



DEPARTMENT OF THE ARMY
DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER
PRESIDIO OF MONTEREY
MONTEREY, CALIFORNIA 93944-5000

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24 November 2018

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Command Policy #10 - Improper Relationships and Prohibited Activities

1. References.

- a. Army Directive 2016-17 (Protecting Against Prohibited Relations During Recruiting and Entry-Level Training), 22 June 2016.
- b. Department of Defense Instruction 1304.33, Protecting Against Inappropriate Relations During Recruiting and Entry Level Training, 28 January 2015, Incorporating Change 1, 5 April 2017
- c. Army Regulation 600-20, Army Command Policy, 6 November 2014.
- d. AETCI 36-2909, Recruiting, Education, Accessions, and Training Standards of Conduct, 10 July 2017.
- e. OPNAVINST 5370.2D, Navy Fraternalization Policy, 6 January 2016.
- f. Marine Corps Training and Education Command Order 1609.1, Change 1, Protecting Against Inappropriate Relations During Entry Level Training, 09 May 2016.
- g. TRADOC Regulation 350-6, Enlisted Initial Entry Training Policies and Administration, 30 January 2018.

2. Proponent. The proponent for this policy is the Dean of Students Office.

3. Purpose. To establish a command policy on improper relationships and prohibited activities for the Defense Language Institute Foreign Language Center and its satellite training sites and Presidio of Monterey (DLIFLC and POM). The term "DLIFLC" includes any training location with DLIFLC controlled military, civilian or contractor faculty or instructors. Department of Defense (DoD) and individual Service regulations and policies regarding prohibited relationships are designed to prevent the development of situations that undermine good order and discipline of military organizations, detract from training and readiness, or lead to potential abuses of rank or position. While interactions between cadre embers and Entry Level Trainees (ELT) are more tightly controlled than are interactions among other students or personnel, this policy explicitly requires all Service members of different grades to maintain

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appropriate interactions so that each individual's conduct would not cause a reasonable person to be concerned about preferential, unfair or exploitive treatment nor create an actual or likely adverse impact on discipline or the organization's ability to complete its mission. This policy incorporates Service regulations definition of fraternization, supplements applicable Service regulations and replaces all previous DLIFLC and POM command policies regarding improper or prohibited relationships.

4. Scope.

a. This policy applies to the following:

(1) Military and civilian personnel attending classes at DLIFLC as students, to include personnel waiting for training to begin or awaiting reassignment when no longer in training. This policy also applies to entry-level students for 6 months after the trainee completes entry-level training, or separates from the Armed Forces, regardless of the entry-level student's location;

(2) Military, civilian and contractor personnel assigned to, attached to, working at or employed by DLIFLC and POM, to include faculty and staff members at the language schools;

(3) Military and civilian personnel performing temporary duty (TDY) at, or in support of, DLIFLC and POM; and

(4) Military and civilian personnel assigned to, attached to, or employed by tenant units at POM or the Ord Military Community (OMC).

b. In the event that this policy conflicts with policies published by other Service components or agencies, this policy is neither restricted nor limited. I reserve my right and obligation as the Commandant to maintain good order and discipline and conduct investigations and take appropriate adverse actions available to me.

5. Supplementation. Subordinate and Service component commanders assigned or attached to DLIFLC and POM may supplement this policy with more stringent guidelines when supplemented policies and guidelines comply with all applicable Service regulations.

6. Enforceability. This policy is punitive. Individuals who violate this policy may be subject to criminal, disciplinary, or other adverse administrative action. All alleged violations of this policy will be referred to the appropriate military commander, supervisor, dean, or associate provost for disposition after consultation with the Office of the Staff Judge Advocate.

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7. Definitions.

a. Entry-Level Training (ELT) Student. ELT students include all students who have not yet completed recruit and initial skill training, to include One Station Unit Training, and Officer Acquisition Training, to include Officer Candidate School, the ROTC, and the Service Academies. For purposes of this policy only, ELT students include individuals who are waiting for a class to begin, currently in a class, pending a permanent change of station (PCS) after completing or graduating from a class, in a casual status after being dropped from a class, or who have been separated from military service prior to the completion of their initial skill training. ELT includes individuals until they are awarded a military occupational specialty or complete their initial skill training, which may continue past graduation from DLIFLC.

b. Cadre. For purposes of this policy only, cadre include:

(1) Any military, civilian, or contractor personnel who is responsible for planning, organizing, or conducting initial military training as part of a formal training course, with a unique training course identifier, or as part of an in-residence training or education course; and

(2) All military, civilian, or contractor personnel that command, supervise, instruct, train, or who provide administrative, logistical, or personnel support to ELT students.

c. Careerist Students. For purposes of this policy only, careerist students are any of the following individuals who are waiting for a class to begin, currently in a class, pending a PCS after completing or graduating from a class, or in a casual status after being dropped from a class:

