



CHIEF NATIONAL GUARD BUREAU MANUAL

NG-J1-SAPR
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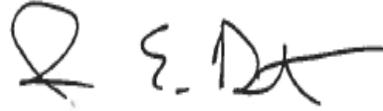
NATIONAL GUARD IMPLEMENTATION OF THE DEPARTMENT OF DEFENSE SEXUAL ASSAULT ADVOCATE CERTIFICATION PROGRAM

References: See Enclosure F.

1. Purpose. This manual establishes procedures for individuals who perform the duties of National Guard (NG) Sexual Assault Response Coordinators (SARCs), NG Joint Force Headquarters State (NG JFHQs-State) Victim Advocate Coordinators (VACs), and Sexual Assault Prevention and Response Victim Advocates (SAPR VAs) for the NG to complete the Department of Defense (DoD) Sexual Assault Advocate Certification Program (D-SAACP) and undergo the required background investigation in accordance with (IAW) references a through e.
2. Cancellation. None.
3. Applicability. This manual applies to all elements of the NG.
4. Procedures. See Enclosures A, B, C, D, and E.
5. Summary of Changes. This is the initial publication of CNGBM 1300.01.
6. Releasability. This manual is approved for public release; distribution is unlimited. Copies are available through <<http://www.ngbpdcc.ngb.army.mil>>.

UNCLASSIFIED

7. Effective Date. This manual is effective upon publication and must be reissued, cancelled, or certified as current every five years.

A handwritten signature in black ink, appearing to read 'I. E. Denton', with a stylized flourish at the end.

IVAN E. DENTON
Brigadier General, USA
Director, Manpower and Personnel

Enclosures:

- A -- Certification Qualification and Application
- B -- Initial Certification
- C -- Renewing Certification
- D -- Suspending and Revoking Certification
- E -- Reinstatement Guidelines
- F -- References
- GL -- Glossary

ENCLOSURE A

CERTIFICATION QUALIFICATION AND APPLICATION

1. Basic Qualifications. SAPR personnel with direct access to victims must complete the D-SAACP process before offering assistance to sexual assault victims. NG and civilian personnel qualify to begin the D-SAACP process by:

a. Being appointed by a commander or other appropriate appointing or hiring authority following an evaluation of the applicant's suitability or technician compatibility of qualifications for certification by considering arrest records and adverse actions in personnel files.

b. Completing the required background investigation within the past three years with a favorable result IAW reference a and e.

(1) Civilian employees in NG SARC, NG JFHQs-State VAC, and SAPR VA positions are:

(a) Designated as positions of public trust with a moderate risk level.

(b) Required a favorable result in a Tier 2 background investigation prior to submitting the D-SAACP application.

(c) Required to undergo a Tier 2 background investigation every five years IAW reference e.

(2) All NG SARCs, NG JFHQs-State VACs, and SAPR VAs are required to complete the Tier 2 background investigation prior to submitting the D-SAACP application.

(3) All civilian NG SARCs, NG JFHQs-State VACs, and SAPR VAs hired prior to implementation of reference a, are required to complete a Tier 2 background investigation no later than 20 April 2018.

c. Not having any of the following disqualifying conditions IAW reference b:

(1) A conviction of a crime of sexual assault or any other punitive offense listed in Articles 120, 120a, 120b, 120c, and 125 of reference f, or attempts to commit such acts punishable under Article 80 of reference f.

(2) A conviction or attempts of domestic violence, child abuse, violent crimes IAW Article 80, section 880 of reference f.

(3) A conviction equivalent to a disqualifying condition of State or Federal law.

(4) Any criminal conviction determined by the commander or appropriate appointing authority to be inconsistent with NG SARC, NG JFHQs-State VAC, and SAPR VA core duties.

(5) Required registration as a sex offender.

2. D-SAACP Application. A hyperlink to the application is available on the Directorate of Manpower and Personnel SAPR Office (NG-J1-SAPR) Guard Knowledge Online site at reference g. Applicants requesting initial certification (see Enclosure B) will submit different forms than those who are requesting recertification (see Enclosure C). Both forms include templates for the required documents and instructions for completing the application packet.

