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NASA Procedural Requirements

COMPLIANCE IS MANDATORY FOR NASA EMPLOYEES

NPR 3790.1

Effective Date: June 11,
2014

Expiration Date: June 11,
2024

[Printable Format \(PDF\)](#)

Subject: NASA's Domestic Violence, Sexual Assault, and Stalking Response Plan (Revalidated with Change 1)

Responsible Office: Office of the Chief Human Capital Officer

| [TOC](#) | [ChangeHistory](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [Chapter5](#) | [Chapter6](#) | [Chapter7](#) |
[Chapter8](#) | [AppendixA](#) | [AppendixB](#) | [ALL](#) |

Appendix A. Definitions

Alleged Perpetrator. An individual who has been identified by an employee as engaging in acts of domestic or workplace violence, including sexual assault and stalking.

Cyberstalking. Following someone on the Internet, hacking into someone's e-mail, making anonymous contact with someone over the Internet or by e-mail, or using technology to make unwanted contact. Stalking may occur through use of technology including, and not limited to, e-mail, voice-mail, text messaging, use of GPS, and social networking sites.

Disclosure. A disclosure is access to or exposure of information provided by or about an employee related to incidents or concerns of domestic violence, sexual assault, or stalking relating to the employee.

Domestic Violence. A pattern of coercive behavior, including acts or threatened acts, that are used by someone to gain power and control over a current or former spouse, family member, current or former intimate partner, current or former dating partner, or person with whom the person shares a child in common. This behavior includes, but is not limited to, physical or sexual violence, emotional and/or psychological intimidation, verbal abuse, stalking, economic control, harassment, threats, physical intimidation, or injury. Domestic violence can occur in any relationship, regardless of socio-economic status, education level, cultural background, age, gender, race, ethnicity, sexual orientation, gender identity, or religion. Domestic violence can occur in heterosexual and same-sex intimate relationships, including marital, cohabiting, or dating relationships that are not dependent on the existence of a sexual relationship. Note: In this NPR, references to domestic violence include sexual assault and stalking.

Protective or Restraining Order. Employees may obtain a protective order, sometimes called a restraining order, a stay-away order, or a peace order, from a court to protect them from another person. Such an order also may establish custody and visitation guidelines and provide for forms of economic security, like rent or mortgage payments, which last for the duration of the order. Protective orders may also be issued in criminal cases as a condition of probation or condition of release, particularly in a domestic violence, sexual assault, or stalking related crime.

Sexual Assault. A range of behaviors including, but not limited to, a completed nonconsensual sex act (e.g., rape, sodomy, child molestation), an attempted nonconsensual sex act, abusive sexual contact (i.e., unwanted touching), and non-contact sexual abuse (e.g., threatened sexual violence, exhibitionism, verbal harassment). Sexual assault includes any sexual act or behavior that is perpetrated when someone does not or cannot consent. Someone who has been sexually assaulted may know the person, such as a coworker or a supervisor, and/or may be involved in a dating or marital relationship with the perpetrator, or the person may be unknown. Lack of consent is inferred when a perpetrator uses force, harassment, threat of force, threat of adverse personnel or disciplinary action, or other coercion, or when the person is asleep, incapacitated, unconscious, or physically or legally incapable of consent.

Stalking. Stalking refers to harassing, unwanted, or threatening conduct that causes someone to fear for their safety or the safety of a family member. Stalking may include, but is not limited to, following, spying on, or waiting for

someone in places such as home, school, work, or recreation place; leaving unwanted items, presents, or flowers for someone; making direct or indirect threats to harm someone, the person's children, relatives, friends, pets, or property; posting information or spreading rumors about the person on the internet, in a public place, or by word of mouth; and obtaining personal information about the person by accessing public records, using internet search services, hiring private investigators, going through the person's garbage, following the person, or contacting person's friends, family, work, or neighbors. Stalking may occur through use of technology, such as e-mail, telephone, voice-mail, text messaging, and social networking sites.

Workplace. An employee's official duty station or alternative work location that is associated with the employee's established tour of duty (working hours). The employee is considered to be in the workplace while in or utilizing the resources of the employer, including but not limited to, facilities, work sites, equipment, or vehicles, or while on work-related travel.

Workplace Security Plan. A plan devised in collaboration with an employee to implement workplace security options, such as handling of court protection orders, procedures for alerting Security personnel, temporary or permanent changes to work schedules, and/or telework agreements.

Workplace Violence. A single behavior or series of behaviors that constitute actual or potential physical assault, battery, harassment, physical/verbal/written/psychological intimidation, threats or similar actions, attempted destruction, or threats to the safety and security of the workplace or the employee's personal property, which occur at the employee's official duty location or at an alternative work location or while an individual is engaged in NASA official business or activities off site. In addition to physical acts against people or property, behavior covered by this policy also includes oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm to self and others. Workplace violence may affect or involve employees, visitors, contractors and other non-Federal employees. See NPD 1600.3 and the "NASA Desk Guide for the Prevention of and Response to Workplace Violence" for more details.

| [TOC](#) | [ChangeHistory](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [Chapter5](#) | [Chapter6](#) | [Chapter7](#) | [Chapter8](#) | [AppendixA](#) | [AppendixB](#) | [ALL](#) |

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