



**DEPARTMENT OF THE NAVY**  
NAVAL SERVICE TRAINING COMMAND  
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NSTCINST 5370.1B  
7 May 18

NSTC INSTRUCTION 5370.1B

From: Commander, Naval Service Training Command

Subj: NAVAL SERVICE TRAINING COMMAND FRATERNIZATION POLICY

Ref: (a) Manual for Courts Martial  
(b) U.S. Navy Regulations, 1990  
(c) Pub. Law 113-66, Section 1741  
(d) DoDI 1304.33  
(e) OPNAVINST 5370.2 (series)  
(f) NSTC M-1533.5C  
(g) Marine Corps Manual

1. Purpose. In accordance with references (a) through (g), this instruction promulgates policy regarding fraternization for the Naval Service Training Command (NSTC) domain. It also implements reference (d) prohibitions against certain trainer and trainee activities.

2. Cancellation. NSTC INSTRUCTION 5370.1A.

3. Applicability. The provisions of this instruction are applicable to all NSTC personnel and its subordinate activities.

4. Policy

a. Relationships between officer and enlisted personnel, between officers of different rank or grade, or between enlisted members of different rank or grade, that are unduly familiar and do not respect differences in rank and grade are prohibited and violate long-standing customs and traditions of the U.S. Navy. Relationships that are sexual, intimate, or romantic between midshipmen of different classes may also be prejudicial to good order and discipline or of a nature to bring discredit to the U.S. Navy and, therefore, may also be prohibited. Commands shall take administrative and disciplinary action as necessary to correct such inappropriate behavior.

b. This instruction, the prohibition of fraternization found in article 1165 of reference (b), all prohibitions found in references (d) through (g), including the prohibition of fraternization during periods of Naval Reserve Officers Training Corps (NROTC) summer training found in reference (f) are lawful general orders effective without further implementation.

c. As discussed in reference (e), within Navy training commands, fraternization includes personal relationships that are unduly familiar between staff and student personnel that do not respect customary differences in grade or rank or the staff and student relationship. Such

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relationships are prejudicial to good order and discipline and are prohibited even in cases where personnel are from different commands.

d. Reference (d), which implements reference (c), delineates additional prohibited activities that apply to trainers and trainees, to include NROTC staff and midshipmen, as defined by the reference. Reference (d) is hereby fully incorporated and made punitive. Any violation of the conduct prescribed in reference (d) is punishable under the Uniform Code of Military Justice (UCMJ) and may subject military members to the full range of administrative and disciplinary actions available. These actions include informal counseling, comments in fitness reports and evaluations, courts-martial, and administrative separation. Midshipmen who violate reference (d) may also be subject to adverse administrative measures, to include disciplinary warning, disciplinary probation, disciplinary leave of absence, or disenrollment.

5. Definitions. The following definitions are applicable for interpretation of this instruction.

a. Staff Personnel. All personnel, military or civilian, who are assigned within NSTC as instructors or in support of mission operations are designated staff personnel. This term includes personnel assigned to Instructor Training School and Recruit Division Commander School. This term also includes civilians, whether Department of Defense Government Service Employees, or Navy contract employees.

b. Midshipmen. All students who participate in the NROTC or Strategic Sealift Officers Programs, regardless of program (scholarship or College Program) or option (Navy or Marine Corps) are designated as midshipmen. For the purpose of this instruction only, and in accordance with reference (d), all recently commissioned ensigns and second lieutenants (“stash” ensigns and second lieutenants) shall retain midshipmen status until detaching from the unit or six months after commissioning, whichever comes first.

c. Officer Candidates. All personnel, military or civilian, who are in the Marine Enlisted Commissioning Education Program or Seaman to Admiral-21 Programs or at Officer Training Command, who are stationed or assigned for the purpose of attaining a commission, regardless of year group or credit hours completed, are designated as officer candidates.