(1) Non-ELT students; and

(2) Civilian students.

d. Permanent Party Personnel. For purposes of this policy only, permanent party personnel are any military, civilian or contractor personnel assigned to, attached to, working on or employed by an installations at which DLIFLC instruction occurs, who are not included within the definition of Cadre.

e. Language School. Distinct schools within DLIFLC that have (1) the primary mission of teaching certain language(s), and (2) its own dean.

f. Improper Relationships and Prohibited Activities. Improper relationships and prohibited activities are interactions between specific individuals which are not necessary

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to the performance of those individual's official duties, or which interfere, or could reasonably be perceived to interfere, with those individual's official duties. Examples of improper relationships and prohibited activities include, but are not limited to dating, engaging in romantic or inappropriate dancing, engaging in romantic relationships or sexual activities; sharing living accommodations; gambling; borrowing or loaning money; engaging in business ventures or ongoing commercial transactions; performing personal services; providing rides in a privately owned vehicle when the ride is not required for official business or safety and welfare, exchanging personal communications or "Friending" on social networking sites such as Facebook, Instagram, snapchat or other similar sites; having personal telephone or text message conversations unrelated to the training mission or official business; and prearranged meetings other than approved activities listed paragraph 7.g. The specified groups of individuals who may not engage in these types of activities are listed in paragraph 8.b below.

g. Permissible Relationships and Activities. Permissible interaction between the specific individuals listed in paragraph 8.b. are interactions which are necessary to effective performance of duties. Examples of activities/relationships which are generally considered to be permissible include interactions at chain-of-command or school-sponsored activities related to unit cohesion, esprit de corps, and team building; group activities at chain-of-command or school-sponsored functions (*e.g.*, military balls or school-sponsored cultural activities); chain-of-command or school-sanctioned group-study activities; morale, welfare and recreation (MWR) or Better Opportunities for Single Soldiers (BOSS) events; intramural or community sports; community welfare projects; youth programs; organized religious activities; occasional neighborhood gatherings; an ELT student's entry into a cadre member's privately owned vehicle when required for official business or when the safety or welfare of an ELT student or the cadre member is at risk; and school related events. Even these activities can create improper relationships, depending upon the actual activities at the event, the frequency of interactions or the number of people involved and other factors. If the individual has any doubt about whether or not an interaction is permissible, he or she shall consult with the chain of command and follow the procedures described in paragraph 9.

(1) School-related events include, but are not limited to, immersions at DLIFLC Immersion Center, as coordinated by the Immersion Language Office (ILO); overseas immersions coordinated by the ILO; class presentations; class or school-sponsored events after duty hours; class picnics with the language instructors and school administration; school led cultural activity groups and any other school-sponsored events known to the chain of command as approved school language enrichment functions.

(2) When approved by the school dean, students or faculty may demonstrate social customs unique to, or typical of, a particular country or ethnic group associated with the target language. Such demonstrations must be part of the course of instruction, and the entire class must be invited to participate. If less than 50% of the

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class plans to participate in a previously approved event, the individual in charge of the event must obtain permission from the school dean to continue with the event.

(3) Gifts between military or civilian faculty or staff and students at school-related events are generally limited to the equitable exchange of food and non-alcoholic drinks at appropriate events described above. However, faculty/staff may give gifts of little intrinsic value as prizes or awards at school-sponsored competitions that are open to students and/or faculty, and are approved in advance by the school dean, after an appropriate legal review. These gifts of little intrinsic value may not be given from students to faculty/staff.

8. Prohibited Relationships and Activities.

a. General Prohibition. Individuals subject to this policy shall not engage in any relationship or activity that:

(1) Compromises, undermines, or appears to compromise or undermine, the integrity of supervisory authority or the chain of command;

(2) Causes actual or perceived partiality or unfairness, or results in actual or perceived preferential treatment;

(3) Involves, or appears to involve, the improper use of rank or position for personal gain, or calls into question the objectivity of a superior, a supervisor, an instructor, or a staff member;

(4) Is, or is perceived to be, exploitative or coercive in nature;

(5) Creates an actual or clearly predictable adverse impact on good order, discipline, authority, morale, or the ability of the command to accomplish its mission; or

(6) Creates an actual or clearly predictable perception of undue familiarity between an officer and an enlisted Service member, or between a noncommissioned officer and a junior enlisted Service member.

b. Specific Prohibitions.

(1) ELT students shall not:

(a) engage in improper relationships or prohibited activities as described in paragraph 7.f. with any cadre member. In accordance with DODI 1304.33, the prohibitions on improper relationships and prohibited activities between ELT students and any cadre members control interactions from the first contact between the ELT

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student and the cadre member, through entry-level training, and for six months after the trainee completes entry-level training or has separated from the Armed Forces;

(b) engage in improper relationships or prohibited activities as described in paragraph 8.a. with permanent party personnel; or careerist students.

