

THE CITADEL  
The Military College of South Carolina  
171 Moultrie Street  
Charleston, SC 29409

MEMORANDUM  
NUMBER 2-029

16 August 2022

**ANNUAL DISCLOSURE REQUIREMENTS FOR COMPLIANCE WITH THE NCAA BOARD OF GOVERNORS POLICY ON CAMPUS SEXUAL VIOLENCE**

**1. PURPOSE**

This policy outlines the disclosures required of all incoming, continuing and transfer student-athletes in accordance with the [NCAA Board of Governors Policy on Campus Sexual Violence](#).

**2. REFERENCES**

[NCAA Board of Governors Policy on Campus Sexual Violence](#)

**3. DEFINITIONS**

- A. Interpersonal Violence: "Interpersonal violence," as defined by the NCAA Board of Governors Policy on Campus Sexual Violence, means any violence that is predominantly caused due to the relationship between the victim and the perpetrator, including dating and domestic violence.
- B. Other Acts of Violence: "Other acts of violence," as defined by the NCAA Board of Governors Policy on Campus Sexual Violence, means crimes including murder, manslaughter, aggravated assault, or any assault that employs the use of a deadly weapon or causes serious bodily injury.
- C. Sexual Violence: "Sexual violence," as defined by the NCAA Board of Governors Policy on Campus Sexual Violence, means both forcible and nonforcible sex offenses, ranging from sexual battery to rape.

**4. POLICY**

**A. Required Student-Athlete Disclosures**

The Citadel (the "College") requires all incoming and transfer student-athletes to accurately complete a Student-Athlete Attestation Form, disclosing any conduct that resulted in discipline through a Title IX proceeding or in a criminal conviction for sexual, interpersonal, or other acts of violence, as well as a Statement of Disciplinary Standing and FERPA

Release (for Incoming and Transfer Student-Athletes). The College also requires all continuing student-athletes to accurately complete the Student-Athlete Attestation Form, on an annual basis, disclosing any conduct that resulted in discipline through a Title IX proceeding or in a criminal conviction for sexual, interpersonal, or other acts of violence. The completion of such disclosures may be required before a student-athlete is permitted to practice, compete, and/or receive a College scholarship.

Specifically, student-athletes must disclose the following:

- Whether they have ever been disciplined (including, but not limited to, any sanctions, suspensions, expulsions, and remedies as a result of informal resolutions) through a Title IX or similar campus proceeding for sexual, interpersonal, or other acts of violence;
- Whether they have been convicted of, pleaded guilty, or pleaded no contest to any crime of sexual, interpersonal, or other acts of violence; and
- Whether, if a transfer, a Title IX proceeding was incomplete or pending at the time of transfer.

## **B. Disclosure Schedule**

All incoming and transfer student-athletes must submit a completed Student-Athlete Attestation Form to the College at the beginning of the recruitment phase and also prior to participation in any practice, competition or team meetings after the student-athlete has signed a College financial aid agreement, submitted a deposit to the College as an admitted student, or received a conditional Athletic Scholarship letter from the College.

All current College student-athletes must annually submit a completed Student-Athlete Attestation Form to the College during the academic year.

## **C. Information Sharing among NCAA Institutions**

In a manner that is consistent with federal and state law, the College is obligated to share information regarding relevant discipline information and incomplete Title IX proceedings as a result of a transfer with other NCAA member institutions when a student-athlete attempts to enroll in a new college or College.

The College will also take reasonable steps to confirm whether incoming, continuing and transfer student-athletes have been disciplined through a Title IX proceeding or criminally convicted of sexual, interpersonal, or other acts of violence. Through the Statement of Disciplinary Standing and FERPA Release (For Incoming and Transfer Student-Athletes), College administrators will gather information that reasonably yields information from a student-athlete's former institution(s) to put the College on notice that the student-athlete left the former institution with an incomplete Title IX proceeding, was disciplined through a Title IX proceeding or has a criminal conviction for sexual, interpersonal or other acts of violence. College administrators may contact the student-athlete's Title IX office or other appropriate campus office to inquire about whether or not there is an incomplete Title IX proceeding in process or if there was a finding of discipline for a Title IX proceeding.

