

California Cadet Corps Adult Code of Conduct and Ethics

State of California-Military Department
Office of the Adjutant General
Headquarters, California Cadet Corps
Camp San Luis Obispo, California
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UNCLASSIFIED

SUMMARY of CHANGE

CR 1-2

Adult Code of Conduct and Ethics

- *This is a minor revision to an existing regulation.
- * Updates the regulation to include references to all CACC adults including volunteers.
- * Makes minor adjustments to the Code of Conduct and Ethics
- * Makes minor revisions to the complaint procedure
- * Introduces a new investigation procedure to be followed for California Cadet Corps investigations

ADULT CODE OF CONDUCT AND ETHICS

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Major General
The Adjutant General



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History. This is a revision to an existing regulation.

Summary. This regulation describes the California Cadet Corps (CACC) policy, procedures, and accountability for the code of conduct and ethics.

Applicability. This regulation applies to all adult members of the CACC. When a CACC adult is also an employee of a school district he or she shall be governed by such district's regulations, policies, procedures, and accountability regarding code of conduct and ethics. Military members who work with the CACC but are not members will be held to the standards herein, and their ability to continue to work with cadets may be restricted as a result of not following these standard.

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 staff member, HQ, CACC. 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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CHAPTER 1

GENERAL

1-1. Purpose.

This regulation provides standards of conduct and a code of ethics for adults working with the California Cadet Corps (CACC). Each adult member of the CACC, and members of the military who work with the CACC, shall comply with this regulation. This regulation ensures that each adult member of the CACC does 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.

1-2. References.

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

1-3. Definitions.

For the purposes of this regulation, following definitions shall apply.

- a.* Adult member means each person appointed to, or working for, the CACC, including volunteers.
- b.* Excessive physical exercise means more than 20 pushups, sit-ups, curl-ups, or, more than a mile of running in a two-hour period.
- c.* Staff member, HQ, CACC means an adult member assigned to the HQ, CACC.

1-4. Policy.

- a.* Each adult member shall comply with this regulation.
- b.* Each adult member shall maintain high standards of conduct.
- c.* Each adult member shall act in an ethical manner at all times.
- d.* Each adult member shall act in a manner as to not bring attention to, discredit upon, or criticism towards the California Military Department, California National Guard, Youth and Community Programs Task Force, or the CACC.

1-5. Code of Conduct and Ethics.

Adult members are 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, adult members shall 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 adult members:

Principle #1: Adult members shall 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, adult members shall:

- a.* Be familiar with, and comply with, CACC regulations.

- b. Comply with orders from the Executive Officer and Brigade Advisor.
- c. When applicable, be familiar with and comply with their respective School District policies.
- d. When applicable, comply with school administrator directives.
- e. Not commit any offenses involving moral turpitude.

Principle #2: Adult members shall protect the physical, psychological, and emotional well-being of all cadets under their care and closely supervise cadets. In the spirit of this principle, adult members shall:

- a. Not use corporal punishment in any form; this includes any hitting, slapping, or physical touching of cadets, or hazing or abuse as defined in CR 2-1. It also includes assigning excessive physical exercises to any cadet. Individual school district policies may prohibit any physical exercise assigned to any cadet.
- b. Ensure that humiliating, degrading, or stigmatizing behaviors are identified, reported, and corrected.
- c. Not consume alcohol or be under the influence of alcohol while on duty.
- d. Not use illegal drugs or be under the influence of illegal drugs while on duty.
- e. Not use prescribed drugs which may impair the judgment of the adult member while on duty without the written permission of a supervisor.
- f. Not use tobacco in the presence of cadets.
- g. 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: Adult members shall lead by example and shall respect others. In the spirit of this principle, adult members shall:

- a. Avoid obscene language while on duty.
- b. Not threaten, demean, intimidate, degrade, or purposely offend others.
- c. Promote respect and appreciation for others regardless of race, religion, gender, sexual orientation, national origin, religion, or disability.
- d. Treat cadets fairly.
- e. Engage in only appropriate communications with cadets, avoiding even the perception of an improper relationship, verbal or written messages that might be taken as unseemly or unprofessional, or actions that would convey improper interest in any type of deeper relationship than commandant to cadet.
- f. Respect different opinions and points of view.
- g. Attend all required events.
- h. Report absences from required cadet events in a timely manner to a supervisor.
- i. Not make false or malicious statements about others.

