

#### **DEPARTMENT OF THE NAVY** OFFICE OF THE CHIEF OF NAVAL OPERATIONS 2000 NAVY PENTAGON

**WASHINGTON DC 20350-2000** 

**COCINST 5351.3** 12 Nov 2024

## CHIEF OF CHAPLAINS INSTRUCTION 5351.3

From: Chief of Chaplains

Subj: PROFESSIONAL NAVAL CHAPLAINCY ACCOUNTABILITY

Ref: See enclosure (1)

Encl: (1) References

- 1. Purpose. In furtherance of references (a) through (f), which require the Chief of Chaplains (N097) as the Director of Religious Ministry (DORM) for the Department of the Navy (DON) and the Type Commander (TYCOM) of the Chaplain Corps (CHC) to maintain the standards of Professional Naval Chaplaincy (PNC) and for the delivery of Religious Ministry (RM) throughout the DON, this instruction is promulgated:
  - a. to protect those the CHC is called to serve;
  - b. to cultivate a PNC accountability mindset;
- c. to establish the framework for holding PNC practitioners, as defined in reference (e), accountable to the standards of PNC, as set forth in references (a) through (g), so that the CHC is postured to create, increase, and sustain Spiritual Readiness, as defined in references (b) though (d), of Sailors, Marines, Coast Guardsmen, and authorized users, as defined in reference (a);
- d. to increase transparency and predictability amongst commanders, PNC practitioners, and Ecclesiastical Endorsing Agents (EEA) by establishing an objective process for PNC accountability that maximizes shared decision-making; and,
  - e. to establish a PNC Standards Review Board.
- 2. Scope and Applicability. This instruction applies to all Navy chaplains, Religious Program Specialists (RP), chaplain candidate officers, United States Coast Guard Auxiliary Chaplain Support (ACS) chaplains, and all other PNC practitioners and is pursuant to references (a) through (r).

# 3. Guiding Principles

a. Pursuant to reference (e), the DON expects the PNC community to deliver effective and relevant RM, be resilient in all our endeavors, maintain credibility as professionals, and enhance the Spiritual Readiness of warfighters and their families.

- b. Pursuant to reference (e), authorized users look to PNC practitioners as their moral and ethical guides, especially chaplains, and expect PNC practitioners to: model Spiritual Readiness; adhere to PNC standards; deliver appropriate RM oriented to serving their needs; be open, honest, and straightforward; and, honor their confidential communications, as described in reference (h), as private.
- c. Nothing in this instruction circumvents any processes owned outside of N097's purview nor does the guidance contained within infringe on the rights afforded to PNC practitioners by said processes.

## d. The PNC community:

- (1) Expects commanders will take any appropriate action when a PNC practitioner's misconduct breaches the standards of references (i) and (j) or applicable contract or statement of work, exercising their own personal discretion when evaluating each individual case for any potential administrative or disciplinary measures;
- (2) Recognizes EEAs' authorities and encourages them to hold their chaplains and chaplain candidate officers accountable:
- (a) for the delivery of faith-group specific ministry according to their Religious Organization's (RO) manner and form; and,
- (b) when a chaplain's, or chaplain candidate officer's, misconduct breaches the standards set forth by their RO.
- (3) Expects RPs, in the rank of E-7 and above, to guide and advise RPs on standards of performance and conduct, train junior rank chaplains and provide them guidance in developing leadership skills, and advise the chain of command on enlisted matters effecting PNC, within and outside of the PNC community.

#### 4. Policy

- a. PNC Accountability Mindset. Aligned with reference (m) and empowered by the responsibility to think, act, and operate differently (reference (r)), the PNC community must close the gap between our best and our worst performers by being intentional about PNC leadership development and cultivating an accountability mindset within the PNC community in order to protect those the CHC is called to serve. PNC leadership development is further described in enclosure (2) of reference (e).
- (1) A PNC accountability mindset establishes a baseline understanding of the PNC standards for all PNC practitioners and builds a framework for holding PNC practitioners accountable to those standards.

