conduct has the purpose or effect of unreasonably interfering with a person's work; interfering with a person's professional or academic performance; or creating an intimidating, hostile, or offensive work, learning, or social environment.

d) Other punishment may be imposed by the appropriate authority for any disorderly act, neglect, or misbehavior listed in regulations specifically prepared for students other than cadets.

e) Any student who damages or destroys any public property connected with The Citadel will pay for damages or destruction. In case of wanton destruction, the student may be subject to further disciplinary action.

B. Authority to Discharge:

1) No student shall be discharged before graduation except by Special Order from the Office of the President or by policy stated in a catalog of the College. The President may, by written authorization, delegate the authority to discharge students administratively to an appropriate official of the College.

2) The President has authority to discharge a student:

- on the student's application or, if the student is a dependent and acquiesces, on request of the parent or guardian;
- for whom expulsion, suspension, or dismissal has been recommended;
- who otherwise fails to meet continuing conditions of admission or matriculation set forth in these *College Regulations* or a college catalog;
- on recommendation of the Medical Review Board.

3) The Chair of the Board of Visitors will be informed of the discharge of students for disciplinary reasons. A disciplinary finding of expulsion, dismissal, or suspension or an honor finding of expulsion shall be imposed only by the President.

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

D. Resignation:

1) A student who has been accused of a disciplinary offense that could require a board or hearing or who has accumulated sufficient demerits to warrant a board or hearing will not be permitted to resign, except with the permission of the President, and must face the prescribed board or hearing. A student who has been given permission to resign by the President in lieu of facing the prescribed board or hearing will be treated by The Citadel as if he or she has been found guilty of the offense in question and has been awarded the maximum punishment authorized.

2) A student who has not been given permission to resign but who elects to leave the College with a disciplinary board, hearing, or offense pending that could result in suspension, dismissal, or expulsion, will be suspended, dismissed, or expelled in absentia, as determined by the maximum punishment allowed for the charge in question. The Office of the President will direct the Office of the Registrar to so inform the student.

3) A student accused of a violation of academic integrity may resign at any time prior to the final disposition of the case. A student who leaves the College with an honor trial or accusation pending will be expelled in absentia. The Office of the President will direct the Office of the Registrar to so inform the student.

E. Types of Discharge: The following terms are used by the Office of the President in announcing internally the discharge of students for disciplinary reasons. These terms do not appear on the student's academic transcript. In all cases the term "Discharged" will appear on the academic transcript.

1) PERMISSION TO RESIGN indicates that the student is not entitled to an honorable discharge and has been given permission to resign by the President. This student will be treated by the College as if he or she has been suspended, dismissed, or expelled which ever is the maximum punishment the student could have received had he or she elected to face the charge or accusation that had been made.

- 2) SUSPENDED indicates that the student has been required to leave the College for a period of one semester beyond the semester in which the suspension is awarded.
- 3) SUSPENDED IN ABSENTIA indicates that the student has left the College without permission while facing a charge for which the maximum punishment is suspension.
- 4) DISMISSED indicates that the student has been required to leave the College for a period of two semesters beyond the semester in which the dismissal is awarded.
- 5) DISMISSED IN ABSENTIA indicates that the student has left the College without permission while facing a charge for which the maximum punishment is dismissal.
- 6) EXPELLED indicates that the student has been required to leave the College and is not eligible to return. A student who has been expelled may not enroll in classes in any of The Citadel's programs--Cadet, College of Graduate and Professional Studies, Maymester, or summer school.
- 7) EXPELLED IN ABSENTIA indicates that the student has left the College without permission while facing a charge or accusation for which the maximum punishment is expulsion. A student who has been expelled in absentia may not enroll in courses in any of The Citadel's programs--Cadet, College of Graduate and Professional Studies, Maymester, or summer school.

F. Reinstatement:

- 1) A student who has been expelled, has been expelled in absentia, or has been given permission to resign with a possible expulsion offense pending will not be eligible for readmission to the College unless new evidence becomes available within one academic semester after the charges were filed or the action of the College is finalized and that evidence indicates to the satisfaction of the Provost/Dean of the College that the original findings or charges were in error.
- 2) A student who has been dismissed, has been dismissed in absentia, or has been given permission to resign with a possible dismissal offense pending may make written application during the second semester following the semester of discharge for readmission at the beginning of the semester following the application; i.e., a minimum of two semesters must elapse after the

semester of dismissal before the semester of readmission. The summer will not serve as a semester for these purposes. Such applications will be considered by the appropriate dean who is responsible for the process of clearing readmission to the College.

3) A student who has been suspended, has been suspended in absentia, or has been given permission to resign with a possible suspension offense pending may make written application during the first semester following the semester of discharge for readmission at the beginning of the semester following the application; i.e., a minimum of one semester must elapse after the semester of suspension before the semester of readmission. The summer will not serve as a semester for these purposes. Such applications will be considered by the appropriate dean who is responsible for the process of clearing readmission to the College.