(2) Careerist students shall not:

(a) engage in improper relationships or prohibited activities as described in paragraph 7.f. with any ELT student;

(b) engage in improper relationships or prohibited activities as described in paragraph 8.a. with Cadre members performing duties in the same language school in which the careerist student is attending classes, or in the student's unit chain of command or school supervisory chain; or with officer or enlisted students of different grades that violate Service fraternization prohibitions.

(3) Cadre members shall not:

(a) Engage in improper relationships or prohibited activities as described in paragraph 7.f. with any ELT student. In accordance with DODI 1304.33, the prohibitions on improper relationships and activities apply to interactions between ELT students and cadre members from the first contact between the ELT student and the cadre member, through entry-level training, and for six months after the trainee completes entry-level training or has separated from the Armed Forces; or

(b) Engage in improper relationships or prohibited activities as described in paragraph 8.a. with careerist students attending classes in the same language school in which the cadre member works, or under the cadre's supervisory or command authority, or with officer or enlisted students of different grades that would violate applicable service fraternization prohibitions.

(4) Permanent party members shall not engage in interactions as described in paragraph 8.a., or with officer or enlisted students of different grades which would violate applicable service fraternization prohibitions.

9. Requests for Determinations or Exceptions.

a. If individuals to whom this policy applies are uncertain as to whether a relationship or activity constitutes an improper relationship or prohibited activity, or believe special circumstances exist that justify an exception to this policy, the individuals shall bring the matter to the attention of their immediate supervisors. Prior consultation with peers or local "experts" will not absolve individuals who violate this policy.

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(1) For military members, notification will follow each individual's:

(a) Military chain of command until the local unit commander is aware of the matter.

(b) Workplace supervisory chain until the school dean or directorate head is aware of the matter.

(2) For civilian faculty and staff member personnel, notification will follow each individual's workplace supervisory chain until the school dean or directorate head is aware of the matter.

b. Requests for determinations regarding, or exceptions to, this policy will:

(1) Be submitted in writing.

(2) Clearly state each individual's status (e.g., ELT student, cadre).

(3) Provide a detailed explanation of the relationship or interactions.

(4) Provide a detailed justification for any requested exception to this policy.

c. Commander(s) will make a recommendation to the final approving authority regarding whether the relationship or activity is prohibited and whether the circumstances merit an exception to this policy.

d. The Assistant Commandant (AC) is the approving authority for all determinations and requests for exceptions.

(1) The AC will provide a written determination through the supervisory chain or chain of command to the individual(s) requesting the determination or exception.

(2) Individuals who are not satisfied with the AC's determination may ask to speak with the AC via the open-door policy.

(3) Individuals who are still not satisfied with the AC's determination may submit an appeal to the Commandant.

10. Responsibility:

a. All cadre shall review this policy and DODI 1304.33 annually and shall annually sign a DD Form 2982 signifying their understanding of the policy. Schools and military

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units will include this policy and DODI 1304.33 as part of their annual training, and retain the DD Form 2982s and log of all personnel who attended training.

b. All ELT shall review this policy and DODI 1304.33 and shall sign a DD Form 2983 on the first day of their training at DLIFLC acknowledging their understanding of the policy. Units shall retain all DD Form 2983s.

c. As leaders, all cadre have a duty to live up to and enforce this policy, both in the classroom, on the rest of installation, and off installation. All cadre, as well all student leaders, must be cognizant at all times of the unique mix of officer and enlisted Soldiers, Sailors, Airmen, Marines, DoD civilian employees, and contractors who work together on POM and OMC on a daily basis. In all cases where a violation of this policy occurs, the senior individual involved bears the greater responsibility. However, all individuals assigned to, employed by, or performing duties on (or in support of) DLIFLC and POM share responsibility for maintaining proper relationships and may be held accountable for relationships or activities that violate federal law, military regulations, or this policy.

d. I expect military and civilian leaders at all levels to watch for potential abuses of this policy, and to take immediate corrective action when they witness a violation. Furthermore, all military and civilian personnel are required to report blatant and obvious violations of this policy that they witness. Fair enforcement of this policy requires sound judgment on the part of all leaders and individuals concerned.

e. Military and civilian personnel have an affirmative duty to ascertain the status (ELT, careerist, student, officer, enlisted, faculty, staff, etc.) of individuals they interact with relating to non-official duties, on or off duty. An example includes, but is not limited to, interacting in social settings (restaurant, club, bar, etc.) where the other individual's status is not apparent.

f. If you have doubts regarding whether a particular relationship or activity violates this policy, consult your supervisory chain or chain of command before--rather than after--any question of impropriety arises.



GARY M. HAUSMAN
COL, MI
Commandant

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