ENCLOSURE B

INITIAL CERTIFICATION

1. New Applicants. All new NG SARCs, NG JFHQs-State VACs, and SAPR VAs complete applicable sections of DD Form 2950, "D-SAACP Application Packet for New Applicants". Additional guidance is posted in an application instruction sheet within reference g. The completed application packet includes:

- a. Completed and signed application.
- b. Signed D-SAACP "SARC/SAPR VA Code of Professional Ethics."
- c. Completed and signed "Verification of Sexual Assault Victim Advocacy Experience" if applying for Level II, III, or IV certification.
- d. Completed and signed "Evaluation of Sexual Assault Victim Advocacy Experience" if applying for Level II, III, or IV certification.
- e. Completed statement of understanding signed by the supervisor and Commander or the appropriate approving authority for SAPR VA applicants only.
- f. Two signed letters of recommendations for NG SARC and NG JFHQs-State VAC applicants only.
 - (1) A letter must be completed and signed by the commanding officer at a minimum rank or grade of O-6 or GS-15 and within NG SARC's or NG JFHQs-State VAC's chain of command. The letter will include the date the Tier 2 background investigation was completed.
 - (2) A letter must be completed and signed by the day-to-day supervisor at a minimum rank or grade of, O-3, Chief Warrant Officer 2 (CW2), E-7, or GS-11 within the chain of command.
- g. Two signed letters of recommendations for SAPR VA applicants only.
 - (1) A letter must be completed and signed by the supervising NG SARC.
 - (2) A letter must be completed and signed by the day-to-day supervisor at a minimum rank or grade of, O-3, CW2, E-7, or GS-11 within the chain of command. The letter will include the date the Tier 2 background investigation was completed.

2. Submission of Packet. Applicants must submit the D-SAACP application packet and a certificate of completion from their Service-specific minimum 40-hour D-SAACP approved training including the National Guard Bureau (NGB) Title 32-specific SAPR training curriculum, or the D-SAACP approved NGB 40-hr NG SARC and SAPR VA initial training program.

3. Delayed Applications. Applicants with any of the following situations will have his or her certification application delayed until the investigation and complaint are fully adjudicated:

- a. Open criminal or inspector general investigation.
- b. Command directed investigation relating to a violation of victim rights or with a nexus to their NG SARC, NG JFHQs-State VAC, or SAPR VA duties.

ENCLOSURE C

RENEWING CERTIFICATION

1. Renewal Application. All NG applicants renewing their certifications will complete applicable sections of DD Form 2950-1, "D-SAACP Renewal Application Packet" every two years.
2. Requirements. In addition to the requirements listed in paragraph 1 above, applicants must adhere to Enclosure B. The renewing application packet includes:
 - a. Completed and signed "Documentation of Continuing Education Training Courses."
 - b. Completed and signed "Documentation of Continuing Education Training: External Training Courses."
3. Continuing Education Training (CET). Renewing D-SAACP applicants will complete 32 hours of CET every two years that consists of the following:
 - a. Prevention and Advocacy Training. NG applicants must complete 30 hours of training on topics relevant to their role as a NG SARCs, NG JFHQs-State VACs, or SAPR VAs.
 - (1) NG SARCs and NG JFHQs-State VACs may receive training from NG-J1-SAPR, DoD SAPRO, the Services, or qualified civilian agencies and organizations.
 - (2) SAPR VAs may receive CET from NG SARCs or may attend alternative training, following pre-approval of the detailed training agenda by DoD SAPRO.
 - (a) Army National Guard (ARNG) SARCs will submit a copy of the detailed CET agenda no later than 60 days prior to the training event to NG-J1-SAPR for initial review and submission to DoD SAPRO for final approval.
 - (b) Wing NG SARCs will submit a copy of the detailed CET agenda no later than 60 days prior to the training event to Air National Guard (ANG) SAPR Program Manager (PM) for initial review. The ANG PM will submit the agenda to NG-J1-SAPR for review and submission to DoD SAPRO for final approval.
 - b. Victim Advocacy Ethics Training. In addition to prevention and advocacy training, NG applicants will receive two hours of victim advocacy ethics training approved by NG-J1-SAPR.

c. Limitations to CET.

(1) Service-Specific Training. A maximum of 12 hours of training on updates to Service-specific policies and procedures may be counted towards the 32-hour requirement.

(2) Ineligible Courses. Initial NG SARC and SAPR VA training used to obtain initial D-SAACP certification and courses unrelated to victim advocacy or prevention does not satisfy continuing education training requirements.

