



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY ROTC CADET SUMMER TRAINING DETACHMENT  
1ST CAVALRY REGIMENT ROAD  
FORT KNOX, KENTUCKY 40121-5123

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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Cadet Summer Training (CST24) Policy Memorandum 28 – Leadership Development Review Board

1. References.

- a. Army Regulation (AR) 145-1, *Senior Reserve Officers' Training Corps Program: Organization, Administration, and Training*, 28 July 2023.
- b. Field Manual (FM) 6-22, *Developing Leaders*, 1 November 2022
- c. USACC Circular 145-5, *Cadet Summer Training*, 1 February 2022
- d. CST 24 Policy Memorandum 9, *Advanced Camp (AC) Performance and Completion Credit*
- e. CST 24 Policy Memorandum 10, *Basic Camp (BC) Performance and Assessment Criteria*.
- f. CST 24 Policy Memorandum 20, *Cadet Evaluations and Appeals*
- g. USACC Form 1059, *Advanced Camp Evaluation Report (ACER)*
- h. USACC Form 1059-BC, *Basic Camp Evaluation Report (BACER)*

2. Purpose. The Leadership Development Review Board (LDRB) is the deliberate and documented process used by the CST Commandant (CMDT) (thru the CST Deputy Commandant (DCOM)) to exercise review of and due process in addressing Contracted Cadet (Advanced and Basic Camp) behavior at CST that:

- a. Violates the Uniform Code of Military Justice or other federal or state statute or law.
- b. Violates Army Values, SHARP or EO policies, CST Policy Memorandums, or other Army policies.
- c. Consistently displays apathy toward responsibilities or refusal to train.

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d. Displays moral or unethical behavior.

e. If the basis for convening an LDRB is criminal in nature (paragraph 2.a. above), the CST DCOM should consult with the CST Legal Advisor (CST SJA) before convening an LDRB. Depending on the circumstances, it may be more prudent for the CST DCOM to instead dismiss a Cadet who has committed criminal misconduct from CST with a counseling and a recommendation for the Professor of Military Science (PMS) to remain apprised of the ongoing criminal investigation and to take appropriate action when the Cadet has returned to their ROTC BN. LDRBs are administrative proceedings that do not afford the Cadet the same rights as those in criminal proceedings.

3. Outcomes. A LDRB **will** result in one of the following outcomes for the Cadet:

a. Receiving credit for successfully completing CST if the Voting Members determine that the basis for the LDRB has no merit.

b. Receiving credit for successfully completing CST but also receiving a Letter of Reprimand/Concern from the CST CMDT to be filed in the Cadet's official Cadet record with a recommendation, to be implemented at the discretion of the PMS or Brigade Commander (BDE CDR), for additional training/development when the Cadet returns to their ROTC Program.

c. Recycling the Cadet to a subsequent Regiment to attempt to complete CST.

d. Dismissal from CST without credit and an Unsatisfactory ACER (AC Cadets) or BACER (BC Cadets) and returned to the Cadet's ROTC Program with a recommendation, to be implemented at the discretion of the PMS or BDE CDR, for continued development and training to return to CST next year.

e. Dismissal from CST without credit and returned to the Cadet's ROTC Program with a recommendation, to be implemented at the discretion of the PMS or BDE CDR, for disenrollment.

4. LDRB Composition, Roles, and Responsibilities.

a. LDRB Composition. The LDRB is convened at the discretion and authority of the DCOM after a referral is made by the Task Force (TF) Leader Commander (CDR). The voting Members of the LDRB are the Board President (DCOM), one member from the Cadet's BDE Command Team (BDE CDR or BDE CSM), the Cadet's Professor of Military Science (PMS) or Senior Military Science Instructor (SMSI), and two non-CST Cadre (from the USACC HQ) Board Members. Board Members will be experienced, unbiased officers. The officers will be fully aware of applicable regulations and policies pertaining to cases for which the board is convened. Although not required for an

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LDRB, in the case of a female or minority Cadet, every effort will be made to appoint a female or minority to the Board. Non-voting Members are the LDRB Legal Advisor and a CST S1 representative who acts as the PBRB Recorder. The image below depicts the LDRB Composition.

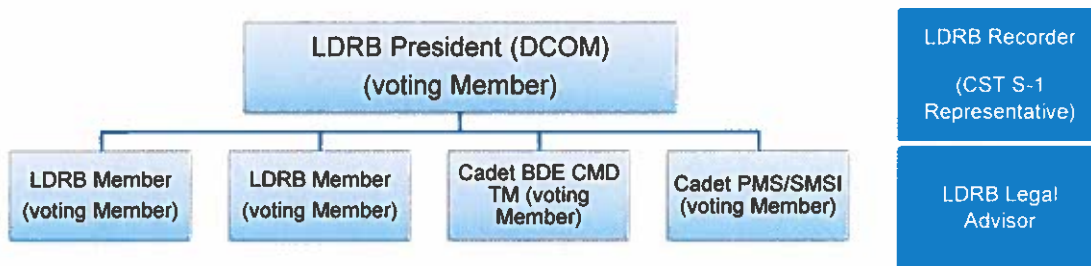


Figure 1. LDRB Composition.

b. LDRB Roles & Responsibilities. The roles and responsibilities pertaining to all individuals involved with the LDRB process are summarized below.

(1) The CST Commandant will:

(a) Review and act upon all appeal matters submitted by Cadets after the CST DCOM has made a determination regarding their LDRB.

(2) The CST Deputy Commandant will:

(a) Appoint in writing voting Members of the LDRB. Standing boards and alternate Members may be appointed. The CST S1 will draft appointment memorandum.

(b) Authorize the convening of an LDRB as appropriate. Authorization to convene a board must be in writing and will identify the Members of the LDRB. If the reason for convening an LDRB is criminal in nature, the CST DCOM should consult with the CST Legal Advisor to determine if an LDRB is necessary.

(c) After an LDRB is complete, oversee the legal review of results and action as deemed appropriate. Return the completed LDRB to the CST S1 for further action.