d. Fraternization. Fraternalization consists of personal relationships that are unduly familiar, that do not respect and may take advantage of differences in grade or rank or the staff and student relationship, or that are prejudicial to good order and discipline or are service discrediting between staff and midshipmen/officer candidates, officers and enlisted members, among officers, among enlisted members, between officers or enlisted members and midshipmen/officer candidates, or among midshipmen. Examples of conduct that are unduly familiar includes, but is not limited to, the following specific activities:

(1) Developing or attempting to develop personal, intimate, sexual, or romantic relations, including dating, handholding, kissing, embracing, caressing, or engaging in sexual activities;

(2) Attempting, arranging, or engaging in personal social engagements that typically lead to sexual, intimate, or romantic relationships;

- (3) Engaging in private business or financial relationships;
- (4) Any non-professional social relationship of a personal nature; and
- (5) Gambling or borrowing of money.

6. Responsibilities and Prohibitions

a. Prejudice to good order and discipline or discredit to the Naval service may result from relationships between officers, enlisted, students or staff, which do not respect differences in grade, rank, or the staff-student relationship, as described above, but is not limited to, circumstances or conduct which:

- (1) Call into question the senior's objectivity;
- (2) Results in actual or apparent preferential treatment;
- (3) Undermines the authority of the senior; or
- (4) Compromises the chain of command.

b. Relationships or behavior between midshipmen are inappropriate if the relationship or behavior takes advantage or gives the impression that advantage is being taken of a vulnerability, weakness or status, or results in harassment of another midshipman. Such behavior includes, but is not limited to, dating, intimate or sexual contact, or contact via cards, letters, e-mails, telephone calls, instant messaging, video, photographs, social networking, or any other means of communication. (e.g. Inappropriate behavior would include a midshipman first class suggesting, directly or indirectly, that certain favors would be provided by the midshipman first class to a midshipman fourth class in exchange for an intimate relationship.)

c. All staff members and students are expected to observe proper standards of behavior and to enforce these standards. All personnel shall avoid, terminate, or otherwise control situations, which may lead to or involve fraternization. Although the responsibility for prevention of fraternization rests primarily with the senior, both parties are responsible for their conduct and will be held accountable.

d. Personnel who are married or otherwise related, (e.g., father and son), to other personnel must maintain the requisite respect and decorum attending the official relationship while either is on duty or in uniform and in public.

e. All military personnel, staff, and midshipmen have an affirmative duty to report violations of this instruction to the chain of command and, if in a position of authority, to take immediate and appropriate corrective action.

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## 7. Exceptions

a. This instruction will not restrict normal marital or family relationships that precede an otherwise improper relationship. However, a marriage subsequent to fraternization neither excuses nor mitigates the original misconduct. Members may be held accountable for such relationships regardless of a subsequent marriage.

b. A midshipman first class, second class, third class, or an officer candidate may maintain a preexisting personal relationship with a midshipman fourth class provided:

(1) The relationship was initially established before this instruction went into effect or before both individuals in the relationship reported to the unit;

(2) The relationship was not otherwise prohibited by a local command instruction or order, and;

(3) The two individuals disclosed the relationship to the NROTC unit commanding officer within 30 days of this instruction being implemented or within 10 days of both individuals reporting to the unit.

c. In accordance with reference (d), commanding officers, or executive officers acting as commanding officer, may allow groups of midshipmen and/or officer candidates to enter into his or her dwelling for the purpose of external classroom professional development and mentorship, in order to provide training on proper social interactions and etiquette at wardroom events.

## 8. Action.

a. All commands shall brief incoming personnel on this policy at their indoctrination sessions, ensure that all command personnel are aware of the policy, and receive, at a minimum, annual training which includes examples of appropriate and prohibited relationships.

b. This instruction is punitive. Any violation of this instruction is punishable under the Uniform Code of Military Justice and may result in disciplinary or administrative actions.

c. Midshipmen who violate this instruction may be subject to administrative measures, to include disciplinary warning, disciplinary probation, disciplinary leave of absence, or disenrollment.

d. This instruction does not authorize any activity or conduct prohibited by references (a) through (g).



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