



**DIRECTOR
INTER-AMERICAN DEFENSE COLLEGE
FORT LESLEY J. McNAIR
WASHINGTON, DC 20319-5066**

CID/040-17
April 4, 2017

MEMORANDUM FOR ALL IADC PERSONNEL

FROM: DIRECTOR

SUBJECT: Sexual Harassment and Sexual Assault Policy

- 1. References:** (a) Inter-American Defense Board Order #6, "*Civilian Personnel Rules*"
(b) Inter-American Defense Board/Inter-American Defense College Memorandum of Understanding
(c) Washington Headquarters Service Administrative Instruction #8, "*Disciplinary and Adverse Actions,*"
(d) IADC Personal Conduct Policy

2. Purpose:

To establish the responsibility of all members of the Inter-American Defense College (IADC) to promote an environment free from personal, social, or institutional barriers.

3. Applicability:

This policy applies to all assigned IADC personnel.

4. Definitions:

a. Sexual Harassment. Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile, or offensive. Sexual harassment includes sexual assault (see definition below).

b. Sexual Assault. Sexual assault is defined as intentional sexual contact, characterized by the use of force, physical threat or abuse of authority or when the victim does not or cannot consent (see definition below). The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication). Sexual assault can occur without regard to gender or spousal relationship or age of victim.

c. Consent. Words or overt acts indicating a freely given agreement to the sexual conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the accused's use of force, threat of force, or placing another person in fear does not constitute consent. A current or previous dating relationship or the manner of dress of the person involved with the accused in the sexual conduct at issue shall not constitute consent. There is no consent

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where the person is sleeping or incapacitated, such as due to age, alcohol or drugs, or mental incapacity.

5. Policy:

a. The IADC is committed to creating and maintaining an environment where all individuals assigned to the IADC can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. The IADC prohibits sexual harassment and sexual assault. Such behavior violates applicable federal laws and referenced workplace policies.

b. Retaliation is prohibited against a person who reports sexual harassment or sexual assault, assists someone with a report of sexual harassment or sexual assault, or participates in any manner in an investigation or resolution of a sexual harassment or sexual assault report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

c. The IADC will respond promptly and effectively to reports of sexual harassment and sexual assault, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this policy in accordance with applicable references. Incidents involving IADB contracted employees will be processed in accordance with references (a) and (b). U.S. Government civilian employees will be processed in accordance with reference (c). U.S. military staff will be referred to their respective U.S. Military Departments for action in accordance with the Uniform Code of Military Justice and other applicable laws and regulations. Students and international military and civilian staff members will be processed in accordance with reference (d) and applicable respective nation's policies.

d. If you are a victim of sexual harassment or sexual assault, you may contact the IADC Sexual Harassment/Assault Response and Prevention NCOs: SFC Reinaldo Pagan, at 202-314-2826, reinaldo.pagan@iadc.edu; or SSG Lorena Sermeño, at 202-646-1331, lorena.sermeno@iadc.edu. Incidents of sexual harassment or sexual assault may also be reported to the IADB at 202-939-7496, the Fort McNair Sexual Assault and Response Coordinator at 202-498-4009 (24-hour hotline), the Department of Defense Safe Helpline at 877-995-5247 (24-hour hotline), or online at www.safehelpline.org.

6. Responsibility: The point of contact for this policy is the Chief, Administration Department.

7. Effective date: This policy supersedes CID/160-14 and remains in effect until superseded in writing.



MARTHA E. G. HERB, EdD
RADM, USN
Director