(d) Provide recommendations to the CST CMT on appeal matters as requested by the CST CMT.

(e) As the LDRB President the DCOM will:

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1. Preside over the board.
2. Ensure the Cadet receives proper notice regarding the LDRB and provide the Cadet the chance to appear before the LDRB if desired.
3. Submit matters for the LDRB's consideration.
4. Work with the LDRB Recorder (CST S1) to provide notice of the LDRB to the CST CoS and the LDRB Legal Advisor.
5. Receive a legal brief from the LDRB Legal Advisor.
6. Ensure all Members of the LDRB read and understand the evidence being considered by the LDRB (the "LDRB Packet") and all applicable standards.
7. Provide the LDRB's recommendation to the CST CMDT for decision.

(3) The LDRB Board Members will:

(a) Serve on the LDRB, read, and understand the LDRB Packet, read and understand all applicable standards.

(b) Vote on appropriate actions for the Cadet at the conclusion of the LDRB.

(4) All Regimental Cadre will:

(a) Monitor and evaluate Cadets under their care as appropriate.

(b) Complete Leadership Performance Evaluation and event scoring properly and ensuring such records are maintained.

(c) Counsel Cadets on their performance and demonstrated potential, and properly and document such counselings.

(d) As appropriate in the Regimental Cadre's professional judgement, provide the Cadet sufficient opportunity to correct deficiencies and/or improve behavior as applicable. (Not all types of misconduct for which an LDRB is convened require sufficient opportunity to correct deficiencies and improve behavior; the LDRB Board Members may consider a lack of sufficient time or opportunity to correct deficiencies in their deliberations, consulting with the LDRB Legal Advisor as necessary. If applicable, "sufficient" is adequate time to review the plan of action as outlined in the counseling session.

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(e) Recommend an LDRB to the TF Leader CDR as appropriate. Submit the request with all relevant documentation and work with the CST S1 as required.

(f) Make every effort to ensure timely notice of an LDRB. Ensure all LDRB requests are submitted NLT 120-hours prior to the end of the training cycle. Special circumstances where a Cadet's actions may warrant an LDRB after the 120-hour request deadline will be addressed on a case-by-case basis. Cadets and Regimental Cadre involved in the LDRB process will not be released from CST until the LDRB, including appeals, is final. Release authority is the CST DCOM, after consultation with the CST CMDT.

(g) Complete CST Form 131 with #'s 1–9, 18 and 19 completed on page 1; #'s 29–33 completed on page 2.

(h) As appropriate, provide MFRs or other documentation by the Regimental Cadre who witnessed or can attest to the reasons for an LDRB.

(i) Complete and submit DA Form 4856 Developmental Counseling Form as appropriate.

(j) Complete and submit DA Form 2823 Sworn Statement as applicable.

(k) Complete and submit CDT CMD FORM 156-4 Cadet Leadership Assessment, if available.

(l) Complete and submit CDT CMD FORM 156-17-R Advanced Camp Peer Evaluation Report, if available.

(m) Provide any additional documents that support the request for an LDRB.

(n) Be available to serve as a witness for an LDRB as required by the LDRB President. Regimental Cadre should not discuss any aspects of the LDRB or underlying situation with others once the LDRB President has approved convening an LDRB.

(o) Coordinate and schedule missed training for the Cadet as applicable.

(p) Assist the LDRB Recorder to notify the Cadet of the LDRB and their rights and, notify the Cadet of the results of the LDRB and their rights. Counsel the Cadet as necessary and informing them of the opportunity to appeal to the CST Commandant.

(q) Ensure proper transfer to Holding Company for Cadets dismissed from CST.

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(r) Ensure proper transfer to follow-on Regiment for Cadets selected to recycle.

(5) The CST Chief of Staff (CoS) will:

(a) Provide administrative oversight of the LDRB process from start to finish, ensuring due process is administered and integrity of process is maintained.

(6) The CST S1 will:

(a) Prepare for the CST DCOM a memorandum of appointment assigning voting Members of the board. Standing boards and alternate members will be appointed.

(b) Notify the Cadet's PMS, BDE CDR, and MIR as applicable concerning LDRB and its results. Ensure LDRB proceedings are preserved in the CST Cadet Historical files and retained for filing in the Cadet Personnel Division.

(c) Appoint an LDRB Recorder as appropriate.

(d) Track for the CST Commandant, CST DCOM, and CST CoS the number of LDRBs conducted during CST, their results, and other relevant information.

(e) Ensure the completed LDRB packet (including any Appeals) is forwarded and received by the CST S1 for filing in the CST Record.

(7) The LDRB Recorder will:

(a) Work with the LDRB President and Cadet's Regimental Cadre to provide notice of the LDRB to the Cadet. Notice includes all documentary evidence the board will consider (the "LDRB Packet" and the order convening the board and naming Members of the board).

(b) Ensure the CST CoS and CST Legal Advisor are notified that an LDRB has been authorized and prepare paperwork for the CST DCOM.

(c) Work with the LDRB President and Cadet's Regimental Cadre to provide notice to the Cadet of the results of the LDRB.

(d) Work with the Cadet's Regimental Cadre and the LDRB President to ensure all LDRB Packets are administratively accurate (e.g., all documentary evidence is collected and made part of the Cadet's LDRB Packet and notice) and the Cadet is given notice of the proceedings, to include all evidence the LDRB will consider.

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(e) Prepare the room, coordinate witnesses, and prepare other logistical requirements for the LDRB.

(f) Record minutes of each LDRB proceeding and provide in MFR format to be included in each completed record of an LDRB. The evidence relied upon the board Members in their recommendation must be named in the MFR. The LDRB recorder summarizes all the evidence relied upon by the board Members and includes it in the LDRB Packet for the CST DCOM's review.

(g) Provide input for tracking LDRBs.

