VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 17) 12 October 2012

ADMINISTRATIVE PROCESS FOR
CADET SUSPENSIONS AND DISMISSALS

1. Purpose: The purpose of this general order is to outline the policies and procedures for suspensions and dismissals of cadets at VMI.

2. Academic Suspensions:

If a cadet fails to meet required academic standards for the academic year (i.e., failure to meet required GPA, total credit hours passed, or yearly hours), a letter is sent from the Registrar to the cadet notifying him/her that he/she has the summer to correct the deficiencies. If the cadet fails to meet the minimum academic standard prior to the start of the fall semester, he/she is placed on an academic suspension status until such time as the requirement is met (traditionally one semester minimum), and the cadet is eligible for readmission consideration. Cadets with extenuating circumstances who wish to appeal the academic suspension may do so to the Committee on Academic Appeals. The Committee on Academic Appeals reviews the circumstances of the appeal and makes a recommendation to the Dean of the Faculty, who makes the final decision.

Suspended cadets must reapply to the Readmission Committee by the established deadlines. The Readmission Committee reviews academic, discipline and medical records based on the standards established and weighs the cadet's future ability for success in the major area.

Approvals are granted by the Readmission Committee provided the cadet meets the criteria for return. Denials and recommendations for restrictions are referred to the Dean for final determination and approval [Note: If any disciplinary matters are taken into consideration by the Readmission Committee, the Dean addresses the recommendation with the Superintendent before a final decision is made].

3. Academic Dismissals:

Two academic suspensions trigger an academic dismissal. If a cadet fails to meet required academic standards for the academic year (i.e., failure to meet required GPA, total credit hours passed, or yearly hours), a letter is sent from the Registrar to the cadet notifying him/her that he/she is in danger of a second academic suspension which will result in dismissal. The cadet has the summer to correct the deficiencies.

If the cadet fails to meet the minimum academic standard prior to the start of the fall semester, he/she is placed on an academic dismissal status. The cadet's records are deactivated, and he/she is restricted from future pursuit of a degree.

However, before the dismissal occurs and it reaches the Dean, a cadet can petition the Committee on Academic Appeals to review the case. The Committee on Academic Appeals

makes a recommendation to the Dean. The Dean approves/ disapproves and notifies the Superintendent prior to final action.

Appeal Process: Per Board of Visitors directive, cadets are referred to the Dean to petition in writing if they wish to appeal the Academic Dismissal status. Petitions are considered by the Dean, in conjunction with the academic department head, but only under the most unusual of circumstances. The Dean approves/disapproves and notifies the Superintendent prior to final action.

4. Disciplinary Suspensions:

The Commandant prepares a packet of information regarding the individual cadet's case and sends it to the Superintendent at least 24 hours (when practical) in advance of the cadet reporting to the Superintendent. The Commandant's recommendation is included in the packet.

If suspended, the Executive Assistant to the Superintendent prepares letters to cadet and parents with a memorandum noting restrictions incident to suspension. Note: a suspension is a two semester absence – current semester plus one regular semester. If semester final exams are taken, then suspension is for the following two semesters. Summer school does not count.

A cadet must reapply to the Readmission Committee in the designated time frame noted in the cadet's suspension letter. The Readmission Committee approves the request if the cadet meets all established readmission criteria and the readmission is supported by the Commandant's Office. Denials and recommendations for restrictions are referred to the Dean. The Dean recommends approval/disapproval and refers to the Superintendent for final action.

Stipulation for return from an alcohol related suspension is noted in Appendix I.

NOTE - Resignation to Avoid Suspension: In the case of a cadet who resigns from VMI to avoid a possible disciplinary suspension, that cadet's record will be so noted. If that cadet applies for readmission to VMI and is accepted, the cadet's offense would be adjudicated upon return to the Corps. This stipulation should be noted to the cadet by the Registrar upon receiving the application for readmission.

5. Disciplinary Dismissals:

The Commandant prepares a packet of information regarding the individual cadet's case and sends it to the Superintendent at least 24 hours (when practical) in advance of the cadet reporting to the Superintendent. The Commandant's recommendation is included in the packet. The action is held in abeyance if the Superintendent is temporarily off-Post. Alternatively, if he will be absent for an extended period, the Superintendent may choose to delegate dismissal action in his name to a Deputy Superintendent or other officer of the Institute of his choosing. However, by VMI Regulations and practice, only the Superintendent may make the decision to dismiss a cadet.

If dismissed, the Executive Assistant to the Superintendent prepares letters to cadet and parents with a memorandum noting restrictions incident to dismissal.

