

# **MS 240 Immunity from Disciplinary Action in Sexual Assault Incidents**

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**Effective Date:** May 22, 2015

**Supersedes:** IPS 1-11

**Responsible Office:** Office of Victim Advocacy and Office of Global Operations

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FAQs

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## **1.0 Authority**

22 U.S.C. §2504(a).

## **2.0 Purposes**

This Manual Section establishes the Peace Corps policy of providing Volunteers who are victims of a sexual assault, as well as any witnesses who provide information or assistance in relation to the sexual assault of a Volunteer, with immunity for policy violations related to the incident.

## **3.0 Immunity for Policy Violations**

- (a) The Peace Corps will provide the Volunteer who is a victim of a sexual assault, as well as any witnesses who provide information or assistance in relation to the sexual assault of a Volunteer, with immunity for policy violations related to the incident.
- (b) Volunteers who are victims of a sexual assault or witnesses will not be subject to any disciplinary action for violations of Peace Corps policy that may have taken place in connection with, or in the same general time frame as, the incident. Prohibited disciplinary actions include, but not limited to, verbal or written reprimands, behavioral contracts or administrative separation.

## **4.0 Limitations and Exclusions**

- (a) If a case involves conduct that has an impact on a Volunteer's ability to continue to serve safely and effectively, the Volunteer's ability to continue service will be addressed through consultations among the Victim Advocate and appropriate Headquarters and post staff using the Safety Planning tool.
- (b) If a case has a significant impact on the programs or operations of the agency, the Volunteer's ability to continue service will be addressed through consultations among the

Victim Advocate and appropriate Headquarters and post staff. If necessary, see MS 284, 5.0 Interrupted Service.

- (c) This policy does not grant immunity for criminal or civil liability for violations of U.S. or local law.
- (d) Volunteers found to have encouraged or voluntarily participated in a sexual assault are excluded from this policy.
- (e) Nothing in this Manual Section is intended to preclude the Peace Corps from taking appropriate action against Volunteers who knowingly or recklessly make false statements or accusations.

## **5.0 Effective Date**

The effective date is the date of issuance.