

STANDARDS OF CONDUCT FOR ALL NSCC/NLCC PERSONNEL

1. Standards of Conduct. The following standards of conduct will be adhered to by all personnel associated with training and administration of NSCC/NLCC cadets.

a. Address of Cadets. The use of vulgar, obscene, profane, sexually oriented, humiliating, or racially/ethnically-slanted language to address or refer to a cadet directly or indirectly, is prohibited. A cadet will be addressed only by his/her last name, rank/rate, or by the word "cadet."

b. Personal Services. Any attempt to use a cadet as a personal servant is prohibited. Some examples are: cleaning, polishing or providing any service on shoes, clothing or other personal belongings of NSCC officers, instructors, or staff cadets; being sent to the Navy Exchange to make purchases for any personnel or running personal errands, i.e., post office, retrieving personal articles such as automobile, keys, etc.

c. Maltreatment. Maltreatment is construed to include any form of assault regardless of the degree of force used, imposing directly or indirectly any form of abusive or oppressive treatment or imposing directly or indirectly excesses in physical exertion or activity or harassment (verbal or otherwise). The threat of any of these acts, even without physical action, may also be considered maltreatment and is prohibited. Striking another person does not necessarily result in bodily harm; nevertheless, if an officer or company commander strikes a cadet, even though it is a light blow, the effect is that of punishment. Improper punishment and maltreatment are a violation of NSCC Regulations.

d. Assault. An attempt or threat to do bodily harm to another person with unlawful force or violence and without legal justification or excuse is construed as an assault. If such assault is consummated by the inflicting of harm, it is battery. The degree of harm necessary to constitute a battery is so slight that almost any offensive touching of a person or clothing of another either directly or by use of a material object is a battery. Assaults are prohibited by NSCC Regulations.

e. Supervisor Actions. The following instructions are provided to ensure that personnel supervising cadets (including staff cadets) neither unintentionally nor through ignorance of statute law, commit violations of NSCC Regulations. All personnel are expressly prohibited from touching the person or clothing of a cadet either directly or by use of a material object, except at such times as they are acting within the scope of their authority for the purpose of:

Enclosure (1)

- (1) Correcting a cadet's position.
- (2) Correcting a cadet's movements.
- (3) Fitting or correcting the arrangement of a cadet's clothing or equipment.
- (4) Conducting a lawful examination or inspection of his/her person, his/her clothing, or his/her equipment.
- (5) Conducting a demonstration incident to training.
- (6) Protecting or avoiding a cadet suffering bodily injury or harm.
- (7) Self-defense.

NOTE: When touching a cadet for any of the purposes enumerated above, the amount of physical contact, including extent of contact and force of the contact, will not exceed the minimum necessary to accomplish that purpose.

f. Hazing. Any activity designated solely to harass or annoy any individual is called "hazing" and is prohibited. Hazing is construed to include any act which degrades an individual or endangers an individual's health or welfare, or which is carried out only for the personal amusement of an individual's superiors.

g. Larceny. Any person who wrongfully takes, obtains or withholds, by any means whatever, from the possession of its true owner or any other person, any money, personal property or article of value of any kind, with intent to permanently deprive or defraud another person of the use and benefit of such property or to appropriate the same to their own use or the use of any person other than the true owner, is guilty of larceny and is in violation of NSCC Regulations. Included are the common law offenses of larceny, false consent of the owner of the person entitled to possession thereof characterized the common law offense of larceny.

h. Larceny by False Pretenses. Larceny by false pretenses, occurs when property is taken from the owner or other person entitled thereto with the consent of such person but which consent has been obtained by trickery of false pretense that the property will be used for such purposes by the taker, but is intended to be converted to the permanent use of the taker. An example of larceny by false pretense is an individual taking up or allowing the taking of a collection for a unit "kitty" to purchase certain items without any intent to purchase such items but with intent to permanently use the money for the taker's own private purposes.

i. Embezzlement. An unlawful withholding of funds or property lawfully in one's possession or an unauthorized conversion of such funds or property to one's personal use constitutes "embezzlement" An example is the failure to a supervisor to return the property of a cadet, which is lawfully in his/her possession, when such cadet is being discharged or transferred, with intent to permanently retain such property. Embezzlement is prohibited by NSCC Regulations.

j. Wrongful Appropriation. If the intent of an act otherwise defined as larceny is not to permanently deprive the owner or possessor of the property, but only to temporarily deprive the owner of the same, the offense is wrongful appropriation, also a violation of NSCC Regulations.

k. Extortion. The communication of a threat to another with the intent to obtain anything of value is extortion. The offense is committed when the threat is communicated. The actual or probable success or failure of the extortion is immaterial to the determination of guilty. In view of the power which personnel in authority hold over cadets, the method and intensity of training, any hint of financial distress or desire for gift, loan or testimonial uttered in the hearing of a cadet is generally interpreted by the cadet to be a request for money. Any suggestion or statement to a cadet indicating that the severity of training may be adversely affected if an escort officer, company commander or other person in authority does not receive needed or desired funds is considered to be a threat and the crime of extortion is thereby complete. It is not necessary that the person making the threat be the intended recipient of the thing of value, Thus, if one individual solicits a contribution for another upon the basis that retaliation will occur if the contribution is not forthcoming, the crime of extortion is complete.