(3) Ineligible Activities. Activities that are not considered “training” or that are not educational in nature, such as participating in a run or walk event, reading information online, reviewing NG SAPR Program or policy updates in an email, volunteering at an awareness table or booth, or serving as an instructor in a SAPR training even, will not count toward D-SAACP CET course requirements.

d. CET Documentation.

(1) Certificate of Completion. All CET are documented by a certificate of completion or by using the DD Form 2950-1, “Renewal Application” as proof of attendance and course completion.

(2) Documentation Requirements. CET documents include the date, location, topic, number of hours of training, and signature of the trainer or training coordinator.

(3) Training Acknowledgment. Completion of training requirements is documented on the completed and signed “Documentation of Continuing Education Training Courses” and “Documentation of Continuing Education Training: External Training Courses.”

(a) NG JFHQs-State VAC and SAPR VA CET is verified by the NG SARC. The supervisor will acknowledge training requirement completion in the letter of recommendation attached to DD Form 2950-1.

(b) NG SARC CET is verified by the NG SARC supervisor, ARNG Sexual Harassment/Assault Response and Prevention (SHARP) PM, or ANG SAPR PM, acknowledged in the letter of recommendation, and attached to DD Form 2950-1.

4. SAPR VA applicants selected to fill a NG JFHQs-State VAC or NG SARC position upgrades his or her role as NG SARC during the D-SAACP renewal process.

ENCLOSURE D

SUSPENDING AND REVOKING CERTIFICATION

1. Revoking Certification. Before revoking certification, a commander—defined as the first O6-level officer in the NG SARC, NG JFHQs-State VAC, or SAPR VA chain of command; or supervisor at the grade of GS-15, for NG SARCs, NG JFHQs-State VACs, or SAPR VAs in technician status—must meet these NG standards:

a. Upon receipt of information that a NG SARC, NG JFHQs-State VAC, or SAPR VA is alleged to have committed or attempted to commit a sexual assault, or any other punitive offense identified in Enclosure A, regardless of when the alleged offense occurred, the responsible commander, director, or civilian counterpart will:

(1) Report any and all allegations of sexual assault, including attempts, against a NG SARC, NG JFHQs-State VAC, or SAPR VA to the appropriate Military Criminal Investigative Organization (MCIO) or civilian law enforcement agency.

(a) Inform The Adjutant General (TAG) of all Unrestricted Reports declined by the MCIO or local law enforcement for considered referral to the NGB Office of Complex Administrative Investigations (NGB-JA/OCI).

(b) Abstain from conducting internal command-directed investigations on sexual assault—specifically, referrals to appointed command investigators or inquiry officers—or delaying immediate contact of the responsible law enforcement agency while attempting to assess the credibility of the report.

(2) File an 8-day report IAW reference d.

(3) Notify the NG SARC, NG JFHQs-State VAC, or SAPR VA immediately in writing that a complaint has been received, an inquiry has been initiated, and his or her authority to perform NG SARC, NG JFHQs-State VAC, and SAPR VA duties is suspended pending the investigation outcome and reinstatement by the responsible commander.

b. Upon receipt of any other complaint that is not a sexual misconduct allegation, the responsible commander or appropriate approving authority will:

(1) Notify the NG SARC, NG JFHQs-State VAC, or SAPR VA immediately in writing that a complaint has been received, an inquiry has been initiated, and his or her authority to perform NG SARC, NG JFHQs-State VAC, and SAPR

VA duties is suspended pending the investigation outcome and reinstatement by the responsible commander or appropriate approving authority.

(a) Complaints Made Against Technicians. Consult the Human Resources Officer (HRO) and Staff Judge Advocate (SJA) to ensure additional procedural requirements, if any, are appropriately addressed before issuing the notification.

(b) Complaints Made Against Non-Technicians. Consult the SJA before notifying the NG SARC, NG JFHQs-State VAC, or SAPR VA to ensure procedural requirements are appropriately addressed before and during the inquiry.

(2) Notify appropriate stakeholders.

(a) Inquiries Involving SARCs. Notify the NGB ARNG SHARP or ANG SAPR PM, who in turn notifies NG-J1-SAPR.

(b) Inquiries Involving NG JFHQs-State VACs or SAPR VAs. Notify the supervisory NG SARC; the NG SARC then notifies the NGB ARNG SHARP or ANG SAPR PM, who in turn, notifies NG-J1-SAPR.