## **D. Family Educational Rights and Privacy Act ("FERPA")**

FERPA contains an exception that authorizes institutions of higher education to share education records of students who are applying to transfer to the transfer institution without securing the student's written consent. Accordingly, College student-athletes seeking transfers to other NCAA member institutions will not be required to sign a FERPA Authorization Form in order for such information to be shared with the transfer institution because such information is excepted under FERPA.

Incoming student-athletes who are under the age of 18 will be required to have their parent sign the Student-Athlete Attestation Form in order for information to be released to the College.

## **5. COMPLIANCE**

Failure to comply with this Policy may jeopardize a student-athlete's eligibility to participate in intercollegiate athletics at the College and/or elsewhere, and may result in responsive or disciplinary action by the NCAA and/or the College including, but not limited to, revocation of admission to the College, revocation of a student-athlete's eligibility for scholarship, removal from the team and expulsion from the College.

Anyone with questions regarding this policy may contact the following College administrators:

### **Kevidia Brown**

Associate Athletic Director for Internal Operations/Senior Women's Administrator  
Deputy Title IX Coordinator  
Phone: (843) 953-6604  
Email: [kbrown23@citadel.edu](mailto:kbrown23@citadel.edu)

### **Valerie Mercado**

Title IX Coordinator/Compliance Officer  
Bond Hall, Rm 310  
The Citadel, 171 Moultrie St. Charleston, SC 29409  
Phone: (843) 953-6881  
Email: [ymercado@citadel.edu](mailto:ymercado@citadel.edu)

## **6. NOTES**

### **A. Dates of Official Enactment and Amendments:**

Approved by the President on 3 August 2022.

### **B. Responsible Departments:**

Title IX  
Department of Athletics

**C. Responsible Officials:**

Title IX Coordinator  
Director of Athletics  
Senior Women's Administrator for Athletic Internal Operations

**D. Cross References:**

None.

**7. RESCISSION**

None

**8. REVIEW**

This policy will be reviewed on an annual basis.

OFFICIAL

GLENN M. WALTERS  
General, USMC (Retired)  
President

Attachment

Annex A, [Student Athlete Attestation Form](#)

Annex B, [Statement of Disciplinary Standing and FERPA Release](#)

ANNEX A



THE CITADEL

THE MILITARY COLLEGE  
OF SOUTH CAROLINA

**Student-Athlete Attestation Form for Compliance with the  
NCAA Board of Governors Policy on Campus Sexual Violence**

NCAA member institutions are required to annually gather information regarding the prior misconduct of any current, prospective, or transfer student, including a graduate student, who seeks to participate in intercollegiate athletics. Accordingly, any current, prospective, or transfer student-athlete, including a graduate student, must annually disclose to The Citadel whether they have been disciplined through a campus proceeding or had a criminal conviction for sexual, interpersonal or other acts of violence. This misconduct is defined by the NCAA Board of Governors Policy on Campus Sexual Violence as:

- **Interpersonal Violence:** Violence that is predominantly caused due to the relationship between the victim and the perpetrator, including dating violence and domestic violence.
- **Sexual Violence:** A term used to include both forcible and nonforcible sex offenses, ranging from sexual battery to rape.
- **Other Acts of Violence:** Crimes including murder, manslaughter, aggravated assault or any assault that employs the use of a deadly weapon or causes serious bodily injury.

<i>Please provide Yes or No responses to the following questions.</i>	Yes	No
Have you been convicted of, pled guilty to or pled no contest to any crime involving acts defined above as interpersonal violence, sexual violence or other acts of violence?		
Have you been disciplined (including, but not limited to, dismissed, suspended, expelled, placed on probation, remedies as a result of informal resolutions, or any other sanction) through a Title IX or similar proceeding for acts defined above as interpersonal violence, sexual violence and/or other acts of violence?		
For transfer students: Upon leaving your previous institution, were you subject to a pending Title IX proceeding, or will a Title IX proceeding be incomplete at the time of your transfer?		
For transfer students: Are you eligible to continue your studies at your current institution?		
If you answer "yes" to any of the above questions, please provide additional information including the date(s) of each incident for which you have been disciplined or were convicted, explain the circumstances, and reflect on what you have learned from the experience. Attach additional pages as needed.		

