



DEPARTMENT OF THE NAVY
UNITED STATES NAVAL ACADEMY
121 BLAKE ROAD
ANNAPOLIS, MARYLAND 21402-1300

USNAINST 5370.7
4/SARC

OCT 1 2007

USNA INSTRUCTION 5370.7

From: Superintendent

Subj: FRATERNIZATION POLICY

Ref: (a) U.S. Navy Regulations, 1990
(b) OPNAVINST 5370.2C
(c) COMDTMIDNINST 5400.6J (Midshipmen Regulations)

Encl: (1) Fraternization Policy Statement

1. Purpose. To issue policy and provide guidance to deter fraternization within the Brigade of Midshipmen and the Naval Academy Preparatory School (NAPS) Battalion, and for all military and civilian personnel within the purview of the Superintendent of the United States Naval Academy (USNA).

2. Applicability. This instruction applies to all midshipmen, as well as military and civilian staff and faculty, assigned to the Naval Academy and Naval Academy Preparatory School.

3. Policy. Per references (a) through (c), personal relationships that are unduly familiar and that do not respect differences in rank, grade and position are prohibited because they violate the long-standing customs and traditions of the naval service. Personal relationships that violate the customary bounds of acceptable senior-subordinate relationships may be prejudicial to good order and discipline or be of a nature to bring discredit on the naval service and are therefore prohibited. Personnel are prohibited from engaging in such unduly familiar personal relationships regardless of service affiliation or service rules of the other person, including unduly familiar relationships with members of foreign military services. This instruction is a lawful general order effective without further implementation. Violation of this instruction subjects all midshipmen and Naval Academy military staff and faculty to administrative or disciplinary action under the Uniform Code of Military Justice (UCMJ) or Naval Academy regulations and subjects all Naval Academy civilian employees to appropriate administrative sanctions.

4. Background

a. The Navy has historically relied upon custom and tradition to define the bounds of acceptable personal relationships among its members. Proper social interaction among upper-class and fourth-class midshipmen, midshipmen and officers, midshipmen and enlisted, civilian faculty and students, officer and enlisted members, and Naval Academy personnel and other services including foreign services has been encouraged as such relationships enhance unit morale, esprit de corps and professional development. Unduly familiar relationships between these members have been considered contrary to naval custom because they undermine the respect for authority which is essential to accomplish our military mission. Seniors must maintain a thoroughly professional relationship with juniors at all times. Senior personnel always bear the primary responsibility of defining appropriate bounds for interpersonal relationships and limiting interactions that become or are unduly familiar. This focus will eliminate the use of a senior position in such a way that it results in or gives the appearance of favoritism, preferential treatment, personal gain, or involves actions that undermine the good order, discipline, authority, or high morale of the Naval Academy. In like manner, custom requires that junior personnel recognize and respect the authority inherent in a senior's grade, rank, or position. This recognition of authority is evidenced by observance and enforcement of courtesies and customs which have traditionally defined proper senior-subordinate relationships.

OCT 1 2007

b. At the Naval Academy, developing our midshipmen into combat leaders is our mission and naval and military customs are emphasized as a significant part of accomplishing that mission. Respecting the differences inherent in a senior-subordinate relationship is crucial, especially considering the realities inherent in a training environment where differences in rank, grade and position are essential and necessarily emphasized. To protect the integrity, good order, and discipline of training environments, reference (c) specifically prohibits unduly familiar relationships between staff/instructors and student personnel. All Naval Academy personnel should, therefore, maximize professional social interaction so that our midshipmen receive maximum development as leaders, while being vigilant to reduce unduly familiar relationships that are contrary to good order and discipline.

c. In the context of the military, the potential erosion of respect for the authority and leadership position of a senior in grade, rank, or position can have an enormous negative impact on good order and discipline in the Brigade of Midshipmen and in the greater Naval Academy command environment. Therefore, strict prohibition of fraternization serves a valid, mission essential purpose.

5. Definition

a. *Fraternization* is the term used to identify personal relationships that violate the customary bounds of acceptable senior-subordinate relationships. Fraternization is a gender-neutral concept meaning that the focus is on the detriment to good order and discipline resulting from the erosion of respect for authority inherent in a senior-subordinate relationship, not the sex of the members involved.

b. Although the term *fraternization* has been most commonly applied to officer-enlisted relationships that are unduly familiar, fraternization also includes improper relationships and social interactions that do not respect recognized differences in rank, grade, or position. As such, unduly familiar relationships include but are not limited to officer-midshipman, officer-Naval Academy Preparatory School Cadet/Midshipmen Candidate (hereafter referred to as Candidate), staff/faculty-midshipman (Candidate), enlisted-midshipman (Candidate), midshipman-Candidate, upperclass midshipman-fourth class midshipman, and improper chain of command relationships.