(8) The CST Legal Team will:

(a) Provide one Legal Advisor to be reasonably available during LDRBs and to provide advice to the LDRB Members as required. If the reason for convening an LDRB is criminal in nature, the CST Legal Advisor should advise the CST DCOM on appropriate actions and review notifications and the LDRB script to ensure the Cadet is adequately informed of their rights. The Legal Advisor will ensure the LDRB Members understand the LDRB proceedings and ensure proceedings are executed to standard as outlined in this chapter. The Legal Advisor will also brief the LDRB President prior to the board.

(b) Provide a second attorney, subject to exigent circumstances, to review all LDRB Packets for legal sufficiency once the LDRB is complete and before the CST DCOM takes final actions. The attorney will also complete a legal review of all appeal matters as necessary before the CST Commandant acts.

(9) The Cadet will:

(a) Review/acknowledge reasons for convening an LDRB during in-processing.

(b) When notified of an LDRB, the Cadet will read and acknowledge receipt of their notification, which will include their rights, the board Members, witnesses, and other applicable information.

## 5. Notice and LDRB Procedures.

a. An LDRB is an administrative proceeding. It is not conducted IAW AR 15-6 nor do the rules in AR 15-6 apply. If the reason for convening the LDRB is criminal in nature, the LDRB President (DCOM), LDRB Recorder, and LDRB Legal Advisor must review the Cadet's notification to ensure the Cadet's rights are accurately listed (they should also review the LDRB script to ensure the Cadet's rights are accurately listed).

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b. A Cadet will receive written notice of the LDRB at least 24-hours before it begins and will receive a copy of the entire packet which the LDRB will consider. A Cadet can appeal the decision of an LDRB to the CST Commandant within 24-hours of notification of the results. The Cadet may be present at all open sessions of the LDRB. The Cadet may also waive their appearance. If present, the Cadet must be in the prescribed uniform of the day.

c. The Cadet may object to any evidence in the LDRB Packet or to any witnesses the LDRB President intends to call. Such objections may be presented orally during the LDRB proceedings or in writing and presented either before the LDRB convenes or during its proceedings. The LDRB President rules on all objections during the LDRB on the record, consulting with the LDRB Legal Advisor as appropriate.

d. The Cadet may produce documentation, statements, or witnesses to refute or rebut the reason for the LDRB. Documentary evidence may be presented during the board and/or given to all board Members before the board convenes. Except when requesting rebuttal witnesses, requests for witnesses must be presented to the LDRB President before the board convenes and must explain the witness's relevancy to the LDRB. The LDRB President will make a final determination on whether witnesses are relevant and should appear. Questions should be presented to the LDRB Legal Advisor. The LDRB Recorder and Regimental Cadre will coordinate the logistical appearance of the requested witness.

e. If present at the LDRB, the Cadet may be required to testify by answering questions from the LDRB President and Board Members. If the underlying evidence for which the LDRB is convened is criminal in nature, the Cadet must be informed that they do not have to testify about that specific matter and that no adverse inference may be drawn from the exercise of their privilege against self-incrimination or election not to testify on that matter.

f. Finally, regardless of whether the Cadet is present or whether the Cadet is questioned by the board, the Cadet may present a statement to the board, oral or written, sworn or unsworn.

g. The Cadet may object to the composition of the LDRB. Such an objection shall include the alleged basis for challenge and may be presented during the board or before the board begins. The President or next senior Member will decide the challenge.

h. The Cadet may request a reasonable delay. Only reasonable requests will be considered and acted upon by the President after consultation with the LDRB Legal Advisor.



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i. Generally, an LDRB proceeds in the following fashion:

(1) The TF Leader CDR will review and evaluate a Cadet's actions if they receive a request for a LDRB. If the TF Leader CDR determines an LDRB is appropriate, they will inform the CST DCOM. The CST DCOM will approve the request for LDRB and order an LDRB be convened. The CST S1 will prepare the order and it will include the names of the LDRB board Members.

(2) The TF Leader CDR will inform the CST CoS, the CST Legal Advisor, the CST S1, and the LDRB Recorder of the DCOM's decision to convene an LDRB.

(3) The CST DCOM will work with the CST S1 or their designee to complete the notification and effect service of the same on the Cadet. The notification will clearly describe the reason the LDRB is being convened, the names of all Members of the LDRB, the time and place of the LDRB, and the Cadet's rights with respect to the LDRB, and which witnesses, if any, the Board intends to call.

(4) The CST DCOM, the CST S1, and Cadet's Regimental Cadre work together to ensure notice and all documents are served to the Cadet in a timely manner. The regimental cadre member will review the documents with the Cadet, answer the Cadet's questions, and attain the Cadet's acknowledgment of service. (If the Regimental Cadre Member does not know the answer to a Cadet's questions, they will find out the answer and inform the Cadet. Cadre should refer questions to the LDRB Recorder or the LDRB Legal Advisor as appropriate). If the Cadet refuses to sign the notification, the regimental cadre member will note this refusal on the memorandum.

(5) The regimental cadre member will give a copy of the completed documents to the Cadet and return the originals to the CST DCOM or CST S1. There will be a minimum of 24-hours between notification and convening the LDRB.

(6) The CST S1 will work with the CST DCOM to ensure that all Members of the LDRB and the Cadet have complete copies of the LDRB Packet, the script, and the room and all necessary equipment is reserved for the LDRB. The CST S1 will also work with the CST DCOM and the Cadet to arrange for witnesses to appear before the LDRB personally or telephonically.

(7) On the appointed date and time, the CST DCOM convenes the board and presides over it. The sample script will be followed whenever possible. After the presentation of evidence, the CST DCOM and all members meet in closed session to discuss the evidence and vote on the outcome. The closed session will only include voting members. If the members have a question, the CST Legal Advisor may be consulted. If the CST Legal Advisor is consulted, the Cadet will be afforded the opportunity to be present during the consultation to hear the question(s) and answer(s). A simple majority vote will decide the outcome of the LDRB. The CST DCOM will

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inform the Cadet of the results and the Cadet's rights of appeal prior to adjourning the LDRB.