*By signing below, I hereby attest that the information I have provided is accurate and complete. I understand that my failure to accurately and completely provide the above-requested information to The Citadel is a violation of the Annual Disclosure Requirements for Compliance with the NCAA Board of Governors Policy on Campus Sexual Violence and could result in disciplinary action including, but not limited to, revocation of admission to the The Citadel, revocation of a student-athlete's eligibility for scholarship, removal from the team and expulsion from the College. Further, I understand and acknowledge that it is my responsibility to report any situation(s) that would change my answers or add information to any of the questions above after submitting this document to the College.*

Print Name:	Sport:
Signature:	Date:
Signature of parent or legal guardian (if student-athlete is a minor):	Date:

ANNEX B



# THE CITADEL

THE MILITARY COLLEGE  
OF SOUTH CAROLINA

## Statement of Disciplinary Standing and FERPA Release (For Incoming and Transfer Student-Athletes)

First Name:	Last Name:
Date of Birth:	Address:

Release of Records: The Family Educational Rights and Privacy Act of 1974 prohibits access to, or release of, educational records or personally identifiable information contained in such records (other than directory information) without the written consent of the student, with certain exceptions. I hereby authorize (School Name) \_\_\_\_\_ to release any disciplinary and criminal information from my educational records to **The Citadel, attention: Kevicia Brown, Associate Athletic Director for Internal Operations/ SWA.**

Student Signature:	Date:
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**This section is to be completed by the Dean of Students or other school official at each educational institution attended by the Student-Athlete Applicant in the last five years who have access to the Applicant's disciplinary records. Please attach additional pages as necessary.**

School Official's Name:	Title:
School Name:	CEEB/ACT Code:
Phone:	Email:

Kindly answer the following questions as they pertain to the Student-Athlete applicant. Please circle "yes" or "no." For purposes of this document, the following definitions apply:

\* **Interpersonal violence**, as defined by the NCAA Board of Governors Policy on Campus Sexual Violence, means any violence that is predominantly caused due to the relationship between the victim and the perpetrator, including dating and domestic violence.

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\* **Other acts of violence**, as defined by the NCAA Board of Governors Policy on Campus Sexual Violence, means crimes including murder, manslaughter, aggravated assault, or any assault that employs the use of a deadly weapon or causes serious bodily injury.

\* **Sexual violence**, as defined by the NCAA Board of Governors Policy on Campus Sexual Violence, means A term used to include both forcible and nonforcible sex offenses, ranging from sexual battery to rape.

1. Was the student-athlete applicant ever disciplined (including, but not limited to, any sanctions, suspensions, expulsions, and remedies as a result of informal resolutions) through a Title IX or similar proceeding for sexual, interpersonal or other acts of violence? **Yes No**
2. Are any Title IX proceedings currently pending or incomplete against the student-athlete applicant? **Yes No**
3. To your knowledge, was the student-athlete applicant convicted of, pleaded guilty, or pleaded no contest to a crime of sexual violence, interpersonal violence or other acts of violence? **Yes No**
4. Does your response include information from your school's Title IX records? **Yes No**

This institution has a policy which prevents me from responding:

I would prefer to discuss this applicant over the phone with your institution's Title IX Coordinator:

Official's Signature:	Date:
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**If the answer to question #4 is NO, please have your school's Title IX Coordinator complete this section.**

Title IX Coordinator's Name:	Email:
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Are there any Title IX disciplinary proceedings (including informal resolutions) currently pending against the applicant for violations related to sexual, interpersonal or other acts of violence?  (If yes, please attach explanation)	Yes / No
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Title IX Coordinator's Signature:	Date:
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