6. Prohibited Relationships

a. Personal relationships between upper-class midshipmen (first, second, and third class midshipmen) and fourth-class midshipmen that are unduly familiar because they do not respect differences in rank or class and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited. Due to the unique training environment that the Naval Academy provides and the essential leadership role that upper-class midshipmen play in educating and training fourth-class midshipmen, upper-class and fourth-class midshipmen have a senior-subordinate relationship that must be respected and protected. This prohibition applies to all upperclass/plebe relationships; irrespective of how or when the unduly familiar relationship began (e.g., prior relationships are not exempt). Reference (c) provides specific requirements necessary to avoid a personal relationship between an upper-class midshipman and a fourth-class midshipman.

b. Personal relationships between midshipmen in the same company or between two midshipmen in the same chain of command that are unduly familiar because they do not respect differences in rank, class, or position of authority and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.

c. Personal relationships between midshipmen or candidates and active duty or civilian faculty or staff members that are unduly familiar because they do not respect differences in grade, rank, position of authority, or the staff/student relationship and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.

d. Personal relationships between midshipmen and either officer or enlisted members that are unduly familiar because they do not respect differences in grade, rank, or position of authority and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.

OCT 1 2007

e. Personal relationships between officer and enlisted members that are unduly familiar because they do not respect differences in grade, rank, position of authority, or the staff/student relationship and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.

f. Personal relationships between chief petty officers or other senior enlisted personnel (E-7 to E-9) and junior enlisted personnel (E-1 to E-6), who are assigned to the same command, that are unduly familiar because they do not respect differences in grade, rank, or position of authority and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.

g. Prejudice to good order and discipline or discredit to the naval service may result from, but is not limited to, circumstances which:

- (1) call into question a senior's objectivity;
- (2) result in actual or apparent preferential treatment;
- (3) undermine the authority of a senior; or
- (4) compromise the chain of command.

h. The prohibited relationships discussed in subparagraphs (a) through (c) above are prohibited regardless of service affiliation of the other person, including members of foreign military services.

i. *Company and Chain of Command*: For purposes of this instruction the term *company* includes all companies in the Brigade of Midshipmen and the NAPS Battalion. For purposes of this instruction the term *chain of command* includes midshipmen, candidates, military and civilians of any officially recognized sub-unit of the Brigade of Midshipmen or the NAPS Battalion. The term includes, but is not limited to, organizations like: club and varsity sports teams, the Naval Academy Drum and Bugle Corps, Extra-Curricular Activities (ECAs), and other similarly constructed organizations of midshipmen and candidates.

7. Discussion

a. It is impossible to set forth every relationship that may be prejudicial to good order and discipline or that is service discrediting because the surrounding circumstances often determine whether the relationship in question is unduly familiar. Proper social interaction and appropriate personal relationships are an important part of unit morale and esprit de corps. Participation on command sports teams and command-sponsored events intended to build morale and camaraderie are clearly appropriate. Dating, intimate or sexual relationships, and commercial transactions between senior-subordinates clearly constitute fraternization if the conduct is prejudicial to good order and discipline or is service discrediting. An unduly familiar relationship that undermines the leadership authority of the chain of command is inappropriate and prohibited. As noted above, the responsibility for preventing and precluding the development of inappropriate relationships must rest primarily with the senior, but is incumbent upon both parties to ensure their conduct is in keeping with this policy and all other regulations regarding fraternization.

b. Unduly familiar relationships may exist with individuals outside one's direct change of command, including relationships with other branches of the U.S. Armed Forces or with members of foreign military services.

c. By long-standing custom and tradition, Chief Petty Officers (E-7 to E-9) are separate and distinct leaders within their assigned command. Chief Petty Officers provide leadership not just within their direct

OCT 1 2007

chain of command, but for the entire Naval Academy. Thus, the prohibition of paragraph 6f is based upon this unique leadership responsibility.

d. While the existence of a direct senior-subordinate supervisory relationship is not a prerequisite for a relationship between juniors and seniors to constitute fraternization, the fact that individuals are in the same chain of command increases the likelihood that an unduly familiar relationship between senior and junior officers, or between senior and junior enlisted members will result in prejudice to good order and discipline or discredit to the naval service.

e. Conduct, which constitutes fraternization, is not excused or mitigated by subsequent marriage between the offending parties.

f. Service members who are married or otherwise related (i.e. father, daughter, husband, etc.) to other service members, must maintain the requisite respect and decorum attending the official relationship while either is on duty or in uniform in public.