(8) The CST DCOM and the CST S1 work together to obtain a legal review of the LDRB proceedings before the results are forwarded to the CST CMDT for action.

(9) The CST CMDT reviews the LDRB Packet, the recommendations from the LDRB Board, and the legal review of the proceedings, and then acts on the results of the LDRB. The CST DCOM returns the decision to the TF S1 or their designated representative for further processing.

(10) The CST S1 works with the Cadet's Regimental Cadre to give the Cadet written notification of the CST DCOM's decision, inform the Cadet of their appeal rights, and obtain the Cadet's acknowledgement of all by obtaining their signature on the memorandum.

(11) If the Cadet does not elect to appeal the results, the CST S1 and the TF Leader leadership work together to carry out the CST DCOM's decision (e.g., return the Cadet to training, dismiss the Cadet, etc.). For all outcomes, the CST S1 provides copies to the Cadet's PMS and BDE CDR and ensures the LDRB proceedings are preserved in the CST Cadet Historical files. All Cadet LDRB Packets are retained for filing in the Cadet Personnel Division.

(12) If the Cadet elects to appeal the CST DCOM's decision, they have 24-hours after being informed of the CST DCOM's decision to submit their written appeal matters. They will address their appeal matters directly to the CST CMDT and submit them through the LDRB Recorder. The LDRB Recorder will obtain a legal review of the appeal matters and other recommendations on the appeal matters as desired by the CST CMDT. The LDRB Recorder will then present the entire LDRB Packet, and appeal matters to the CST CMDT for final action.


(13) After the CST CMDT acts on the matter, it is returned to the CST S1 or their designated representative for final processing. The CST S1 and the CST leadership work together to carry out the Commandant's decision. For all outcomes, the CST S1 provides copies to the Cadet's PMS and BDE CDR and ensures the LDRB proceedings are preserved in the CST Cadet Historical files. All Cadet LDRB Packets are retained for filing in the Cadet Personnel Division. If the Cadet requests more than 24-hours in which to submit their appeal, the CST Commandant may grant or deny the request. Requests for extension must be compelling, as determined by the CST CMDT, and the CST CMDT may consult with the CST Legal Advisor as necessary.

j. Templates of the following documentation pertaining to the proper administration of PBRBs and LDRBs can be found below.

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- (1) Cadet In-Processing Acknowledgement. (Enclosure 1)
  - (2) LDRB Appointment Memorandum. (Enclosure 2)
  - (3) Privacy Act Statement. (Enclosure 3)
  - (4) Notification to Cadet of LDRB and Cadet Acknowledgement. (Enclosure 4)
  - (5) Results of LDRB for TF CDR. (Enclosure 5)
  - (6) Notification to Cadet of LDRB Results, Cadet Acknowledgement, and  
Election of Appeal. (Enclosure 6)
  - (7) Sample LDRB Script. (Enclosure 7)
6. Point of contact for this memorandum is Mr. Bruce Coyne, Chief G37, at 502-624-5471 and email: [bruce.r.coyne.civ@army.mil](mailto:bruce.r.coyne.civ@army.mil)

7 Encls as



STEVEN M. KING  
Brigadier General, USA  
CST Commandant

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Enclosure 1. Cadet In-Processing Acknowledgement. At the beginning of CST, all Cadets will sign and acknowledge the following document. The acknowledgement will be kept with the Cadet's file.

(Task Force Leader Letterhead)

(Office symbol)

MEMORANDUM FOR RECORD

SUBJECT: Cadet In-Processing Acknowledgment

1. I am a (Basic Camp (BC) / Advanced Camp (BC)) (circle and initial as appropriate) Cadet.
2. I am a (contract / non-contract) (circle and initial as appropriate) Cadet.
3. I have been given a copy of and have read and understand (CST Policy Memorandum 9 / CST Policy Memorandum 10) (circle and initial as appropriate).
  - a. \_\_\_\_\_ (initial) I have no questions about the **requirements** to which I will be held.
  - b. \_\_\_\_\_ (initial) I understand the **consequences** of failing to comply with (CST Policy Memorandum 9 / CST Policy Memorandum 10) (circle and initial as appropriate). **Specifically, I understand that if I am an AC Cadet, I am subject to CST Policy Memorandum 9. If I fail to comply with it, the CST DCOM may convene a Leadership Development Review Board (LDRB) and may:**
    - (1) \_\_\_\_\_ (initial) award me credit for successfully completing CST,
    - (2) \_\_\_\_\_ (initial) recycle me to a later Regiment to again attempt to successfully complete CST,
    - (3) \_\_\_\_\_ (initial) dismiss me from CST without credit and with a recommendation, to be implemented at the discretion of my Professor of Military Science (PMS) or Brigade Commander (BDE CDR), for remediation of deficiencies when I return to my ROTC Program, or
    - (4) \_\_\_\_\_ (initial) dismiss me from CST without credit and a recommendation, to be implemented at the discretion of the PMS or BDE CDR, for disenrollment when I return to my ROTC Program.

4. **For Contract Cadets Only.**

- a. \_\_\_\_\_ (initial) I understand that **regardless of whether I am a BC Cadet or an AC Cadet, if I am a contract Cadet and in CST, I may become subject to a Leadership Development Review Board (LDRB) at the discretion of the TF Leader CDR if I commit misconduct.** Misconduct includes, but is not limited to:
  - (1) \_\_\_\_\_ (initial) committing an offense under the Uniform Code of Military Justice or other federal or state statutes.
  - (2) \_\_\_\_\_ (initial) violating any of the Army Values, SHARP or EO policies, CST Policy Memorandums, or other Army policies.

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(3) \_\_\_\_\_ (initial) consistently displaying apathy or refusing to train (AC cadets that "refuse to train" may also or alternatively be subject to a PBRB as described in this memorandum.