- (2) A PNC accountability mindset enables the PNC community to be self-assessing and self-correcting.
- (3) Our PNC accountability mindset must be rooted in a PNC culture that seeks to leverage peer-to-peer accountability prior to using any other formal or informal set of Navy-proven leadership or problem-solving practices.
- (4) A PNC accountability mindset requires coaching, mentoring, and supervision, as described in references (a) and (e), to be ongoing and continuous, especially when a PNC practitioner fails to maintain PNC standards.
- (5) Our PNC accountability mindset requires PNC supervisors to be actively using the PNC accountably tools highlighted in section 4, enclosure (4) of reference (e).
- (6) The PNC accountability mindset expects appropriate authority to use all available formal and informal, Navy and Religious Organization, proven leadership toolsets for enabling the PNC community to cultivate process improvement.
- b. Critical Notification Requirement (CNR) 6, as set forth in enclosure (14) of reference (e), is hereby modified as follows: "Events involving a Religious Ministry Team (RMT) member that could discredit or embarrass the CHC (such as: legal or disciplinary actions, arrest, unauthorized absence (UA), notification for UCMJ Article 15 procedures ("Captain's Mast"), Court-Martial, loss of Religious Organization Endorsement, initiation of a command investigation concerning one or more alleged UCMJ violations, or an observed pattern of a PNC's practitioner's inability to adhere to the PNC standards per COCINST 5351.3)."
- c. Professional Naval Chaplaincy (PNC) Standards Review Board. This instruction establishes a PNC Standards Review Board. The PNC Standards Review Board must play an essential role in formally assessing the veracity and nature of any alleged misconduct by a chaplain or RP and advise on the most appropriate authority route(s) in order to hold the PNC practitioner formally accountable.
- (1) The PNC Standards Review Boards is established in order to incorporate shared-decision making into the advisement process so that N097, commanders, and EEAs receive objective, unbiased, and actionable advice when misconduct from a chaplain or RP is involved.
- (2) Formal requests by the PNC Standards Review Board to reevaluate professional certification will be held in abeyance until the conclusion of any punitive or disciplinary process under reference (i) or administrative action under references (j), (n), or other applicable authority initiated by their commander. The PNC Standards Review Board may not submit a formal request to reevaluate professional certification if an EEA has withdrawn a chaplain's endorsement.

- (3) When the misconduct was conducted by a chaplain, the PNC Standards Review Board will be comprised of:
  - (a) Executive Assistant to the Chief of Chaplains (N097A, Chair);
  - (b) the chaplain's PNC Senior Supervisory Chaplain, as defined in reference (a); and,
- (c) three chaplains who are standing members of the Professional Naval Chaplaincy Executive Board (PNCEB). PNCEB is further described in reference (k).
- (4) When the misconduct was conducted by a RP, the PNC Standards Review Board will be comprised of:
  - (a) N097A;
  - (b) Senior Enlisted Leader (N097E, Chair), as defined in reference (a);
  - (c) the RP's Senior Supervisory Chaplain; and,
- (d) at least two RPs who are standing members of the PNCEB, one of whom must be from within the RP's PNC supervisory chain.
- d. Pursuant to section 9.a.(1), enclosure (1) of reference (f), Commanding Officer, Naval Chaplaincy School retains the authority to relieve chaplains who fail to meet accession training requirements or adapt to the standards of PNC during PNC-BLC.

## 5. Responsibilities

- a. Chief of Chaplains (N097):
- (1) Exercises the authorities and responsibilities as set forth in all applicable laws, regulations, policies, and instructions.
- (2) In line with references (a) and (f), certify Navy chaplains (designators: 4100 and 4105) and chaplain candidate officers (designator: 1945) for service in the Chaplain Corps pursuant to DON guidance and, as such, may also decertify 4100s, 4105s, and 1945s for failing to maintain PNC standards.
- (3) May reject Chaplain Appointment and Retention Eligibility Board's (CARE-AG, reference (l)) recommendation as it relates to decertification.

- (a) When doing so, N097 may send the case back to either the PNC Standards Review Board or the CARE-AG chair with instructions for how to correct the procedural errors that N097 believes led the CARE-AG to the wrong conclusion.
- (b) The option to return the case to either the PNC Standards Review Board or the CARE-AG chair is limited to the decertification process only and is not applicable to the certification or recertification processes for 4100s, 4105s, or 1945s.
- (4) May request the RP Enlisted Community Manager remove an RP's rate for failing to maintain PNC standards and for loss of confidence following referral to the PNC Standards Review Board in accordance with 6.b of this instruction.
  - b. Executive Assistant to the Chief of Chaplains (N097A) will:
    - (1) Establish Business Rules for the PNC Standards Review Board.
    - (2) Convene the PNC Standards Review Board as needed or required.
- (3) Appoint PNC Standards Review Board members prescribed by sections 4.c.(3)(c) and 4.c.(4)(d) of this instruction.
- (4) Chair all PNC Standards Review Board meetings that involve misconduct of a chaplain.
- (5) Notify EEA and chaplain of the PNC Standards Review Board's intent to submit a formal request to reevaluate professional certifications and that they will appear before the next month's scheduled CARE-AG (reference (l)) unless the EEA intends to withdrawal their endorsement.
- (6) Maintain a record of N097's decertification decision point for all PNC Standards Review Board's formal requests for reevaluation of professional certification and turn this record over to future N097As.
- (7) As authorized by N097, engage EEAs once the nature of misconduct of a chaplain has been defined.
  - c. Senior Enlisted Leader (N097E) will:
    - (1) Chair all PNC Standards Review Board meetings that involve misconduct of a RP.
- (2) Notify RPs of the PNC Standards Review Board's intent to evaluate Sailors' continued service as an RP, following referral to the PNC Standards Review Board in accordance with section 6.b of this instruction.