(3) Verify a timely and comprehensive inquiry is conducted. The inquiry process follows established NG adverse action, administrative inquiry, or investigative procedures. NGB-JA/OCI or command-directed investigation is used for non-sexual misconduct allegations, and technician inquiries are conducted IAW reference h. The inquiry process is used to determine whether the D-SAACP certified NG SARC, NG JFHQs-State VAC, or SAPR VA has done one or more of the following:

(a) Violated the D-SAACP code of professional ethics provided on the DD Form 2950 or 2950-1.

(b) Presented a danger of immediate or serious harm to victims of sexual assault or to the general public.

(c) Intentionally made a false statement in the application for certification or renewal on the DD Form 2950 or 2950-1.

(d) Used a controlled substance or alcoholic beverage while serving on-call that impaired his or her ability to perform NG SARC, NG JFHQs-State VAC, or SAPR VA duties properly.

(e) Charged, arrested, or convicted of any criminal activity.

(f) Charged, arrested, or convicted of domestic violence; child abuse; violent crimes; and any felony offense determined by the commander or the appropriate appointing authority to be inconsistent with the NG SARC, NG JFHQs-State VAC, or SAPR VA core duties.

(g) Convicted at court-martial of an offense under the Uniform Code of Military Justice carrying with it a maximum sentence of confinement for greater than 1 year or punitive discharge from the Military Service or of a felony criminal offense in State or Federal courts.

(h) Engaged in or solicited sexual relations with a sexual assault victim currently under the NG SARC, NG JFHQs-State VAC, or SAPR VA's care, or a victim known to be currently under care of any NG SARC, NG JFHQs-State VAC, or SAPR VA.

(i) Failed to maintain the privacy of victims before, during, and after the professional relationship IAW Reference c, and applicable federal, DoD, Service, and State privacy laws and regulations.

(j) Intentionally provided false or misleading guidance or advice to a victim.

(k) Demonstrated a lack of competency or ability that jeopardized the delivery of professional victim advocacy.

c. If the commander or other appropriate appointing authority finds, in consultation with the HRO and SJA, a preponderance of evidence to support the allegation, the commander determines whether to suspend or revoke the D-SAACP certification.

d. The commander or other appropriate appointing authority immediately notifies the NG SARC, NG JFHQs-State VAC, or SAPR VA in writing when suspending or revoking a D-SAACP certification, and provides a copy of the notification to the NGB ARNG SHARP or ANG SAPR PM. This letter must include the following:

(1) The effective date of suspension or revocation of certification.

(2) Grounds for suspension or revocation, including the specific misconduct, ethical violation, substandard performance, professional or personal impairment, or the reason the commander or appropriate appointing authority lost faith and confidence in the NG SARC, NG JFHQs-State VAC, or SAPR VA's ability to perform his or her assigned duties.

(3) Direction for the NG SARC, NG JFHQs-State VAC, or SAPR VA to surrender his or her D-SAACP certificate and wallet identification card to the first person in the chain of command or supervisor within 24 hours of receipt of the letter.

(4) Notification of the NG SARC, NG JFHQs-State VAC, or SAPR VA's right to appeal the decision to suspend or revoke certification IAW NG appeals procedures in paragraph 4 of this enclosure.

e. Upon receiving the commander's or appropriate appointing authority's notification letter, the NGB ARNG SHARP or ANG SAPR PM immediately forwards a copy to NG-J1-SAPR.

f. The commander or appropriate appointing authority provides a written report to the applicable NGB ARNG SHARP or ANG SAPR PM within three business days of concluding an inquiry. The report must document:

(1) The complaint received.

(2) Facts surrounding the complaint.

(3) Findings made during the inquiry process to include the grounds for the action taken, the specific action of the individual, or reason the commander or appropriate appointing authority lost confidence in the NG SARC, NG-JFHQs-State VAC, or SAPR VA to perform assigned duties.

(4) Decision to suspend or revoke the NG SARC, NG JFHQs-State VAC, or SAPR VA's D-SAACP certification.