(4) \_\_\_\_\_ (initial) displaying moral turpitude or other unethical behavior; and

(5) \_\_\_\_\_ (initial) receiving an overall performance rating of "Unsatisfactory" for their attendance at CST.

b. \_\_\_\_\_ (initial) Further, I understand if I am subject to an LDRB, the CST DCOM may:

(1) \_\_\_\_\_ (initial) award me credit for successfully completing CST,

(2) \_\_\_\_\_ (initial) award me credit for successfully completing CST but also give me Letter of Reprimand/Concern which will be filed in my official record and provide a recommendation, to be implemented at the discretion of the PMS or BDE CDR, for additional training/development when I return to my ROTC Program,

(3) \_\_\_\_\_ (initial) recycle me to a later Regiment to again attempt to complete CST,

(4) \_\_\_\_\_ (initial) dismiss me from CST without credit and an Unsatisfactory ACER/BACER and return me to my ROTC Program with a recommendation, to be implemented at the discretion of the PMS or BDE CDR, for continued development and training to return to CST next year, or

(5) \_\_\_\_\_ (initial) dismiss me from CST without credit and return me to my ROTC Program with a recommendation, to be implemented at the discretion of the PMS or BDE CDR, for disenrollment.

5. **For Non-Contract Cadets Only.** \_\_\_\_\_ (initial) I understand that the CST DCOM may dismiss me from CST at his or her discretion. Reasons include, but are not limited to, unsatisfactory performance, failure to comply with CST Policy Memorandum 10, and committing misconduct by violating CST policy letters or committing a crime. I will be counseled and returned to my university or college with appropriate recommendations for the PMS, which may include a recommendation not to contract me into SROTC. I may appeal my dismissal from CST to the CST CMDT in writing and within 24 hours of the CST DCOM's decision to dismiss me from CST.

\_\_\_\_\_  
Cadet Printed Name

\_\_\_\_\_  
Cadet Signature and Date

\_\_\_\_\_  
Cadet CST Regiment / Company / Platoon

\_\_\_\_\_  
Cadet ROTC BN / University

\_\_\_\_\_  
Printed name of PMS

\_\_\_\_\_  
MS Level

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Enclosure 2. LDRB Appointment Memorandum. Prepared by the CST S1 for the CST DCOM's signature at the beginning of CST and amended as needed. May be a standing order. May list alternates.

(CST CMD TM Letterhead)

(Office Symbol)

(date)

MEMORANDUM FOR

SUBJECT: Standing Appointment to Leadership Development Review Board (LDRB) and Alternates

1. IAW CST Policy Memorandum 28, I appoint the following Members to act on the LDRB when I order them convened.

- a. Board A: Board President, XX, Board Member, XX, and Board Member, XX.
- a. Board B: Board President, XX, Board Member, XX, and Board Member, XX.
- a. Board C: Board President, XX, Board Member, XX, and Board Member, XX.

2. If extenuating circumstances are presented to me, I may authorize, in writing, alternate Members to act in the place of any of those named above.

3. POC is the CST S-1 at...

(CST DCOM sig block)

CF:

- 1 – CST S1
- 1 – Brigade LNO
- 1 – File

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Enclosure 3. Privacy Act (PA) Statement. Cadets who are undergoing an LDRB will be given a PA Statement to fill out when they are given their *initial* notice and acknowledgement of the proceedings. CST S1 will retain the original and the Cadet will be given a copy.

PRIVACY ACT STATEMENT

The Privacy Act of 1974 requires that you be informed that the information provided to the Board will be filed so as to be retrievable by reference to the name or other personal identifier of the individual.

Authority: Section 301, Title 5, USC.

The purpose for soliciting this information is to provide the Leadership Development Review Board with evidence to determine your suitability for retention in Cadet Summer Training. Any information that pertains to this process will be released to your Professor of Military Science and Brigade Commander for potential determination of your retention in the US Army ROTC program.

Any information you provide may be released to Members of the Department of Defense who have need for the information in the performance of their duties. In addition, the information may be disclosed to Government agencies outside the Department of Defense as follows: General Service Administration and the United States Postal Service.

I have read and understand the above statement.

Cadet Signature \_\_\_\_\_

Cadet Printed Name \_\_\_\_\_

CST Regiment / Company / Platoon \_\_\_\_\_

Host ROTC Program \_\_\_\_\_

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Enclosure 4. Notification to Cadet of LDRB and Cadet Acknowledgement. Cadets who are undergoing an LDRB must receive notification of the LDRB at least 24-hours before it convenes. They will be informed of the reason for convening the LDRB, told who is on the LDRB, given a complete copy of the LDRB Packet, and informed of their rights. The CST S1 will retain the original and the Cadet will be given a copy.

(CST CMD TM Letterhead)

(Office Symbol)

(date)

MEMORANDUM FOR

SUBJECT: Notification of Leadership Development Review Board (LDRB) and Acknowledgment

1. In accordance with (IAW) CST Policy Memorandum 28, the CST Deputy Commandant (CST DCOM) has ordered a Leadership Development Review Board (LDRB) be convened to determine whether a preponderance of the evidence exists to show you committed misconduct to wit:

(insert reasons for convening the board)

2. On *(insert date signed In-Processing Acknowledgement)* you acknowledged you may be subject to a LDRB for misconduct, and you acknowledged the non-exhaustive list of examples of misconduct. A copy of the acknowledgement is enclosed.

3. Time & Date, Place, and Board Members. The LDRB will convene no earlier than 24 hours from now, the time you acknowledge notice. The LDRB will convene on *(insert date)* at *(insert time)* at *(insert location)*. I am the LDRB President. Board Members are *(insert names)*.

4. *(As appropriate, insert one of the following 2 sentences.)* I do not intend to call witnesses to appear before the board.

OR

I intend to call the following persons to give live testimony before the board, either in person or via phone call:

a. XX, and

b. XX.

