

Commandant Personnel  
Code of Conduct and Ethics

State of California-Military Department  
Joint Force Headquarters  
Sacramento, California  
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**UNCLASSIFIED**

# *SUMMARY of CHANGE*

CR 1-2

Commandant Personnel Code of Conduct and Ethics

\*This is a minor revision to an existing regulation. It corrects the regulation to include reference to enlisted as well as officer adult members.

## COMMANDANT CODE OF CONDUCT AND ETHICS

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DAVID S. BALDWIN  
Major General  
The Adjutant General

Official:



LARRY K. MORDEN  
Colonel, CACC  
Executive Officer

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**History.** This is a minor revision to an existing regulation.

**Summary.** This regulation describes the Commandant code of ethics program to be conducted by brigades, regiments, and units of the California Cadet Corps (CACC).

**Applicability.** This regulation applies to all schools currently maintaining membership in the CACC.

**Proponent and exception authority.** The proponent of this regulation is the Executive Officer, CACC. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and

regulations. The proponent may delegate this approval authority, in writing, to a field-grade man-day staff officer or State Projects Officer. Activities or units may request a waiver to this regulation by providing full justification that includes a full analysis of the expected benefits. All waiver requests will be endorsed by the senior commandant officer of the requesting activity or unit and forwarded through their higher headquarters to the policy proponent.

**Supplementation.** Supplementation of this regulation and establishment of command and local forms are prohibited without prior approval, in writing, from the Executive Officer, California Cadet Corps. Send a draft copy of each supplement to – Youth Programs, California Cadet Corps, ATTN: Executive Officer, Building 1301, Camp San Luis Obispo, CA.

**Suggested improvements.** Users are invited to send comments and suggested improvements in memorandum form directly to the address listed above.

**Distribution.** This publication is available in electronic media only, it is intended for all levels of the California Cadet Corps organization and is authorized for public distribution. Printed copies of this publication may be provided, within budget limitations, at the discretion of the Joint Force Headquarters, California

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**Contents** (Listed by paragraph and page number)

### Chapter 1 - General

- 1-1. Purpose, *page 1*
- 1-2. References, *page 1*
- 1-3. Definitions, *page 1*
- 1-4. Policy, *page 1*
- 1-5. Commandant Code of Ethics and Conduct, *Page 1*

### Chapter 2 – Uniform Complain Procedures

- 2-1. Uniform Complaint Procedures, *pages 4-5*

## CHAPTER 1

### GENERAL

#### 1-1. Purpose.

This regulation provides standards of conduct and a code of ethics to which adult personnel of the California Cadet Corps (CACC) are expected to adhere.

#### 1-2. References.

- a.* Title 18, United States Code.
- b.* California Education Code.
- c.* California Military and Veterans Code Sections 500 through 520.1 and 530 through 531.
- d.* Cadet Regulation 1-3, Commandant Uniforms and Insignia.
- e.* Cadet Regulation 1-4, Officer Personnel Management.

#### 1-3. Definitions.

For the purposes of this regulation, the term “officers” shall refer to all persons appointed in the CACC and assigned as commandants, assistant commandants, special projects officers, and members of the staff of the Headquarters California Cadet Corps (HQ CACC), whether they be commissioned officers or non-commissioned officers or enlisted personnel.

#### 1-4. Policy.

- a.* All officers of the CACC are commissioned by the Governor and their status is defined in the Military and Veterans Code. All officers commissioned are bound by the provisions of this regulation.
- b.* Violation of any of the provisions of this regulation may lead to disciplinary action up to and including withdrawal of appointment the CACC.
- c.* The establishment of standards of conduct are designed to ensure that CACC officers do not appear to represent themselves as anything other than what they are – members of a highly professional group of individuals dedicated to education and the achievement of the goals of the CACC program.
- d.* Officers of the CACC shall not act, nor give the appearance of acting, in any manner which may bring discredit or criticism upon the CACC or the California National Guard.

#### 1-5. Code of Conduct and Ethics.

Commandants serve as role models for their cadets and the communities they serve. Cadets in the elementary, middle, and high schools are at an impressionable age and are likely to imitate the behaviors, attitudes, and beliefs of adults they admire. Given this special position of trust, commandant personnel must use extraordinary discretion in the behaviors they model, the words they use, as well as, the beliefs and attitudes they exhibit. To that end, the following principles shall guide the conduct of all CACC officers:

Principle #1: Commandants will comply with all regulations of the CACC, all laws of the State of California, and the School District Code of Conduct for Certificated Personnel for their respective school districts. In the spirit of this principle, Commandants will:

- a.* Be familiar with and comply with Cadet Corps regulations.
- b.* Wear the regulation Commandant Uniform as directed by CR 1-3.
- c.* Maintain high standards for cadet promotions outlined in CR 1-5.

