FY-05 OFFICER CONTINUATION SELECTION BOARD GUIDANCE

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APPENDIX - A

GENERAL GUIDANCE

1. **Duties of the Board President**. The president of the board has been appointed by me and shall perform prescribed administrative duties. The board president has no authority to constrain the board from recommending for continuation those officers that the majority finds fully qualified to meet the needs of the Navy. The board president shall ensure that the directions concerning board proceedings, listed below, are read to each board member, recorder, and administrative support person on the convening date of the board or on the date of assignment to the board, whichever is later.

2. **Board Proceedings**. The following directions concerning communications and information apply to all board proceedings:

a. Each of you (president, members, recorders, and administrative support personnel) is responsible to maintain the integrity and independence of this selection board, and to foster careful consideration, without prejudice or partiality, of all eligible officers.

b. You must pay particularly close attention to the rules governing communications with and among other board members, the information authorized to be furnished to you, and the procedures you should follow if you believe that the integrity of this selection board has been improperly affected.

c. You may not receive, initiate, or participate in communications or discussions involving information precluded from consideration by a selection board. You are to base your recommendations on the material in each officer's military record, any information I have provided to the board, and any information communicated to you by individual eligible officers under regulations I have issued. In your deliberations, you may discuss your own personal knowledge and evaluation of the professional qualifications of eligible officers to the extent that such matters are not precluded by law or Service regulation from consideration by a selection board or inclusion in an officer's military personnel record. You may not discuss or disclose the opinion of any person not a member of the board concerning an officer being considered unless that opinion is contained in material provided to the board.

d. When discussing your own personal knowledge concerning the professional qualifications of eligible officers, the board is reminded that if personal remarks, based on a member's personal knowledge, could be considered adverse, the member cannot discuss any personal knowledge or evaluation unless such matters are contained in the officer's official record or other material placed before the board in compliance with the law and Service regulation. In addition, should an officer's record reveal the removal of a fitness report, the member may not discuss any personal knowledge regarding the circumstance which resulted in the removal of the report.

e. I am the only person who may appear in person to address you on other than administrative matters. All communications with this board, other than those that are clearly administrative, must be in writing, given to each of you, and made part of the board's record. I have designated in writing those persons authorized to provide routine administrative information to you.

f. Before the report of the continuation selection board is signed, the recommendations may be disclosed only to members of the board, recorders, and those administrative support personnel I have designated in writing. After you sign the board report, only the recommendations of the board may be disclosed. Except as authorized by sections 616(e), 618(f), 14104, or 14108(d) of title 10, U.S. Code, the proceedings of the board may not be disclosed to any person not a board member or board recorder.

g. If at any time you believe that you cannot in good conscience perform your duties as a member of the board without prejudice or partiality, you have a duty to request relief by me from this duty. I will honor any such request. If a member or recorder believes that the integrity of the board's proceedings has been affected by improper influence of military or civilian authority, misconduct by the board president or a member, or any other reason, or believes someone is exerting or attempting to exert inappropriate influence over the board or its proceedings, he or she has a duty to request from me or the Secretary of Defense relief from the obligation not to disclose board proceedings and, upon receiving it, to report the basis for this belief.

3. **Adverse Information in the Official Record**

a. Just as you must consider positive performance, you must consider documented incidents of misconduct and substandard performance which are included in an officer's official service record in determining those officers who are fully qualified for continuation. Members must give careful consideration to each incident. For those eligible officers who are recommended for continuation and who have received disciplinary action, or whose privileged information record (Fiche Five/EMPRS Field Code 17) contains matters relating to conduct or performance of duty, every board member shall review the information contained therein personally prior to the final board decision.

b. Faced with many well-qualified officers, there may be a tendency to simplify your task by summarily putting aside the folders of officers whose past records are less than perfect; however, to do this is to fall short of your obligation. A judgment of the whole person and the whole record is required to determine whose future potential will serve the Navy best. You may conclude that particular adverse information undermines an officer's ability to serve successfully, despite an otherwise outstanding record. On the other hand, you may find that an officer's overall outstanding performance demonstrates such potential for future service that it outweighs any deficiency noted in the record. Some officers will have learned from their mistakes in ways that make them stronger; others will have strengths that outweigh relative weaknesses in their records.

c. Make the best, not simply the most obviously defensible, choices. By doing this you will not only fulfill your obligation, you will also better serve the Navy.

4. **Marital Status**. Continuation boards are prohibited from considering the marital status of a member or the employment, education, or volunteer service of a spouse.

5. **Area Tours**. Repeated tours in a particular geographic location should not be considered negatively, provided the officer has progressed in billet complexity, professional development, and leadership responsibility.

APPENDIX - B

SKILLS GUIDANCE

1. **"Fully Qualified" Standard**. Navy policy regarding application of the statutory "fully qualified" standard is as follows: The needs of the Navy dictate that our officers possess the qualities to excel in support of operational commanders or positions of leadership in direct support of fleet operations. Proven excellence in leadership positions is the ultimate measure of the qualities required. Officers may have also demonstrated leadership, skill, integrity, and resourcefulness in other difficult and challenging joint and in-service assignments.