.

Stipulation for return from an alcohol related dismissal is noted in Appendix I
Stipulation for return from a drug related dismissal is noted in Appendix II.

NOTE - Resignation to Avoid Dismissal: A cadet facing a disciplinary dismissal offense cannot avoid adjudication of the charges by resigning from the Institute. Following notification by the Commandant of Cadets that a disciplinary dismissal is pending, the cadet facing these charges cannot resign from VMI to avoid adjudication of the charges. The Superintendent must concur with pending dismissal notification prior to the Commandant's meeting with the cadet involved. Any resignation after said notification or failure, absence without leave, or failure to return from any authorized leave will be deemed an admission of the offense with which the cadet was charged. The dismissal on the cadet's transcript will read as follows: Dismissed for

Disciplinary Reasons. At the time of notification of the pending dismissal offense, the Commandant will also notify the cadet of the conditions faced if the cadet resigns prior to adjudication by the Superintendent.

Appeal Process: Appeals may be made to the Appeals Committee of the Board of Visitors within 10 days and only "under the most unusual of circumstances." These circumstances are detailed in the General Order covering the Appeal process and involve only those rare cases where a cadet has compelling evidence that there was a wrongful dismissal.

Otherwise, a cadet may petition the Superintendent for readmission after a minimum one year absence. The Committee takes into consideration the cadet's academic, discipline, and medical records and makes its recommendation to a committee composed of both Deputy Superintendents (Chaired by the Deputy Superintendent for Academics and Dean of the Faculty) and the Commandant of Cadets. This committee makes a recommendation to the Superintendent for final action.

6. Medical Dismissals: All cadets at VMI must be medically cleared in order to safely participate in the rigorous environment at VMI. In rendering these medical clearances, medical staff must rely upon medical history and other medical information from the cadets. The VMI medical staff requests the necessary information in medical documents that the new cadets must complete and submit before matriculation. Their appointment to VMI is not final until such time as they are medically cleared. If a cadet fails to report complete and accurate information, they are informed in those documents that such failure is a basis for dismissal from VMI. If it is discovered following matriculation that false, misleading, or inaccurate information has been submitted in these medical documents, that cadet is subject to dismissal.

a. If it is apparent the cadet did not intentionally submit false or inaccurate information during the medical review process, the Institute Physician will review the matter and determine whether or not the cadet can safely and successfully complete all required program elements at VMI. If the cadet cannot do so, and would not have been medically cleared if the medical condition or issue had been made known, the cadet may be dismissed from VMI under the following procedures. First, the Institute Physician will prepare a packet of information containing the medical forms and case summaries. The packet will notify the cadet of the reasons for dismissal. The Institute Physician will provide the cadet with this information and

allow the cadet a reasonable opportunity to respond orally, in writing, or both. If an oral presentation is made, the appropriate official will summarize it in writing. Based upon those presentations, the Institute Physician may either terminate the action if satisfied or recommend dismissal to the Superintendent. If a recommendation to dismiss is made, the Institute Physician shall forward the recommendation, response, and other relevant documents to the Superintendent. The cadet will be notified of the recommendation and given a reasonable opportunity to respond in writing, orally, or both to the Superintendent during the cadet's personal appearance. Decisions of the Superintendent are final.

b. If it is apparent that the cadet intentionally provided incomplete, false, or misleading medical information, the Institute Physician will similarly review the matter and complete the following procedures. First, the Institute Physician will inform the cadet in question in writing of his finding. The cadet will then be given a reasonable opportunity to respond in person, in writing, or both. If the Institute Physician finds that the cadet did not intentionally provide inaccurate information, he will then perform the analysis described in subparagraph A, above, to determine if the cadet can safely and successfully complete program requirements. If the Institute Physician determines the cadet has intentionally provided inaccurate information on the medical forms, or if unintentional, cannot meet program requirements, he/she will then transmit the package to the Superintendent for action. The Superintendent will permit the cadet to respond in writing or orally in his/her personal appearance. Decisions of the Superintendent are final. Dismissal for unintentional submission of inaccurate information is not a disciplinary dismissal but in the nature of an administrative withdrawal.

FOR THE SUPERINTENDENT:

Jeffrey H. Curtis
Colonel, USAF (Ret.)
Chief of Staff

DIST: E, Cadets

OPR: Executive Asst to Superintendent, Commandant

Appendix I

VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

MEMORANDUM FOR CORPS OF CADETS

SUBJECT: Stipulation for Return from Alcohol-Related Penalty

1. The penalty for an alcohol-related offense which results in a cadet being suspended or dismissed includes special stipulations as conditions of return.

