

# MS 240 Immunity from Disciplinary Action in Sexual Assault and Stalking Incidents

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**Effective Date:** February 18, 2022

**Supersedes:** 05/22/15; IPS 1-11

**Responsible Office:** Office of Victim Advocacy, Office of Global Operations, and Office of Sexual Assault Prevention and Response

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Issuance Memo (05/22/2015)

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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 (defined in [MS 243 Responding to a Sexual Assault](#)) or stalking (defined in [MS 242 Stalking of a Volunteer](#)), as well as any witnesses who provide information or assistance in relation to the sexual assault or stalking of a Volunteer, with immunity for policy violations related to those incidents.

## 3.0 Immunity for Policy Violations

- (a) The Peace Corps will provide any Volunteer who is a victim of a sexual assault or stalking, as well as any witnesses who provide information or assistance in relation to the sexual assault or stalking 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. Volunteers who are victims of a stalking or witnesses will not be subject to any disciplinary action for violations of Peace Corps policy that may have taken place in connection with the incident. Prohibited disciplinary actions include, but are 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 in the Office of Victim Advocacy who is

assigned to the particular case and appropriate Headquarters and Post staff using the safety planning tools in MS 243 *Responding to Sexual Assault Procedures*.

- (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 *Early Termination of Service* Subsection 5.0 on interrupted service.
- (c) This policy does not grant immunity from 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 or stalking 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 of the Manual Section is the date of issuance.