- (3) Notify RP Enlisted Community Manager of N097's desire to have an RP's rate removed, following referral to the PNC Standards Review Borad in accordance with section 6.b of this instruction.
  - d. Professional Naval Chaplaincy (PNC) Standards Review Board:
- (1) The PNC Standards Review Board must ask a series of questions in order to properly assess the nature of the allegations regarding professional misconduct so that the most appropriate authority route(s) may be initiated. While each authority route is separate, they may also run concurrently.
  - (a) Did the misconduct breach the standards of reference (i)?
  - (b) Did the misconduct breach the standards of PNC?
  - (c) Did the misconduct breach the standards of the chaplain's RO?
- (2) The PNC Standards Review Board must review the totality of the PNC practitioner's alleged professional misconduct, including any matters the PNC Standards Review Board previously reviewed.
- (3) The PNC Standards Review Board may submit a formal request to N097 via the CARE-AG for the reevaluation of a chaplain's professional certification as a Navy chaplain.
- (4) The PNC Standards Review Board should evaluate an RP's fitness for continued service as an RP and may submit a formal request to N097 for the removal of their rate for loss of credibility, as authorized by reference (q).
  - e. Chaplain Appointment and Retention Eligibility Board (CARE-AG):
- (1) Will reevaluate the professional certification of chaplains referred to them by the PNC Standards Review Board pursuant to the process described for an applicant in reference (l). The chaplain's senior supervisory chaplain is precluded from serving on the CARE-AG that reevaluates their chaplain's professional certification.
- (2) Must provide a recommendation for chaplains referred for either a) retention and continuation as a Navy chaplain, or b) decertification. Recommendations must be based solely on the information provided by the PNC Standards Review Board and by the chaplain via N097A.
- f. PNC Practitioners. PNC practitioners must adhere to the standards set forth in all applicable laws, regulations, policies, and instructions and should assist the PNC community in holding each other accountable to those standards.

## g. Supervisory Chaplains:

- (1) Should exemplify section 4.a.(4) of this instruction throughout the PNC accountability process described in section 6 of this instruction.
- (2) Will offer objective and actionable advice, pursuant to references (a) and (e), to commander(s) once misconduct has been alleged and throughout the PNC process described in section 6 of this instruction.
- 6. <u>Professional Naval Chaplaincy (PNC) Accountability Framework</u>. The following establishes the PNC accountability framework for each primary category of PNC practitioners when professional misconduct is alleged or substantiated:

#### a. Chaplains:

- (1) A detailed flow chart depicting the PNC accountability process for chaplains is located at https://www.milsuite.mil/book/docs/DOC-1347478 and on the Naval Chaplaincy School's application. The flow chart may also be obtained by contacting the Chief of Chaplains' office at chiefofchaplains1@us.navy.mil.
- (2) PNC supervisory chaplains, via the first O-6 chaplain in their PNC supervisory chain, will refer a chaplain to the PNC Standards Review Board when said chaplain is notified for Article 15 procedures ("Captain's Mast") or court-martial, and the basis or bases for this notification (the alleged violations of reference (i)) were not previously reviewed by the PNC Standards Review Board.
- (3) Chaplains will have 14 calendar days in which to provide a written statement, if so desired, to N097A once notified of the PNC Standards Review Board's intent to make a formal request to reevaluate professional certification. Written statements may also include a letter from their EEA. N097A may extend this deadline on a case-by-case basis.

#### b. Religious Program Specialist (RPs):

- (1) PNC supervisory chaplains, via the first O-6 chaplain in their PNC supervisory chain, will refer a RP to the PNC Standards Review Board once a RP is determined to have committed one or more violations of reference (i) through Article 15 ("Captain's Mast") procedures or court-martial.
- (2) RPs will have 14 calendar days in which to provide a written statement, if so desired, to N097E once notified of the PNC Standards Review Board's intent to make a formal request to N097 for the removal of their rate, per reference (q). N097E may extend this deadline on a case-by-case basis.

c. Chaplain Assistants. Command chaplains must advise commanders, command's senior enlisted leader, and other authorities, as applicable, immediately following the allegation of misconduct by a chaplain assistant. Based on the nature of alleged misconduct, the command chaplain may recommend the commander revoke their appointment as a chaplain assistant; however, once substantiated, the command chaplain should respectfully request their commander revoke the chaplain assistant's appointment.