2. Alcohol abuse is a significant problem which requires action that looks beyond the offense itself and addresses the potentially greater problem of an uncontrollable pattern of alcohol abuse.

3. Accordingly, all cadets suspended or dismissed for violations of VMI alcohol regulations will be required to provide the following to the Readmission Committee by the deadline for readmission in the case of a suspension, or upon petition to the Readmission Committee for reinstatement after being in dismissal status for at least one year:

   a. Signed releases of information permitting VMIs Counselors to exchange assessment and treatment information with:

      i. Any and all substance abuse/mental health care providers,
      ii. The Superintendent and/or his deputies.

   b. Full written documentation of a substance abuse assessment, including a urine drug screen, from a certified substance abuse counselor (or other licensed mental health provider **approved by a VMI Counselor**). The documentation must clearly indicate if the cadet met the criteria for substance abuse or dependence. If the criteria for either was met, the following must also be provided:

      i. Full written documentation of compliance with and completion of treatment by a certified substance abuse counselor (or other licensed mental health professional approved by a VMI Counselor),
      ii. Clear recommendations for any after-care that may be indicated (e.g. participation in Alcoholics Anonymous),
      iii. Evidence of involvement in an ongoing recovery program, if recommended.

FOR THE SUPERINTENDENT:

Jeffrey H. Curtis
Colonel, USAF (Ret.)
Chief of Staff

cc: Commandant
Cadet Counseling
Parents

Appendix II
VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

MEMORANDUM FOR CORPS OF CADETS

SUBJECT: Stipulation for Return for Drug-related Dismissal

1) The penalty for a drug-related offense is Dismissal.

2) Per General Order #6 (as approved by the VMI Board of Visitors), Rule Two, paragraph g states:

Upon being absent from the Institute for one year, a cadet dismissed for disciplinary reasons may petition for readmission. Any such readmission shall not have the effect of overturning the decision of the Superintendent and shall be considered by the Superintendent or his designee, not by the Committee of Appeals (Board of Visitors). The decision of the administration is final.

3) Upon being dismissed, should a cadet consider the possibility of a petition, the cadet must comply with the following as a condition of being considered for readmission:

a. Contact the VMI Cadet Counseling Office and have a drug rehabilitation program approved by a VMI Counselor of that office. This will require:
    i. Arranging for a complete substance abuse assessment, including a urine drug screen, with a certified substance abuse counselor (or licensed mental health professional approved by a VMI Counselor),
    ii. Providing signed releases of information permitting VMIs Counselors to exchange assessment and treatment information with your treatment provider prior to your initial appointment and substance abuse assessment, and at any time throughout your treatment.

b. Contact VMI Deputy Commandant, and have a community service program (minimum 175 hours) approved.

c. Upon completion of your approved drug rehabilitation program you must:
    i. Submit to two random drug urinalysis tests, conducted through that program's office. Results of the urinalysis must be submitted to the Director of VMI Cadet Counseling and the Commandant of Cadets.
    ii. Submit written documentation of your treatment including evidence of full treatment compliance and completion as well as any and all recommendations for your sustained recovery (e.g. ongoing counseling or participation in Narcotics Anonymous).
    iii. Evidence of involvement in an ongoing recovery program during your absence from VMI, if recommended.

4) The readmission committee will make a recommendation to a three-member panel composed of both Deputy Superintendents (Chaired by the Deputy Superintendent for Academics and Dean of the Faculty) and the Commandant of Cadets. The three member panel will then make a recommendation to the Superintendent. In addition to the information contained in the readmission packet, the readmission committee, the three member panel and the Superintendent will also consider the following factors: previous performance as a cadet, nature of the dismissal offense, potential for success in the VMI system, and Barracks availability. The final decision for readmission is dependent on a personal interview with the Superintendent at least one month ahead of return for the beginning of the fall or spring semester.

5) Should the Superintendent approve readmission, the cadet will:

a. Return to VMI on Conduct Probation for one semester.

b. Meet with the VMI Office of Cadet Counseling within one week of the start of semester classes and comply with any and all requirements set forth by a VMI Counselor.

c. Be remanded to a program of random drug urinalysis for the remainder of his/her cadetship.

FOR THE SUPERINTENDENT:

Jeffrey H. Curtis
Colonel, USAF (Ret.)
Chief of Staff

cc: Commandant
Cadet Counseling
Parents