5. Standard and Cadet's Rights. An LDRB is an administrative proceeding. It follows a preponderance of the evidence standard (i.e., it is more likely than not that you committed the misconduct in question.) You have the following rights:

a. You may be present at all open sessions of the LDRB. You may also waive appearance. If present, you must be in the prescribed uniform of the day.

b. You may **object** to any evidence in the LDRB Packet or to any witnesses the LDRB President intends to call. Such objections may be presented orally during the LDRB proceedings or in writing and presented either before the LDRB convenes or during its proceedings. The LDRB President will rule on



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all objections. You may also **produce** documentation, statements, or witnesses to refute or rebut the reason for the LDRB. Documentary evidence may be presented during the board and/or given to all board Members before the board convenes. Requests for witnesses must be presented to the LDRB President before the board convenes and must explain the witness's relevancy to the LDRB. The LDRB President will make a final determination on whether witnesses are relevant and should appear. Questions should be presented to the LDRB Legal Advisor. The LDRB Recorder and Regimental Cadre will coordinate the logistical appearance of the requested witness.

c. If present at the LDRB, you may be required to **testify** by answering questions from the LDRB President and Board Members. *(Insert as appropriate: If the underlying evidence for which the LDRB is convened is criminal in nature, the Cadet must be informed that they do not have to testify about that specific matter and that no adverse inference may be drawn from the exercise of their privilege against self-incrimination or election not to testify on that matter.)* Regardless of whether you testify or are present for the board, you may **present a statement** to the board, oral or written, sworn or unsworn.

d. You may object to the composition of the LDRB. Such an objection may be presented during the board or before the board begins. The LDRB President or next senior Member will decide the challenge.

e. You may request a reasonable delay. Only reasonable requests will be considered and acted upon, after consultation with the LDRB Legal Advisor.

6. This LDRB may result in you:

- a. receiving credit for successfully completing CST,
- b. receiving credit for successfully completing either CST but also receiving a Letter of Reprimand/Concern from the TF Leader Commander to be filed in your official Cadet record with a recommendation additional training/development when you return to your ROTC Program,
- c. recycling to a later Regiment to again attempt to complete CST,
- d. being dismissed from CST without credit and returned to your ROTC Program with a recommendation for continued development and training to return to CST next year, or
- e. being dismissed from CST without credit and returned to your ROTC Program with a recommendation for disenrollment.

7. You must complete the acknowledgement following this notice. A copy will be given to you.

8. POC is the CST S-1 at...

Encls

(LDRB President sig block)

1. PA Statement
2. LDRB Packet Materials

CF:

- 1 – CST S1
- 1 – Brigade LNO
- 1 – File

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**Cadet Acknowledgement:**

1. I certify that I received a copy of this notification letter at \_\_\_\_\_ (insert time and date).
2. I certify that I received a complete copy of the LDRB Packet board action packet at \_\_\_\_\_ (insert time and date). This packet contains all the documentary evidence to be considered by the board.
3. I certify I understand all my rights as listed in paragraph 5 of this notification and all the possible consequences of the LDRB as listed in paragraph 6 of this notification.

\_\_\_\_\_  
Cadet's Printed Name

\_\_\_\_\_  
Cadet's Signature and Date

This document was delivered by:

\_\_\_\_\_ on \_\_\_\_\_  
(Rank and Name) (date)

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Enclosure 5. Results of LDRB for CST CMDT. The LDRB President will send a written memorandum to the CST CMDT detailing the recommendation of the LDRB. Cadets will be given a copy of the board's recommendation when they are notified of the CST DCOM's decision.

(CST CMD TM Letterhead)

(Office Symbol)

(date)

MEMORANDUM FOR CST CMDT

SUBJECT: Recommendations from LDRB for Cadet \_\_\_\_\_

1. We convened on *(insert date)* to determine whether CDT \_\_\_\_\_ committed misconduct by *(insert description of misconduct in notification memorandum)*. A preponderance of the evidence showed \_\_\_\_\_

2. We recommend:

\_\_\_\_\_ the Cadet receive credit for CST and will remain as a Cadet in good standing in the Army SROTC program.

\_\_\_\_\_ the Cadet receive credit for CST but also receive a Letter of Reprimand/Concern from you to be filed in the Cadet's official record and a recommendation to the PMS and BDE CDR that the Cadet receive additional training/development on campus per the Letter of Reprimand/Concern.

\_\_\_\_\_ the Cadet be recycled into another Regiment to complete CST.

\_\_\_\_\_ the Cadet be dismissed from CST without credit and returned to their university with a recommendation for continued development and training to return to CST next year.

\_\_\_\_\_ the Cadet be dismissed from CST without credit and returned to their university with a recommendation for disenrollment from the Army ROTC program.

3. POC is the undersigned at

Encls

(Pres sig block)

1. PA Statement
2. Notification and Acknowledgement of LDRB
3. LDRB Packet Materials
4. Materials submitted by the CDT to the LDRB, if applicable.

CF:

- 1 – CST S1
- 1 – Brigade LNO
- 1 – File

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Enclosure 6. Notification to Cadet of LDRB Results, Cadet Acknowledgement, and Election of Appeal. Cadets will be given written notice of the CST DCOM's decision for their LDRB. Cadets will be informed of their rights and acknowledge the same. Cadets will be asked if they desire to appeal the outcome. Regardless of their decision to appeal or not as recorded on the acknowledgement, a Cadet may change their mind within the 24-hour appeal period. The CST S1 will retain the original and the Cadet will be given a copy.

(CSTCMD TM Letterhead)

(Office Symbol)

(date)

MEMORANDUM FOR

SUBJECT: Notification of Leadership Development Review Board (LDRB) Results and Acknowledgment

1. An LDRB convened on *(insert date)* to determine whether a preponderance of the evidence exists to show you committed misconduct to wit:

*(insert reasons for convening the board)*

2. I reviewed the enclosed LDRB Packet and the board's recommendation. I direct:

\_\_\_\_\_ you receive credit for CST and will remain as a Cadet in good standing in the Army ROTC program.

\_\_\_\_\_ you receive credit for CST, and you will also receive a Letter of Reprimand/Concern from me which will be filed in your official Cadet Record and a recommendation from me that you receive additional training/development on campus to correct the deficiencies.

\_\_\_\_\_ you be recycled into another Regiment to complete CST.

