



DEPARTMENT OF THE NAVY
COMMANDING OFFICER
U.S. NAVAL STATION GUANTANAMO BAY CUBA
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NSGBINST 1754.1B CH-1
N9
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NSGB INSTRUCTION 1754.1B CHANGE TRANSMITTAL 1

From: Commanding Officer, U.S. Naval Station, Guantanamo Bay, Cuba

Subj: PARENTAL RESPONSIBILITIES AND SUPERVISION OF CHILDREN

Ref: (a) OPNAVINST 1752.2C

Encl: (1) Parental Absence Notification and Temporary Guardian Acceptance of Responsibility
(2) Age Summary Matrix

1. Purpose. This instruction issues policies and regulations for the care, custody, and supervision of children at U.S. Naval Station, Guantanamo Bay, Cuba (NSGB).

2. Cancellation. NAVSTAGTMOINST 1754.1B.

3. Scope and Applicability. This instruction applies to all persons at NSGB without regard to rank, nationality, or military status. This instruction imposes legal duties and may be enforced via administrative measures such as revocation of entry approval and termination of residency privileges. This instruction is a lawful punitive order enforceable against military members under the Uniform Code of Military Justice.

a. Excepted Activities. Except where specifically stated otherwise, this instruction does not apply to activities sponsored and administered by the Department of Defense Education Activity and Morale, Welfare, and Recreation (MWR).

4. Definitions. Unless specifically indicated otherwise, the following definitions apply throughout this instruction:

a. Child or Children. Any person not yet 18 years old, who is not currently on active duty in the U.S. Armed Forces, and to whom entry approval has been granted as a dependent, ward, or guest.

b. Parent. The natural or adoptive parent of a child, or a person to whom legal custody or guardianship has been granted by order of a court of competent jurisdiction, written agreement binding all cognizant parties, or acting as the sponsor of the child.

c. Temporary Guardian. Any person to whom temporary custody of a child has been granted by the child's parent.

d. Young adult. Any person who is at least 18 but less than 21 years old, a high school graduate or equivalent, not currently on active duty in the U.S. Armed Forces, and to whom entry approval has been granted as a dependent, ward, or guest.

5. Responsibilities of Parents and Guardians. Parents and guardians are responsible for the care and custody of children and young adults. Parents and guardians must ensure that the following minimum levels of supervision are provided:

a. Mandatory School Attendance. Each child must attend school full-time in the grade for which he or she is eligible.

b. Home Instruction. Prior to starting a home instruction program, parents must notify the Commanding Officer (CO), via the school Liaison Officer, in writing of the name and age of each child who will participate.

c. Supervision of children and young adults

(1) Child supervision (care for self):

(a) Children age five years and under must not be left alone for any period of time. Children in this age group must be under direct parental supervision, the supervision of a designated adult (e.g. teacher, Community Youth Program professional), or the supervision of a caregiver or babysitter.

(b) Children age six to nine years must be within sight or sound of the person responsible for their supervision. They must not be left unattended in quarters overnight and may not be responsible for the supervision of other children, including siblings.

(c) Children aged 10 to 11 years may be unsupervised for periods not to exceed 2 hours. They must not be left unattended in quarters overnight and may not be responsible for the supervision of other children, including siblings.

(d) Children aged 12 to 15 years may care for self and may be home alone for up to 12 consecutive hours with periodic checks by the person responsible for their supervision. Children in this age group may be responsible for the supervision of other children, including siblings during non-curfew hours. They must not be left unattended in quarters overnight nor care for others overnight.

(e) Children aged 16 to 17 years may care for self and may be home alone (including at night) provided that they have access to adult supervision. They must not care for others overnight.

(2) Child Supervision

(a) Children younger than 12 years of age cannot care for others.

(b) Children at least 12 but younger than 18 can care for other children, but not overnight.

(c) Young adults (ages 18 and older) can care for children, including overnight.

(3) CO's Discretion. The CO reserves the discretion to suspend or revoke the ability of any adult, young adult, or child to supervise children who are not their own. Except in unusual circumstances, such suspension or revocation should only be invoked based on information provided by the Fleet and Family Service Center or the Naval Criminal Investigative Service. This provision is not intended to remove or lessen the CO's authority, per reference (a), to remove children from their homes without parental consent in certain limited situations.

a. Temporary custody during absence of parent. When both parents, and single parents, of a child are temporarily absent from NSGB for more than 24 hours, the following arrangements must be made:

(1) Appointment of Temporary Guardian. Before departing NSGB, parent(s) must appoint a temporary guardian for children who will remain at NSGB during the absence. The guardian must be at least a young adult who must be continuously present at NSGB for the duration of the parents' absence.