Principle #4: Adult members shall act with integrity, properly handle public funds, and state and school district property. In the spirit of this principle, adult members shall:

- a. Be accountable (receipts and records) for public funds and state and school district property.
- b. Submit accurate reports, property book, experience, qualifications, or other information required by the CACC.
- c. Not co-mingle funds.
- d. Not use school or CACC equipment for personal use without permission.
- e. Not accept gifts from parents, cadets, or other parties in exchange for favors or special considerations.
- f. Use equipment safely and properly.
- g. Not steal money or property from the CACC or school district.
- h. Not use CACC titles, uniforms, or identification cards for personal gain, or 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 any adult member use any of the aforementioned, with 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 California Military Department for any business or commercial enterprise.

i. Not use the CACC titles or uniforms at any political activity, including testimony before any legislative body, support of any political candidate, or in support/opposition of any political issue or legislative activity. Exceptions to this prohibition can only be granted, in writing, by the Adjutant General or designee.

Principle #5: Adult members shall keep information of colleagues and cadets confidential, and will keep accurate personnel records. Adult members shall submit required personnel reports and information in a timely manner. In the spirit of this principle, adult members shall:

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

Principle #6: Adult members shall communicate with subordinates, colleagues, and superiors, while respecting the Chain of Command as prescribed in CR 3-22. In the spirit of this principle, adult members shall:

- a.* Use e-mail for the communication of information.
- b.* Attempt to resolve and mediate conflicts with the individuals involved.
- c.* Discuss matters which cannot be resolved with the Brigade Advisor .
- d.* Keep the Brigade Advisor informed of their successes and challenges.
- e.* 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.
- f.* Not commit acts of insubordination.

Chapter 2

Complaint and Investigation Procedures

2-1. Complaint Procedures.

a. Any complaint alleging a violation of the CACC Code of Conduct and Ethics must be submitted in writing, to the Executive Officer, CACC. If for any reason the complainant is unable to put the complaint in writing, an adult member of the CACC shall assist the complainant in the filing of the complaint. If possible, the complaint should reference the part(s) of the Code of Conduct and Ethics regulation that have been violated.

b. The complainant must sign and date the complaint.

c. Complaints must be received no later than six (6) months after the alleged violation(s) occurred, or no later than six (6) months after the complainant first obtained knowledge of the alleged violation. An anonymous complaint that contains enough information to be investigated shall be acted upon.

d. A complaint about violation of the Code of Conduct and Ethics may be internally generated based on misconduct or receipt of information by the Executive Officer about an incident. An example of this would be something that occurs at a CACC activity that appears to violate the Code of Conduct and Ethics. A written complaint is not necessary to initiate an investigation into such an incident.

2-2. Investigation Procedures.

a. The Executive Officer shall appoint an officer to investigate the complaint within 96 hours of receipt. Such appointment shall be done with a Memorandum of Appointment listing the start date, suspense date for the report, list of allegations, list of known witnesses, and appointing a Judge Advocate to assist the investigating officer.

b. Refusal by the complainant to provide the investigating officer with documents or other evidence related to the allegations in the complaint, or to otherwise refuse to cooperate in the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

c. Adult members shall cooperate with an investigating officer. Adult members who refuse to cooperate with an investigating officer may face disciplinary action up to and including separation from service.

d. To ensure that all pertinent facts are made available, the assigned officer may ask other individuals to provide additional information as deemed appropriate.

e. The investigating officer shall prepare a written report, establish findings based on a preponderance of evidence, and recommendations about policy, procedures, and other improvements. The CACC or Youth & Community Programs Task Force (YCPTF) legal advisor shall review the written report, findings, and recommendations to ensure they are legally sufficient. Then the written report shall be presented to the Executive Officer for further action.

f. Within thirty (30) days from receipt of the investigating officer's report, the Executive Officer shall prepare a written decision containing the findings and disposition of the complaint, including corrective actions if any, disciplinary 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, YCPTF for the California National Guard.

g. The Executive Officer shall inform the complainant of the disposition of the allegations. The Executive Officer shall provide a copy of the written decision to the accused member. The original complainant may or may not receive specific information regarding the disposition of the complaint (based on privacy issues and recommendation by legal advisor), but will receive a close-out briefing from the Executive Officer.