8. Action

a. All personnel shall be attentive to their personal associations such that their actions and the actions of their subordinates are professional, support the military chain of command, and foster good order and discipline. All faculty and staff are especially encouraged to maximize professional relationships with midshipmen to further their development as future leaders of our Sailors and Marines. At the same time, faculty and staff must recognize the special trust and confidence the Nation places upon them for the development of the fine young men and women who make up the Brigade of Midshipmen and should, therefore, exercise extreme care to ensure these relationships do not become unduly familiar.

b. Orientation and annual training to include examples of appropriate and prohibited personal relationships shall be provided to Naval Academy and Naval Academy Preparatory School staff and faculty (military and civilian), the Brigade of Midshipmen, and Naval Academy Preparatory School Officer Candidates

c. Departments shall review and revise as necessary all orders, regulations, and instructions to comply with these provisions. This shall be completed by 1 January 2008 and shall be reviewed every other year thereafter before the anniversary date. Additionally, enclosure (1) shall be posted on bulletin boards and in work spaces throughout the Naval Academy.

/S/
J. L. FOWLER

Distribution:
All Non Mids (electronically)

FRATERNIZATION POLICY STATEMENT

Fraternization: Personal relationships that contravene the customary bounds of acceptable senior-subordinate relationships. Although it has most commonly been applied to officer-enlisted relationships, fraternization at USNA can also include improper relationships and social interaction between officers, faculty, staff, midshipmen, and enlisted members without regard to service affiliation to include members of foreign military services.

Historically, fraternization is a gender-neutral concept. Its focus is on the detriment to good order and discipline resulting from the erosion of respect for authority inherent in an unduly familiar senior-subordinate relationship, not the sex of the members involved. In this sense, fraternization is a uniquely military concept; however, the classroom environment of USNA presents the possibility for actual or perceived preferential treatment from civilian staff and faculty as well. Relationships among midshipmen must also be appropriate. The potential erosion of respect for the authority and leadership can have a significant negative effect on good order and discipline and seriously undermine our effectiveness.

Prohibited Relationships:

- Personal relationships between upper-class midshipmen (first, second, and third class midshipmen) and fourth-class midshipmen that are unduly familiar because they do not respect differences in rank or class and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited. Due to the unique training environment that the Naval Academy provides and the essential leadership role that upper-class midshipmen play in educating and training fourth-class midshipmen, upper-class and fourth-class midshipmen have a senior-subordinate relationship that must be respected and protected. This prohibition applies to all upperclass/plebe relationships; irrespective of how or when the unduly familiar relationship began (e.g., prior relationships are not exempt). Reference (c) provides specific requirements necessary to avoid a personal relationship between an upper-class midshipman and a fourth-class midshipman.
- Personal relationships between midshipmen in the same company or between two midshipmen in the same chain of command that are unduly familiar because they do not respect differences in rank, class, or position of authority and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.
- Personal relationships between midshipmen or candidates and active duty or civilian faculty or staff members that are unduly familiar because they do not respect differences in grade, rank, position of authority, or the staff/student relationship and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.
- Personal relationships between midshipmen and either officer or enlisted members that are unduly familiar because they do not respect differences in grade, rank, or position of authority and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.
- Personal relationships between officer and enlisted members that are unduly familiar because they do not respect differences in grade, rank, position of authority, or the staff/student relationship and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.
- Personal relationships between chief petty officers or other senior enlisted personnel (E-7 to E-9) and junior enlisted personnel (E-1 to E-6), who are assigned to the same command, that are unduly familiar because they do not respect differences in grade, rank, or position of authority and are prejudicial to good order and discipline or of a nature to bring discredit upon the naval service are prohibited.
- Prejudice to good order and discipline or discredit to the naval service may result from, but is not limited to, circumstances which:

- (1) call into question a senior's objectivity;
- (2) result in actual or apparent preferential treatment;
- (3) undermine the authority of a senior; or
- (4) compromise the chain of command.

The responsibility for preventing inappropriate relationships must rest primarily on the senior. While the senior party is expected to control and preclude the development of inappropriate relationships, this policy is applicable to both members and both are accountable for their own conduct. USNA will take administrative and/or disciplinary action as necessary to correct such inappropriate behavior. The policies listed here are lawful general orders. Violations of these policies subject the involved members to disciplinary action under the Uniform Code of Military Justice (UCMJ).