- d.* Implement fully the Cadet Awards program outlined in CR 1-1.
- e.* Comply with the directives of the Executive Officer of the CACC, the Brigade Advisor, and school administrators.
- f.* Not commit any offenses involving moral turpitude.

Principle #2: Commandants will protect the physical, psychological, and emotional well-being of all cadets under their care and provide extraordinary levels of supervision of cadet activities. In the spirit of this principle, Commandants will:

- a.* Not use corporal punishment in any form; this includes any hitting, slapping, or physical touching of cadets in anger. It also includes assigning excessive mandatory physical exercises to an individual cadet. “Excessive” is defined as more than 20 pushups, sit-ups, curl-ups, or more than a mile of running in a two-hour period. Individual school district policies may prohibit any physical exercise assigned to an individual cadet.
- b.* Maintain appropriate relationships with students and are prohibited from sexual relationships with students and occasions which might give the appearance of inappropriate sexual conduct.
- c.* Ensure that humiliating, degrading, or stigmatizing behaviors are not tolerated.
- d.* Only consume alcohol outside the presence of cadets and only after duty hours when no supervision of cadets is or may be required within four hours of alcohol consumption; absolutely no alcohol may be consumed at Cadet Corps events.
- e.* Not use illegal drugs; also not use tobacco in the presence of cadets.
- f.* Ensure the safety of cadets at all times when charged with direct supervision.
- g.* Provide close supervision of cadets.
- h.* Allow cadets to experience the “leadership laboratory” of cadet command, NCO, and staff functions, and take advantage of mistakes as learning opportunities for the cadets.

Principle #3: Commandants will set an example for cadets who strive to meet the ideals of the Cadet Code and show respect for the dignity of all persons. In the spirit of this principle, commandants will:

- a.* Avoid obscene language in the presence of cadets or at any cadet activity.
- b.* Not threaten, demean, intimidate, degrade, or purposely offend others.
- c.* Promote respect and appreciation for all others regardless of race, religion, gender, sexual orientation, national origin, religion, or disability.
- d.* Show mutual respect for other commandant personnel and adult chaperons.
- e.* Treat cadets fairly.
- f.* Respect different opinions and points of view.

Principle #4: Commandants will act with personal and professional integrity and shall properly handle public funds and state and school district property. In the spirit of this principle, Commandants will:

- a.* Attend all required events.
- b.* Report absences from required cadet events in a timely manner to the Brigade Advisor.
- c.* Submit accurate reports of records, information, experience, qualifications, reasons for absence, or information required on forms.
- d.* Not make false or malicious statements about others.
- e.* Issue receipts for all monies collected above \$5 and maintain accurate records for monies collected in lesser amounts and properly account for all funds collected.
- f.* Not co-mingle funds.
- g.* Use school equipment for personal use only with permission of appropriate school officials.
- h.* Not accept gifts from parents, cadets, or other parties in exchange for favors or special considerations.
- i.* Care and safeguard all state and school district property.
- j.* Use equipment safely and properly.
- k.* Not steal money or property from the Cadet Corps or school district.
- l.* Maintain an accurate inventory and property book of all state property.

*m.* Not use titles, the Cadet Corps officer uniform, or the Cadet Corps identification card for purposes outside the scope of their job duties nor for any benefits reserved for members of the active, reserve, or retired members of Federal forces. Neither shall officers use any of these, with or without intent to mislead, in such a manner as to give rise to the appearance of sponsorship, sanction, endorsement, or approval by the State of California or the Military Department of any commercial enterprise.

*n.* Not use the Cadet Corps title or uniform in public at any political activity, including testimony before any legislative body, which supports the officer or a political candidate or in support/opposition of any political issue or bill or proposal. The exception shall be when asked by the Adjutant General or his designee to perform a duty in support of the mission of the California National Guard or CACC.

Principle #5: Commandants will maintain professional confidences and the confidentiality of student information as well as keep accurate records and submit required reports and information in a timely manner. In the spirit of this principle, commandants will:

- a.* Protect student information from inappropriate dissemination.
- b.* Use discretion in matters involving cadet personnel.
- c.* Maintain personal confidences of colleagues.
- d.* Respect the confidentiality of cadet medical information.
- e.* Submit monthly strength reports, and copies of unit orders and permanent orders in a timely manner.
- f.* Respond to requests for information from colleagues or the Brigade Advisor within 24 hours of their receipt.
- g.* Maintain accurate cadet service records, training schedules, clothing records, and other documents required by Cadet Regulations.
- h.* Report industrial accidents IAW School Board policy.
- i.* Report all incidents of suspected child abuse as required by State Law.