(a) Power of Attorney. To appoint a guardian, parent(s) must execute an in loco parentis power of attorney (CNLSC Form 5801/19). CNLSC Form 5801/19 is a controlled form not available to the public as a blank form, but the form may be obtained and executed at the Region Legal Service Office Southeast (RLSO SE) Detachment at extension 4692. The power of attorney must be notarized; notary service is also available at the RLSO SE Detachment.

(b) Responsibility. Temporary guardians must actively supervise children in the absence of the parent or legal guardian. Active supervision is the same level of age-appropriate supervision that a parent or legal guardian would reasonably provide.

(c) Alternate Temporary Guardians. Per enclosure (1), parents may designate an alternate temporary guardian to assume responsibilities if the primary temporary guardian is unable. Alternate temporary guardians must hold separate powers of attorney granting authority to them in their own names. Parents are not required to designate alternate temporary guardians; however, parents should consider the possibility that the children will be placed in other temporary guardianship at the discretion of the CO.

(2) Command Notification. Before departing NSGB, parent(s) must use enclosure (1) to notify their command(s) or employer(s) of the dates of absence, the location of their children, and the name and phone number of the designated guardian.

(a) Parents must completely fill out the notification form enclosure (1). The form must be signed by the parent(s) and temporary guardian(s) before submission to the parents' command or employer.

(b) Parents who depart NSGB for more than 24 hours without complying with the notification requirement will be subject to administrative or punitive consequences up to and including, but not limited to, federal prosecution and debarment from the installation.

(3) Responsibilities of Guardian. Guardians assume all of the duties, responsibilities and authority of the parent(s), including those imposed by this instruction, and specifically those set forth in paragraph five.

(4) Overnight Supervision. When parents or legal guardians are away from NSGB, children under the age of 18 must physically be in the same quarters with their temporary guardian during curfew hours (normally either the normal residence of the children or the normal residence of the temporary guardian, consistent with all applicable housing regulations).

(5) Alternate Care. In the event that the temporary guardians become unable to fulfill their obligations, the children will be placed in emergency care at CO's discretion until the parents' return, at

the parents' expense. Alternate care is a last resort; parents must not rely on Alternate care as a substitute for designating an appropriate temporary guardian.

6. Conduct and Behavior of Children and Young Adults

a. Accountability. Parents and guardians (including temporary guardians) are responsible for the conduct and actions of the children and young adults for whom they are responsible. Parents and guardians must take every reasonable step to ensure their dependents abide by Federal law, Navy Regulations, NSGB instructions and other instructions and directives from higher authority, and any other policies that regulate or control conduct on the installation. Failure to do so may result in administrative or punitive consequence for parents, guardians, temporary guardians, children, or young adults.

b. Curfew for Children. Except at, and traveling directly to and from, Department of Defense Education Activity and MWR-sponsored activities, all children must observe the following curfews:

(1) School Nights. On all nights before school days, children must remain at the parent's or guardian's quarters between the hours of 2200 and 0600. This curfew does not apply to children who are currently enrolled in college full time.

(2) Other Nights. On all other nights, children must remain at the parent's or guardian's quarters between the hours of 0000 and 0600.

c. Alcoholic Beverages

(1) No person may sell, give, or otherwise provide any alcoholic beverage of any kind to anyone under the age of 21 years. Consumption of alcohol during bona fide religious ceremonies conducted under the auspices of the Command Religious Program is an explicit exception to this regulation.

(2) Access to MWR Clubs

(a) Young Adults. Young adults are not permitted entry in MWR Clubs. Except for activities that also serve food. Young adults and children may enter food facilities that also serve alcohol until 2100. After 2100 only ages 21 and up may be permitted in facilities that serve alcohol. Facilities that serve only alcohol, such as the Tiki Bar and O'Kelly's Bar are 21 and over at all times, except during special events as designated by the MWR Director. Sale or distribution of alcoholic beverages to young adults is prohibited. Young adults may not consume alcoholic beverages. The MWR Director must implement effective controls (such as bracelets or wristbands) to prevent alcoholic beverage sales to, distribution to, or consumption by young adults.

(b) Children. Children are permitted to enter MWR clubs for lunch during lunch breaks from school. At all other times, all MWR clubs are off-limits to children except when dining with, or supervised by, their parent(s) or guardian(s), or while children are participating in command- or school-sponsored events at MWR clubs. The MWR Director must implement effective controls (e.g., ID check) to prevent entry by unsupervised children.

7. Form. NSGBINST 1754.1 Parental Absence Notification and Temporary Guardian Acceptance of Responsibility.

8. Responsibilities. This instruction must be administered jointly by the Fleet and Family Support Center (FFSC) and Region Legal Service Office Southeast, Detachment Guantanamo Bay, Cuba. The NSGB Security Officer, FFSC Family Advocacy Representative, and MWR Child and Youth Development Program Administrator must provide professional assistance and advice as necessary.

9. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per SECNAV Manual 5210.8F of March 2019.

10. Review and Effective Date. Per OPNAVINST 5215.17A, the Fleet and Family Support Center 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 automatically expire 10 years after effective date unless reissued or canceled prior to the 10-year anniversary date, or an extension has been granted.



M. R. STEPHEN

Releasability and distribution:

This instruction is cleared for public release, and it can be found via NSGB public share drive.

**PARENTAL ABSENCE NOTIFICATION AND
TEMPORARY GUARDIAN ACCEPTANCE OF RESPONSIBILITY**

This form must be completed each time that parents or legal guardians depart the Naval Station, leaving their child or children in the care of a temporary guardian (as defined by NSGBINST 1754.1B) for 24 hours or more. Once completed and signed by all parties, this form must be submitted to each parent's chain of command or employer.

SECTION I – PARENT(S) AND/OR PERMANENT LEGAL GUARDIAN(S)			
1. FIRST PARENT OR PERMANENT LEGAL GUARDIAN		2. SECOND PARENT OR PERMANENT LEGAL GUARDIAN	
a. LAST NAME	FIRST NAME	MI	
b. Rank/Title		c. Command/Employer/Sponsor	
d. Home Phone	Work Phone	Mobile Phone	
3. HOME ADDRESS (HOUSING UNIT)		4. DURING MY/OUR ABSENCE, CHILDREN WILL RESIDE AT:	
5. DATES OF MY/OUR ABSENCE		6. TRAVEL DESTINATION & CONTACT INFORMATION	
7. CHILDREN'S NAMES (First, Middle, Last) AND AGES:			
8. EACH PARENT OR LEGAL GUARDIAN INITIAL EACH LINE:			
		a. I have read NSGBINST 1754.1B, Parental Responsibilities and Supervision of Children. I understand the contents of this instruction, and I understand that I am bound by its provisions.	
		b. I have granted <i>in loco parentis</i> special power of attorney (NAVJAG Form 5801/19) to the Temporary Guardian(s) listed in Block(s) 11 (and 12) below. The power of attorney will not expire during my absence.	
		c. I understand that if my Temporary Guardian(s) is/are unable to fulfill their obligations, my children will be placed into emergency care at a Child Development Home until my return, at my expense.	
9. FIRST PARENT/GUARDIAN SIGNATURE		DATE	10. SECOND PARENT/GUARDIAN SIGNATURE
			DATE

SECTION II – TEMPORARY GUARDIAN(S)			
11. PRIMARY TEMPORARY GUARDIAN (Required)		12. ALTERNATE TEMPORARY GUARDIAN (Optional)	
a. LAST NAME	FIRST NAME	MI	
b. Rank/Title	c. Command/Employer/Sponsor		
d. Home Phone	Work Phone	Mobile Phone	
e. HOME ADDRESS (HOUSING UNIT)		e. HOME ADDRESS (HOUSING UNIT)	
13. EACH TEMPORARY GUARDIAN INITIAL EACH LINE:			
		a. I have read NSGBINST 1754.1B, Parental Responsibilities and Supervision of Children. I understand the contents of this instruction, and I understand that I am bound by its provisions.	
		b. I have a copy of the <i>in loco parentis</i> special power of attorney (NAVJAG Form 5801/19) referenced in Block 8(b) above. The power of attorney will not expire during the parents' absence.	
		c. I agree to <u>actively supervise</u> the children listed in Block 7 above during the absence of the parent or legal guardian. " <u>Active supervision</u> " is defined as the same level of age-appropriate supervision that a parent or legal guardian would reasonably provide.	
14. PRIMARY TEMPORARY GUARDIAN SIGNATURE		DATE	15. ALTERNATE TEMPORARY GUARDIAN SIGNATURE

AGE SUMMARY MATRIX

AGE of Child	NOT LEFT ALONE IN HOUSING FOR ANY PERIOD OF TIME		LEFT UNATTENDED IN HOUSING WITH OUTLINED CONDITIONS			CONDITIONS FOR CARE OF OTHER CHILDREN	
			NOT LEFT HOME ALONE AT NIGHT				
	Under Direct Supervision of Caregiver	Within Sight or Sound of person responsible for supervision	Unsupervised for periods not to exceed 2 hours	Unsupervised (with periodic checks by person responsible for supervision) for periods not to exceed 12 hours	May be home alone (including at night) w/ access to adult supervision	Care for other children (baby- sitting during non-curfew hours)	Care for self (Left alone in housing) and other children after curfew hours
0 - 5	X						
6 - 9		X					
10-11			X				
12-15				X		X	
16-17					X	X	
18						X	X