10. INVESTIGATIONS AND HEARINGS:

A. Investigations:

1) Investigations of violations of disciplinary regulations will be made by officers on boards appointed by the President, the Commandant of Cadets, or the Provost/Designee of the Provost, as appropriate.

2) Such officers on boards will have power to administer oaths to witnesses and to require them to answer questions as to facts material to the inquiry and concerning which they have knowledge. An individual who has been accused of an offense under investigation may furnish names of individuals and materials to the investigating board for its consideration.

B. Advisor: In all college hearings and boards, to include appeals before the Board of Visitors, the student may be assisted by another student or a member of the permanent faculty or staff, not to exceed two. Under no circumstances will any faculty or staff member or student who is serving as an advisor for a student before any board or hearing at The Citadel be remunerated for such services. Any faculty or staff member or student serving in such capacity, when appearing before such a board or hearing, will be in the appropriate uniform or other attire for the occasion. Students who are facing disciplinary hearings for an act, which is also the subject of an off-campus criminal proceeding, may request that one of the advisors be an attorney. A request to have an attorney present at a hearing or board must be made in writing to the board president two days in advance of the board or hearing. An attorney may act only in an advisory role to the student client. An attorney serving as an advisor may

not ask questions of witnesses or board members, represent the student, or actively participate in the hearing process. If the cadet or student has an attorney present as an advisor, the College may, at the discretion of the board president or chairman, have legal counsel present to advise the board.

C. Hearings for Violations of Disciplinary Regulations:

1) Students accused of a violation of disciplinary regulations which may lead to suspension, dismissal, or expulsion are entitled to the following: to have a fair and prompt hearing before an officer or a board of officers of the College; to be informed in writing of the offense of which accused and to have reasonable time to prepare a defense (at least 72 hours after notification); to have as an advisor another student or member of the permanent faculty or staff, not to exceed two, of their own choosing; to be able to cross-examine witnesses against them and to present witnesses in their own behalf; to petition to appeal to the proper authority should the decision go against them; and, with the permission of the President, to resign from the College at any time prior to a hearing or an appeal which they have requested. For cases where the potential punishment is expulsion, the hearing, whether informal or formal, will be taped.

2) For offenses that may lead to suspension, dismissal, or expulsion, the Commandant of Cadets will appoint the officer or board of officers to hear cases which involve cadets or students living in the barracks during Maymester or one of the summer sessions. The Provost/Designee of the Provost will appoint the officer or board of officers to hear cases which involve students other than cadets in the academic year and for non-cadet students not living in the barracks during Maymester or one of the summer sessions.

3) Based on the evidence presented, the hearing officer or board may recommend any appropriate penalty to the appointing authority. Disciplinary penalties involving suspension, dismissal, or expulsion may be recommended to the President by the appointing authority and shall be imposed only by the President.

D. Appeals:

1) Penalties may be appealed in writing to the authority one level higher than the penalty approval authority.

2) An appeal does not provide a second forum in which to present the case. Appeals deal only with how a decision has been reached and not with the decision itself. The following are the exclusive grounds for appeal:

- that the hearing officer or board failed to follow approved written procedures;
- that the decision is arbitrary, that is, unreasonable and not based upon or consistent with the evidence and testimony presented;
- that significant evidence has been discovered since the hearing that was not available at the time the decision was reached.

3) Students who have been suspended, dismissed, or expelled by proper authority are entitled to appeal to the Board of Visitors. 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. The Office of the President will then transmit to members of the Customs, Regulations, and Cadet Liaison Committee the petitions of appeal and all related evidence of record.

4) The Customs, Regulations and Cadet Liaison Committee shall review the submitted record without appearance of parties or argument, and determine whether or not the appeal is meritorious. If the Committee determines that the petition of appeal is not meritorious, it will be dismissed with finality. If the Committee determines that the petition of appeal merits consideration by the Board of Visitors, it shall be heard by the Board of Visitors.

5) The Board of Visitors will receive the same petition of appeal and evidence of record as was received by the Customs, Regulations and Cadet Liaison Committee in advance of the meeting of Board of Visitors at which the petition of appeal will be scheduled to be heard. Such appeals will be heard as expeditiously as possible as but not later than the next regularly scheduled meeting of the Board of Visitors. In hearing such petitions of appeal, the Board of Visitors will hear oral arguments from the student or designated advisor limited to a total of 30 minutes with appropriate responses from the administration. The determination of the Board of Visitors shall be final.

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

11. BARRACKS LIFE DURING MAYMESTER OR SUMMER SCHOOL: The Commandant of Cadets is responsible for the administration of student life in the barracks, and the policies and procedures are published in "Regulations for Barracks Life" which is provide to each student residing the barracks during Maymester or summer school.

FOR THE PRESIDENT:

OFFICIAL

CHARLES B. REGER
Colonel, USAF, Retired
Executive Assistant to the President