1. Soliciting Gifts. NSCC personnel shall not solicit from a subordinate or give any personal gift or contribution to a superior or to a superior's immediate family, nor accept any personal gift or contribution from a subordinate or the subordinate's immediate family except for official NSCC business or fund raising efforts.

m. Financial Transactions. The following prohibitions are hereby established regarding financial or business transactions between NSCC officers/instructors and cadets:

(1) No officers/instructors shall have any financial or business transactions whatsoever with cadets other than those specifically approved in writing by the commanding officer. Cadets shall not collect money from other cadets or act as an intermediary, in any financial transaction, except for the purpose of collecting the exact amount required for payment of services or for payment of command approved funds, NSCC officers and properly designated members of fund drive committees may collect funds from cadets only in cases of sanctioned fund drives when such instances have been authorized by the commanding officer.

(2) Personnel, whether or not in authority over cadets, shall neither solicit nor accept for themselves or for any other person, a gift, donation, testimonial, loan, pledge, bribe or money or any other object of value from cadets except for official fund drives or as approved by the commanding officer.

(3) Personnel shall neither require nor request, either expressly or implicitly, any trainee to give, lend, or otherwise furnish them with cigarettes or other smoking device, food, beverages, or any item of clothing, belonging or issued to such a cadet, nor shall any personnel accept such item when tendered to them by any cadet.

(4) When any person finds or discovers any money or other thing of value under circumstances indicating that such money or object was left by cadets for discovery by any personnel, the member shall take the following steps: (a) first, report the incident to the officer who is immediately supervisor in the chain of command and; (b) second, in the presence of the officer to whom the report is made, assemble the company considered to be involved and explain to them that personnel are prohibited by regulations from accepting such money or gift, and that unless it can be returned to the donors, it will be donated to NSCC (in instances where donors are identified, the money will be returned); (c) third, if the donor can't be found, the money or object will be donated to the NSCC.

(5) Financial transactions involving the collecting of funds from cadets are authorized for the following purposes:

(a) Purchase of health and comfort items with the authorization of the escort officer/division officer.

(b) The purchase of unit/company pictures/annuals/logs (within authorized spending limits) upon approval of the commanding officer/escort officer.

(c) The purchase of personal uniform items.

(d) Voluntary offerings made at religious services.

(e) Annual Combined Federal Campaign and fund drives as authorized by the Commanding Officer.

(f) Payment for cadet haircuts. Cash payments may be made on an individual basis with the approval of the commanding officer/ senior escort officer.

(g) Collection of funds for reimbursement of messing fees.

n. Drugs. The wrongful or illegal use of drugs is prohibited. The illegal or wrongful introduction of drugs into a unit, drill or training site, or military installation with the intent of selling or transferring the drugs; or the illegal or wrongful sale, transfer, or distribution of drugs is a violation of NSCC Regulations and civil law.

o. Alcoholic Beverages. Alcoholic beverages are defined as any consumable distilled spirits, wine or fermented malt drink, including beer. Alcoholic beverages will not be consumed within 6 hours prior to assuming any duties directly associated with cadets.

p. Fraternalization. Officer/cadet relationships must remain at a professional level at all times whether on or off duty. Personal relationships or socializing with cadets derogates the position of leadership and authority which in turn is detrimental to good order, morale, and discipline. Officer/cadet relationships of a close personal nature, either same sex or opposite sex, are considered unprofessional and will not be tolerated. Good judgment and common sense must prevail. It is impractical to attempt to delineate all conduct or activity that is unethical and prohibited. However, as an example of the type activity prohibited, the following applies:

(1) To associate or otherwise treat in a personal manner which may be construed as, or lead to, indiscretion or favoritism.

(2) Dating or other such socializing which indicates a personal relationship. Foregoing is applicable not only to cadets currently in training or assigned to a unit but to those recently graduated or departing the program as well.

q. Tobacco Products. Cadets are not allowed to use/possess tobacco products, Accordingly, officers/instructors shall not smoke or use any tobacco products in front of cadets and should discourage cadets from starting the use of any tobacco products. Officers/instructors shall not carry, in a visible manner, tobacco products. Officers/instructors may use tobacco products only in areas designated for smoking.

r. Missing Meals. Assignment of extra military duties and/or additional physical training during scheduled meal periods for a cadet or company is expressly prohibited.

s. Cheating. Making false statements, cheating or encouraging others to cheat within the competitive system dilutes the system's intent and encourages dishonesty among trainees. Any personnel who willfully falsify, cheat, conceal or cover-up any tricks, schemes, or devices is in violation of NSCC Regulations and will be dealt with accordingly.