\_\_\_\_\_ you be dismissed from CST without credit and returned to your university with a recommendation for continued development and training to return to CST next year.

\_\_\_\_\_ you be dismissed from CST without credit and returned to your university with a recommendation for disenrollment from the Army ROTC program.

3. Cadet Rights. You may appeal the results of the LDRB to the CST Commandant within 24 hours of being notified of my decision. All appeal matters will be addressed to the CST Commandant and will be in writing. Cadets will not be dismissed from CST until appeal matters have been resolved.

4. POC is the CST S-1 at...

Encls

(CST DCOM sig block)

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1. PA Statement
2. Notification and Acknowledgement of LDRB
3. LDRB Packet Materials
4. Materials submitted by the CDT to the LDRB, as applicable
5. LDRB's recommendation

CF:

- 1 – CST S1
- 1 – Brigade LNO
- 1 – File

**Cadet Acknowledgement and Election of Appeal:**

1. I certify that I received a copy of this notification letter at \_\_\_\_\_. (insert time and date).
2. I certify that I received a complete copy of materials considered by the CST DCOM. This packet contains all the documentary evidence to be considered by the board.
3. I certify I understand I may appeal results to the CST Commandant within 24 hours of acknowledging this notice. I also understand if I choose to appeal until the appeal I will not be dismissed from CST until appeal matters have been resolved.

\_\_\_\_\_ I do wish to appeal.

\_\_\_\_\_ I do not wish to appeal.

\_\_\_\_\_  
Cadet's Printed Name

\_\_\_\_\_  
Cadet's Signature and Date

This document was delivered by.

\_\_\_\_\_ on \_\_\_\_\_  
(Rank and Name) (date)

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Enclosure 7. Sample LDRB Script. Personnel involved in LDRBs will use this script for the LDRB. Regimental Cadre will instruct the subject Cadet and witness Cadets how to properly report to the board President as required.

SAMPLE SCRIPT

Cadet reports to the President of the Board. If Cadet waives appearance, Board President will note for the record after board convenes.

**PRES:** This Leadership Development Review Board, or LDRB, will come to order. It is *(time)* on *(date)* at *(location)*. This LDRB has been called to determine whether Cadet \_\_\_\_\_ committed the misconduct for which *(he/she)* was notified on *(date)*. The notification describes the alleged misconduct as:

*(cut and paste description of misconduct from Notification memo)*

*(If the Cadet is not present, note it now and state when the Cadet was given notice, whether they acknowledged or not, etc.)*

Cadet \_\_\_\_\_, have you been given a copy of the notification and given at least 24-hours to prepare for this LDRB?

**CADET:** Yes / No. *(If no, consult with LDRB Legal Advisor to consider reconvening the LDRB after Cadet has been given notice and opportunity to prepare.)*

**PRES:** The notification is hereby made a part of the record. The LDRB's role is to review the evidence, if appropriate listen to witnesses and make credibility determinations, determine whether a preponderance of the evidence supports the allegation of misconduct, and make appropriate recommendations to the TF Leader CDR.

**PRES:** The following individuals are present: *(insert name, title, and role in LDRB of all voting Board Members, of the LDRB Recorder, of the LDRB Legal Advisor, and of the Cadet.)* The Members of the board are appointed by the TF Leader CDR, on \_\_\_\_\_. Have all Members of the board read the memorandum of appointment? *(If not the Memorandum of Appointment is read aloud by RCDR or silently by any Member who has not read it.)* The memorandum of appointment is hereby made a part of the record.

**PRES:** Cadet \_\_\_\_\_, you may challenge any Member of the board for lack of impartiality. Do you desire to make a challenge? *(If Cadet is not present and has not submitted a challenge, state so for record. If not present and has submitted a challenge, the President or next senior board Member rules on the challenge on the record.)*

**CADET:** No / Yes with explanation for challenge. *(If CADET challenges for impartiality, the PRES, or next senior Member, as appropriate, determines the challenge. Consultation with the LDRB Legal Advisor is advised.)*

**RCDR:** The board will be sworn. *(All persons in the room stand while RCDR administers the oath. Each voting Member raises his or her right hand as RCDR calls his or her name in administering the following oath.)*

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Do you, (insert names of all voting Members of board) swear (affirm) that you will faithfully perform your duties as a Member of this board; that you will impartially examine and inquire into the matter now before you according to the evidence, your conscience, and the laws and regulations provided; that you will make such findings of fact as are supported by the evidence of record; that, in determining those facts, you will use your professional knowledge, best judgment, and common sense; and that you will make such recommendations as are appropriate and warranted by your findings, according to the best understanding of the rules, regulations, policies, and customs of service, guided by your concept of justice, both to the Government and to individuals concerned, (so help you God)?

**MEMBERS:** I do. *The board Members lower their hands but remain standing while the oath is administered to RCDR.*

**PRES:** Do you, \_\_\_\_\_, swear (or affirm) that you will faithfully perform the duties of Recorder of this board, (so help you God)?

**RCDR:** I do. *All personnel now resume their seats.*

*PRES now gives general advice concerning applicable rules for the hearing.*

*- Generally, the LDRB is not open to the public. The Cadet can request some personnel be present for the hearing. The President decides if they may be present (except for witnesses as described below). Consult with Legal Advisor as necessary.*

*- If a witness appears before the board, telephonically, through video, or in person, they may not be present and hear the testimony of other witnesses*

*- Don't interrupt persons giving evidence or talking.*

*- Remain professional during the proceedings.*

*- Other similar instructions to insure decorum.*

**Presentation of Evidence by the PRES:**

*PRES may make an opening statement at this point to clarify the expected presentation of evidence. This is a good opportunity for the President of the Board to review what they have in the LDRB Packet and ensure the Cadet has an identical packet. If any discrepancies are discovered remedy them at this point and get consent from all parties to continue. At this point also ensure all Members have a copy of the LDRB Packet and have had an opportunity to review it. PRES should also use this opportunity to rule on any written objections to evidence in the LDRB Packet and to ask the Cadet if they have any objections to evidence in the LDRB Packet. PRES then calls witnesses and presents other evidence relevant to the subject of the proceedings. PRES should logically present the facts to help the board understand what happened. The following examples are intended to serve as a guide to the manner of presentation, but not to sequence.*

**PRES:** Cadet \_\_\_\_\_, you may object to any of the documentary evidence in the LDRB Packet you received. Do you wish to object to any of the evidence? If you do, state on the record exactly what your objection is.