Principle #6: Commandants will maintain open lines of communication with subordinates, colleagues, and superiors and respect the Chain of Command. In the spirit of this principle, commandants will:

- a.* Use e-mail for the communication of factual information rather than emotionally charged communications.
- b.* Attempt to resolve and mediate conflicts with the individuals involved.
- c.* Take all matters to the Brigade Advisor which cannot be resolved with conflict mediation.
- d.* Communicate regularly with parents and respond within 24 hours to all parent requests for information.
- e.* Attempt to resolve problems “at the lowest level possible”.
- f.* Keep the Brigade Advisor informed of their successes and challenges.
- g.* Adhere to the Chain of Command and go through the Brigade Advisor prior to bringing requests or problems to the HQ CACC; all communication to any element of the Office of the Adjutant General shall first be channeled through the Executive Officer of the CACC.
- h.* Not commit acts of insubordination.

## Chapter 2

### Uniform Complaint Procedures

#### 2-1. Uniform Complaint Procedures.

*a.* Any complaints which allege that a violation of the Commandant Code of Conduct and Ethics has occurred must be submitted in writing and must contain a concise but adequate statement of the facts constituting the ground(s) for the complaint. If the complainant is unable to put the complaint in writing, due to conditions such as illiteracy or other handicaps, the CACC shall assist the complainant in the filing of the complaint. The complaint must also include reference to the part(s) of the Code violated. The complainant must sign and date the complaint. Complaints shall be forwarded to the Executive Officer of the CACC and must be received not later than six (6) months after the alleged violations occurred, or the date the complainant first obtained knowledge of the facts of the alleged violation.

*b.* Any complaint received by the Executive Officer shall be forwarded to the Code of Conduct and Ethics Compliance Committee (CCECC) within 96 hours of receipt. The CCECE shall be appointed by the Executive Officer and shall be chaired by an officer in the grade of Lieutenant Colonel (O-5) or higher and shall consist of no less than two (2) but not more than four (4) other officers in the grade of Major (O-4) or higher. The Executive Officer shall publish the names of individuals selected to serve on the CCECE once appointments are made. Terms of membership on the CCECE shall concurrent to the term of the current Executive Officer. Members of the CCECE may recuse themselves from particular cases if they believe they have a conflict of interest. Also, the Executive Officer may recuse any member who may be perceived to have a conflict of interest in any matter being heard by the CCECE. In such cases, appropriate replacement CCECE members may be temporarily appointed by the Executive Officer.

*c.* The CCECE shall as soon as practical following receipt of the complaint commence an investigation of the complaint. The investigation shall provide an opportunity for the complainant, the complainant's representative, or both, and the individual(s) accused of violating the Code of Conduct and Ethics, to present information relevant to the complaint. The parties may meet to discuss the complaint or to question each other or each other's witnesses.

*d.* Refusal by the complainant to provide the CCECE with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

*e.* Refusal by the accused officer to provide the CCECE with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a recommendation based on evidence collected that a violation has occurred and may result in the recommendation for imposition of a remedy in favor of the complainant.

*f.* To ensure that all pertinent facts are made available, the CCECE may ask other individuals to provide additional information as deemed appropriate.

*g.* Within thirty (30) days from receipt of the complaint, the CCECE shall complete their investigation and prepare a written recommendation based on their findings and forward their recommendations to the Executive Officer for action. Should a violation of the Commandant Code of Conduct and Ethics have been found to have occurred, such recommendations may include, but are not limited to verbal reprimands, written reprimands, probation, demotion, and revocation of the commission of individuals found to have violated the provisions of the Code.

*h.* Within sixty (60) days from receipt of the complaint, the Executive Officer shall prepare a written decision containing the findings and disposition of the complaint, including corrective actions, if any, the rationale for the disposition, and notice of the right to appeal the decision of the Executive Officer directly to the Commander, Youth and Community Programs Task Force for the California National Guard.

*i.* Copies of these findings will be forwarded to the complainant as well as the officer accused of violating the Code.

*j.* Any complainant may appeal the decision of the Executive Officer to the Commander, Youth and Community Programs Task Force for the California National Guard who will follow the Uniform Complaint Procedures set forth by the California National Guard.