2. **Graduate Education**. Graduate education and specialty skills, represented by proven subspecialties, are important to our Navy and represent a key investment in our future. The Navy needs officers with formal technical and military education in a time of increasing technological sophistication. Advanced education achievement is a significant career milestone in the development of future Navy leadership. The utilization of advanced education in subspecialty tours is an equally significant career milestone. In determining an officer's fitness for selection, you shall favorably consider graduate degrees, military education, and experience in specialized areas.

3. **Innovation and Efficiency**. In your deliberations, give careful consideration to the fact that the needs of the Navy have changed over the years and will continue to change. Please be especially alert for officers who embrace innovation and efficiency to find new solutions to our most challenging problems. The Navy needs bold officers who are willing to think creatively, take well-calculated risks, develop new ideas, and maximize capabilities through sound management practices. Seek to select officers who have shown initiative in finding and pursuing the most effective ways of accomplishing our mission. In your consideration, recognize that the continued preeminence of the Navy in the future is inextricably linked to its ability to change and to manage for efficiency. I note also, in this regard, that officers with the greatest capacity for innovation and management efficiency may have had some billets different from the norm. In the context of a changing Navy, fully qualified officers may reflect a variety of backgrounds and proven records of accomplishment.

APPENDIX - C

EQUAL OPPORTUNITY GUIDANCE

1. The Department of the Navy is dedicated to equality of treatment and opportunity for all personnel without regard to race, creed, color, gender, or national origin. The Navy strives to maintain a professional working environment in which an individual's race, creed, color, gender, or national origin will not limit his or her professional opportunities. Accordingly, within this board's charter to determine those officers who are fully qualified, you must ensure that officers are not disadvantaged because of their race, creed, color, gender, or national origin.

2. Your evaluation of all officers must afford them fair and equitable consideration. You should be particularly vigilant in your evaluation of records to take care that no officer's continuation opportunity is disadvantaged by service utilization policies or practices. You should evaluate each officer's potential for continuation, the overriding factor being performance of assigned duties.

3. The Navy has assigned some officers outside of traditional career development patterns, e.g., institutional instructors, recruiting and equal opportunity billets. In addition, other utilization policies or practices, such as those based on statutory restrictions on the assignment of women, may have had an effect on career opportunities. These assignments, though beneficial to the Navy, may have foreclosed to the officers so assigned opportunities available to other officers. Such assignment practices should not prejudice the selection of these officers for continuation. Successful performance of assigned duties is the key in measuring an officer's potential for continuation. Accordingly, in determining the qualification for continuation of any officer who has been affected by such utilization policies or practices, duty performed well in such assignments should be given weight equal to duty performed well by an officer not affected by such policies or practices.

4. This guidance should not be interpreted as requiring or permitting preferential treatment of any officer or group of officers on the grounds of race, creed, color, gender, or national origin.

APPENDIX - D

BOARD REPORTS

1. The record of the board's proceedings shall be compiled by the recorders and administrative support staff. The written report of the board shall be signed by the board president, the board members, and board recorders. It shall contain a list of the officers recommended for continuation with appropriate selection statistics, as well as the following items:

a. Convening notice.

b. All instructions, information, and guidance that were provided to the board, under section 576 of title 10, U.S. Code, except information concerning particular officers, which must be retained and transferred to the Chief of Naval Personnel.

c. Certification that:

(1) To the best of your knowledge, the board complied with all instructions contained in the precept and, as appropriate, other letters of guidance or instruction provided by me;

(2) You were not subject to or aware of any censure, reprimand, or admonishment about the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board;

(3) You were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations;

(4) You were not party to or aware of any attempt at unauthorized communications;

(5) To the best of your knowledge, the board carefully considered the record of each officer whose name was furnished to the board;

(6) In the opinion of the majority of the members of the board, the officers recommended for continuation are fully qualified to meet the needs of the Navy and their continuation is in the best interest of the Navy;

(7) You are aware that the names of the selectees will be released to the public after the board report is approved, and you know that you may not disclose recommended selectees until the names are released to the public; and

(8) You understand that, except as authorized by sections 616(e), 618(f), 14104, or 14108(d) of title 10, U.S. Code, you may never disclose the proceedings and deliberations of the board to any person who is not a board member or board recorder.

d. A list of all officers eligible for consideration.

e. Precept.

2. The report shall be forwarded for approval to me via, first, the Chief of Naval Personnel; second, the Chief of Naval Operations; and third, the Judge Advocate General of the Navy for legal review.

APPENDIX - E

OATHS

1. The president of the board(s) shall administer the following oath or affirmation to the recorder and assistant recorders:

> "Do you, and each of you, solemnly swear (or affirm) that you will keep a true record of the proceedings of this board, and you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority, so help you God?"

2. The recorder shall then administer the following oath or affirmation to the members of the board(s):

> "Do you, and each of you, solemnly swear (or affirm) that you will perform your duties as a member of this board without prejudice or partiality, having in view both the special fitness of officers and the efficiency of the Naval Service, and you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority, so help you God?"

3. The recorder shall then administer the following oath or affirmation to administrative support personnel:

> "Do you, and each of you, solemnly swear (or affirm) that you will not divulge the proceedings of this board except as authorized or required by the Secretary of the Navy or higher authority, so help you God?"