**CADET:** No / Yes with explanation for objection. *(PRES hears objections, consults with LDRB Legal Advisor as appropriate, and rules on objection. The PRES may delay ruling on the objection and call witnesses to rebut the Cadet's objection. For example, the Cadet objects to an evaluation stating the rater was biased. The President can call the rater and question them before ruling on the objection. Consultation with the LDRB Legal Advisor is advised.)*

*If there are no objections to the LDRB Packet, then PRES should state what all the evidence in the LDRB Packet is for the record and admit it into evidence.*

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**PRES:** The LDRB, containing the following evidence, (*name the evidence*), is marked as Exhibit \_\_\_ and added to the record. *PRES may, but does not have to, read accepted evidence to board Members. (Copy of statement should be given to the Cadet to review so they know what statement is being presented. NOTE: The Cadet should have received a copy of all documentary evidence, including sworn statements with the notice. The Cadet should acknowledge they were given a copy of the statement prior to the board. If the Cadet has an objection or otherwise wants to rebut or refute the evidence, they may do so when appropriate. The President will consider the objection and make a decision. Consult the LDRB Legal Advisor with questions.)*

*PRES conducts direct examination of each witness called by PRES or at the request of Members. CADET may then cross-examine the witness. PRES and Members of the board may then question the witness, but PRES may control or limit questions by board Members.*

**PRES:** The board calls as a witness, \_\_\_\_\_. (*A military witness approaches and salutes PRES, then raises his or her right hand while RCDR administers the oath. A civilian witness does the same but without saluting.*)

**RCDR:** Do you swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth, (so help you God)? (*If the witness desires to affirm rather than swear, the words "so help you God" will be omitted.*)

**WITNESS:** I do. (*The witness then takes the witness chair, RCDR asks every witness the following question no matter who called the witness.*)

**RCDR:** What is your full name (grade, branch of service, organization, and station) (and address)?

*PRES then asks questions to develop the matter under consideration.*

**PRES:** Do Members of the board have any questions? *If yes, ask them.*  
No further questions. Cadet \_\_\_\_\_, do you wish to question the witness.

*CADET may question the witness. PRES and board Members may then conduct a re-direct examination.*

*When all questioning has ended, PRES announces:*

**PRES:** The witness is excused. Do not discuss your testimony in this case with anyone. If anyone else attempts to talk with you about your testimony, you should inform your Chain of Command (or supervisor if civilian witness) and the LDRB Recorder. You are subject to recall until I have ended the LDRB. (*When a witness is recalled, the RCDR reminds such witness, after he or she has taken the witness stand:*

**RCDR:** *You are still under oath. The procedure in the case of a witness called by the board is the same as outlined above for a witness called by PRES.*

**PRES:** *I have nothing further to offer relating to the matter under consideration.)*

### **Presentation of Cadet's Evidence**

*Pres then tells Cadet they may present evidence if they wish. The Pres reminds Cadet they may produce documentation, statements, or witnesses to refute or rebut the misconduct at question for the LDRB.*

**Pres:** Do you wish to produce documentary evidence or statements? (*If yes, receive such documents into the record, ensure every board Member and the RCDR receives a copy.*)



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**Pres:** Do you wish to produce any witnesses? *(If yes, ensure Cadet coordinated with Pres and RCDR before the board convened. If not, consult with the Legal Advisor to determine if witness should be allowed.)*

**Questioning the Cadet – Consult the LDRB Legal Advisor.**

*If the underlying conduct was not criminal in nature and the Cadet is present, the board Members may question the Cadet. (DoD military Members and civilians have a duty to cooperate with investigations but can never be required to incriminate themselves in criminal misconduct.)*

*If the underlying conduct was criminal in nature and the TF CDR has determined this LDRB is necessary, the PRES should remind the Cadet of their right not to answer questions regarding the criminal conduct. (The Cadet must still answer questions regarding other conduct.) The Cadet must be informed (1) that they do not have to testify about the alleged criminal misconduct and (2) that no adverse inference may be drawn from the exercise of their privilege against self-incrimination or election not to testify on that matter. Do NOT use a DA Form 3881 in an LDRB proceeding as it contains rights the Cadet is not entitled to in this administrative hearing. Only if the Cadet consents to questioning about the underlying alleged criminal conduct should they be questioned about it.*

**Pres:** Cadet \_\_\_\_\_, I am now going to question you about the misconduct in question before this board. I remind you that you previously received a copy of a Privacy Act Statement when you received notification for the board. Do you recall this?

**CADET:** Yes / No. *(If no, RCRD furnishes one now.)*

*Pres and board question the Cadet if appropriate.*

**Pres:** Cadet \_\_\_\_\_, do you wish to make a statement? Your statement may be sworn, unsworn, oral, or written. *(If yes, clarify the type of statement and allow Cadet to make it. If not, close the LDRB for deliberations.)*

**PRES:** That concludes the presentation of evidence. The board will adjourn, and the voting Members will deliberate. Cadet \_\_\_\_\_, you are excused until we re-adjourn to announce our decision and recommendation.

*Board Deliberates. Once the board has completed their deliberation, the President will instruct the Recorder to summon the Cadet and re-open the Board.*

**PRES:** The LDRB is back in session. The Board has deliberated and decided (**state decision**). Cadet \_\_\_\_\_, is there any other matter you would like to submit to the board prior to the board adjourning?

**Cadet:** NO / YES. *If the Cadet says "No", continue. If the Cadet says "Yes", board will hear the Cadet's additional matter.*

**PRES:** This hearing is adjourned.