(5) Signature of the NG SARC, NG JFHQs-State VAC, SAPR VA acknowledging the suspension or revocation.

g. Upon receiving the commander's written report, the respective NGB ARNG SHARP or ANG SAPR PM immediately forwards a copy of it to NG-J1-SAPR with a request to suspend or revoke the NG SARC, NG JFHQs-State VAC, or SAPR VA's D-SAACP certification.

h. Upon receiving the NGB ARNG SHARP or ANG SAPR PM's request, NG-J1-SAPR immediately:

(1) Provides DoD SAPRO with written notification and the commander's or appropriate appointing authority's written report within five business days of receiving the commander's notification to take appropriate action to suspend or revoke the D-SAACP certification.

(2) Takes action to suspend or revoke access to the Defense Sexual Assault Incident Database (DSAID).

i. NG-J1-SAPR must coordinate with TAG to initiate or continue the revocation process when the commander fails to seek revocation once a violation is identified. If necessary, TAG may request NGB-JA/OCI investigate.

j. If the complaint is unfounded, the NG SARC, NG JFHQs-State VAC, or SAPR VA may be reinstated IAW the guidance in Enclosure E.

2. Non-Punitive Certification Closure. A NG SARC, NG JFHQs-State VAC, or SAPR VA certification may be closed in a non-punitive manner by command when the NG SARC, NG JFHQs-State VAC, or SAPR VA:

a. Submits a written request for closure.

b. No longer serves in the role of NG SARC, NG JFHQs-State VAC, or SAPR VA.

3. NG SARC, NG JFHQs-State VAC, and SAPR VA Self-Reporting. NG personnel performing the duties of a NG SARC, NG JFHQs-State VAC, or SAPR VA immediately self-report if they are involved in an incident that would invalidate their current national agency check status, Service suitability standing, or commander or supervisor recommendation.

a. NG SARCs. NG SARCs report to their respective:

(1) TAG or Wing Commander.

(2) NGB ARNG SHARP or ANG SAPR PM.

b. NG JFHQs-State VACs and SAPR VAs. NG JFHQs-State VACs and SAPR VAs report to their respective:

(1) Appointing commander.

(2) NG SARC.

4. Appeal of D-SAACP Certification Revocation. NG SARCs, NG JFHQs-State VACs, and SAPR VAs have the right to appeal a decision to revoke their D-SAACP certification.

a. The written appeal request will be submitted to the next level in the revocation authority's chain of command. The appeal authority must be a minimum rank of colonel.

b. The appeal authority will review all documentation, interview pertinent personnel as applicable, and render a decision within 30 days of appeal request submission. The appeal authority's decision is final and not subject to further review.

ENCLOSURE E

REINSTATEMENT GUIDELINES

1. Unfounded Complaint. If a complaint proves unfounded.
 - a. The commander or appropriate appointing authority will consider the allegations to determine if they are inconsistent with NG SARCs, NG JFHQs-State VAC, or SAPR VA core duties.
 - b. The NG SARC, NG JFHQs-State VAC, or SAPR VA requests reinstatement by reapplying through the D-SAACP application process with DD Form 2950.
 - c. The commander or appropriate appointing authority provides written notification and the DD Form 2950 to the NGB ARNG SHARP or ANG SAPR PM within three business days concluding a determination for reinstatement and includes:
 - (1) Notification of the NG SARC, NG JFHQs-State VAC, or SAPR VA of his or her reinstatement.
 - (2) The appropriate commander or SARC signed DD Form 2950 for reinstatement with the NG SARC, NG JFHQs-State VAC, or SAPR VA's signature.
 - d. Upon receiving the commander's or appropriate approving authority's written notification and the DD Form 2950, the applicable NGB ARNG SHARP or ANG SAPR office will immediately submit a request to NG-J1-SAPR to reinstate D-SAACP certification.
 - e. Upon receiving the written request, commander's or appropriate approving authority written notification, and the DD Form 2950 from the applicable NGB ARNG SHARP or ANG SAPR , NG-J1-SAPR will submit written notification and the DD Form 2950 to DoD SAPRO within five business days of receiving the commander's notification to reinstate the NG SARC, NG JFHQs-State VAC, or SAPR VA's D-SAACP certification.
 - f. The applicant, upon receiving notification from the D-SAACP Committee of his or her reinstatement, will submit a written request to the NGB ARNG SHARP or ANG SAPR office to reestablish DSAID access.
 - g. Upon receipt of the request to reestablish DSAID access, NGB ARNG SHARP or ANG SAPR will submit the request to NG-J1-SAPR.

h. NG-J1-SAPR will reestablish the NG SARC or NG JFHQs-State VAC's DSAID access, upon receipt of the request.