## d. Chaplain Candidate Officers:

- (1) The Chaplain Candidate Program Manager must notify Force Chaplain, Commander Navy Reserve Forces Command, and Director, Chaplain Accessions Program of all alleged or substantiated misconduct by a chaplain candidate officer.
- (2) Commander Navy Recruiting Command, based on advisement of N097 and the Chaplain Candidate Program Manager, retains the authority to disenroll chaplain candidate officers from the Chaplain Candidate Program for the disenrollment criteria set forth in section 4, enclosure (2) of reference (f).
- (3) Force Chaplain, Commander Navy Reserve Forces Command, or Director, Chaplain Accessions Program, may recommend disenrollment for additional PNC standards violations to N097 via the PNC Standards Review Board.
- (4) Chaplain candidate officers will have 14 calendar days in which to provide a written statement, if so desired, to N097A once notified of the PNC Standards Review Board's intent to advise N097 to recommend disenrollment from the Chaplain Candidate Program. Written statements may also include a letter from their EEA. N097A may extend this deadline on a case-by-case basis.
- e. Faith Group-Specific Religious Lay Leaders. Pursuant to reference (n), faith group-specific religious lay leaders can be terminated if / when their conduct is contrary to good order and discipline, hinders accomplishment of the command religious program, reflects adversely upon their command, or fails to adhere to PNC standards.

## f. United States Coast Guard Auxiliary Chaplain Support (ACS) Chaplains:

- (1) In line with references (d) and (p), Navy chaplains assigned to the Coast Guard and supervising ACS chaplains must immediately notify the Chaplain of the Coast Guard, via their Area Chaplain, of any and all alleged or substantiated misconduct by an ACS chaplain.
- (2) Chaplain of the Coast Guard may refer ACS chaplains to the PNC Standards Review Board prior to suspending or removing them from the ACS program, but has no obligation to do so.

- (3) ACS chaplains will have 14 calendar days in which to provide a written statement, if so desired, to N097A once notified by the Chaplain of the Coast Guard of intent to refer an ACS chaplain to the PNC Standards Review Board.
- g. Civilian Command Religious Program (CRP) Volunteers. Command chaplains must advise commanders and other authorities, as applicable, immediately following the allegation of misconduct by a CRP volunteer. Based on the nature of alleged misconduct, the command chaplain may preclude the volunteer from participating in the CRP until the investigation is complete. If substantiated, the command chaplains must notify the volunteer and inform the commander, via official Navy correspondence, that they no longer will be able to serve as a volunteer within the CRP. The letter shall remain on file for a period of no less than 7 years.
- h. Civilian Employees. Command chaplains must notify commanders, appropriate Human Resource Officer, and other authorities, as applicable, of any and all allegations of misconduct immediately following the allegation of misconduct. Any civilian employee accountability actions will occur pursuant to applicable laws and regulations.
- i. Contractors. Command chaplains must advise commanders, Contracting Officials, and other authorities, as applicable, immediately following the allegation of misconduct by a contractor. Contractor matters must be processed, per the guidelines contained within their contract, immediately following the substantiation of misconduct per the guidance rendered by appropriate legal and human resource offices.

## 7. Records Management

- a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned per the records disposition schedules located on the DON Assistant for Administration, Directives and Records Management Division portal page at https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx.
- b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact the local records manager or the OPNAV Records Management Program (DNS-16).
- 8. Review and Effective Date. Per OPNAVINST 5215.17A, N097 will review this instruction annually around the anniversary of its issuance date to ensure applicability, currency and consistency with Federal, Department of Defense, Secretary of the Navy, and Navy policy and statutory authority using OPNAV 5215/40 Review of Instruction. This instruction will be in effect for 10 years, unless revised or cancelled in the interim, and will be reissued by the 10-year anniversary date if it is still required, unless it meets one of the exceptions in OPNAVINST 5215.17A, paragraph 9. Otherwise, if the instruction is no longer required, it will be processed

for cancellation as soon as the need for cancellation is known following the guidance in OPNAV

Manual 5215.1 of May 2016.

3. N. TODD

Releasability and distribution:

This instruction is cleared for public release and is available electronically only via DoD Issuances website, https://www.secnav.navy.mil/doni/default.aspx.

#### References

- (a) SECNAVINST 1730.7E
- (b) OPNAVINST 1730.1F
- (c) MCO 1730.6G
- (d) COMDINST 1730.4D
- (e) COCINST 5351.1
- (f) OPNAVINST 1120.9B
- (g) DoD Instruction 1304.28 CH-1 of 8 May 2024
- (h) SECNAVINST 1730.11
- (i) Uniform Code of Military Justice (UCMJ)
- (j) Manual for Courts-Martial (MCM)
- (k) COCINST 1730.4A
- (l) COCINST 1110.1J
- (m) Navy Leader Development Framework Version 3.0
- (n) U.S. Navy Regulations (1990)
- (o) NTTP 1-05.1M
- (p) COMDINST 1730.5B
- (q) MILPERSMAN 1440-011
- (r) Culture of Excellence 2.0