2. Administrative Error.

a. In the event a NG SARC, NG JFHQs-State VAC, or SAPR VA D-SAACP certification is revoked or suspended due to an administrative error, the commander or appropriate appointing authority will provide a reinstatement letter to the NGB ARNG SHARP or ANG SAPR PM within three business days.

b. The NGB ARNG SHARP or ANG SAPR PM will immediately forward the commander's or appropriate appointing authority letter to NG-J1-SAPR.

c. NG-J1-SAPR will provide a copy of the commander's reinstatement letter to DoD SAPRO within five business days of receipt.

d. The D-SAACP administrator will process the reinstatement and notify the applicant.

ENCLOSURE F

REFERENCES

- a. CNGB Instruction 1300.01, 16 July 2016, "Sexual Assault Prevention and Response Program"
- b. DoD Instruction 6495.03, 10 September 2015, "Defense Sexual Assault Advocate Certification Program (D-SAACP)"
- c. DoD Directive 6495.01, 23 January 2012, Change 2, 20 January 2015, "Sexual Assault Prevention and Response (SAPR) Program"
- d. DoD Instruction 6495.02, 28 March 2013, Change 2, 07 July 2015, "Sexual Assault Prevention and Response (SAPR) Program Procedures"
- e. US OPM Federal Investigations Notice 15-03, 04 November 2014, "Federal Investigative Standards Implementation Plan"
- f. 10 U.S.C. 47 "Uniform Code of Military Justice"
- g. Guard Knowledge Online, NG-J1-SAPR, D-SAACP, <https://gkoportal.ng.mil/joint/J1/SAPR/DSAACP/Forms/AllItems.aspx>> 20 July 2016
- h. NG Technician Personnel Regulation 752, 27 August 2010, "Discipline and Adverse Action"

GLOSSARY

PART I. ACRONYMS

ANG	Air National Guard
ARNG	Army National Guard
CET	Continuing Education Training
D-SAACP	Department of Defense Sexual Assault Advocate Certification Program
DoD	Department of Defense
DSAID	Defense Sexual Assault Incident Database
HRO	Human Resource Officer
IAW	In accordance with
MCIO	Military Criminal Investigative Organization
NG	National Guard
NG JFHQs-State	National Guard Joint Force Headquarters-State
NG-J1-SAPR	Sexual Assault Prevention and Response Office
NGB	National Guard Bureau
NGB-JA/OCI	National Guard Bureau Office of Complex Investigations
PM	Program Manager
SAPR VA	Sexual Assault Prevention and Response Victim Advocate
SARC	Sexual Assault Resource Coordinator
SHARP	Sexual Harassment/Assault Response and Prevention
SJA	Staff Judge Advocate
TAG	The Adjutants General
VAC	Victim Advocate Coordinator

PART II. DEFINITIONS

Defense-Sexual Assault Advocate Credentialing Program Committee -- The committee established to certify applicants for national credentialing.

Disqualifying condition -- A conviction of a crime of sexual assault or any other punitive offense enumerated in Articles 120, 120a, 120b, 120c, and 125 of the Uniform Code of Military Justice (sections 920, 920a, 920b, 920c, and 925 of Reference (e)); domestic violence; child abuse; violent crimes; or attempts to commit such acts punishable under Article 80 of the Uniform Code of Military Justice (section 880 of Reference (e)), or the equivalent State or federal law; any felony offenses determined by the commander or appropriate appointing authority to be inconsistent with Sexual Assault Response Coordinator, Joint Force Headquarters - State Victim Advocate Coordinator or Sexual Assault Prevention and Response Victim Advocate core duties; or be required to be registered as a sex offender.

Favorable result -- Completing the investigative process without any issues that would cause a background investigation to be disapproved after the adjudication process.

National Guard Sexual Assault Prevention and Response Program -- Refers to the collective Sexual Assault Prevention and Response specific program elements of the Army National Guard Sexual Harassment/Assault Response and Prevention program and Air National Guard Sexual Assault Prevention and Response Program. Department of Defense standardized terminology is used in this publication for Sexual Assault Prevention and Response Victim Advocate and does not reflect Service-specific terminology.