



## DoD INSTRUCTION 1350.02

### DoD MILITARY EQUAL OPPORTUNITY PROGRAM

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<b>Originating Component:</b>	Office of the Under Secretary of Defense for Personnel and Readiness
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<b>Reissues and Cancels:</b>	DoD Directive 1350.2, "Department of Defense Military Equal Opportunity (MEO) Program," August 18, 1995
<b>Incorporates and Cancels:</b>	Under Secretary of Defense for Personnel and Readiness Memorandum, "Command Climate Assessment," July 25, 2013
<b>Approved by:</b>	Matthew P. Donovan, Under Secretary of Defense for Personnel and Readiness

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**Purpose:** This issuance reissues the 1995 directive as a DoD instruction (DoDI) in accordance with the authority in DoD Directives (DoDDs) 5124.02 and 1020.02E to:

- Establish policy, assign responsibilities, and provide procedures for the DoD Military Equal Opportunity (MEO) Prevention and Response Program.
- Establish the functions of the Defense Equal Opportunity Management Institute (DEOMI) and the DEOMI Board of Advisors (BOA)

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## SECTION 1: GENERAL ISSUANCE INFORMATION

### 1.1. APPLICABILITY.

This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

### 1.2. POLICY.

a. The DoD, through the DoD MEO Program, will:

(1) Ensure that Service members are treated with dignity and respect and are afforded equal opportunity in an environment free from prohibited discrimination on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation.

(2) Process, resolve, track, and report MEO prohibited discrimination complaints, including anonymous complaints.

(3) Prevent and respond to prohibited discrimination through education and training, reporting procedures, complainant services and support, and appropriate accountability that enhances the safety and well-being of all Service members.

(4) Hold leaders at all levels appropriately accountable for fostering a climate of inclusion that supports diversity and is free from prohibited discrimination.

(5) Prevent retaliation against Service members for filing an MEO prohibited discrimination complaint.

(6) Respond to incidents involving harassment, including sexual harassment, in accordance with the procedures outlined in DoDI 1020.03.

b. Violations of the policies in this issuance may constitute violations of specific articles of Chapter 47 of Title 10, United States Code (U.S.C.), also known and referred to in this issuance as the “Uniform Code of Military Justice (UCMJ),” and may result in administrative or disciplinary action.

### 1.3. INFORMATION COLLECTIONS.

a. The Defense Organizational Climate Survey (DEOCS) referred to in Paragraph 2.4. of this issuance, has been assigned report control symbol DD-P&R-2338 in accordance with Volume 1 of DoD Manual (DoDM) 8910.01. The expiration date of this information collection is listed on

the DoD Information Collections Website at  
[https://www.esd.whs.mil/Directives/collections\\_int/](https://www.esd.whs.mil/Directives/collections_int/).

b. The data collection and reporting requirements, referred to in Section 10 of this issuance, do not require licensing with a report control symbol in accordance with Paragraph 8 of Volume 1 of DoDM 8910.01.

## **SECTION 2: RESPONSIBILITIES**

### **2.1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)).**

The USD(P&R):

- a. Establishes and oversees DoD-wide policies and programs for prohibited discrimination prevention and response.
- b. Establishes standardized DoD Component data reporting requirements for MEO prohibited discrimination complaints and information collection and tracking, including approval of automated data collection interface systems.
- c. Represents and advises the Secretary of Defense on MEO matters.
- d. Ensures that the results of command climate assessments (CCAs) are provided to the relevant individual commander and the next higher level of command.

### **2.2. DIRECTOR, DOD HUMAN RESOURCES ACTIVITY (DoDHRA).**

Under the authority, direction, and control of the USD(P&R), and in addition to the responsibilities in Paragraph 2.7., the Director, DoDHRA:

- a. Provides administrative, logistical, and resource support to DEOMI.
- b. Provides funding and manpower necessary for DEOMI's execution of its responsibilities.
- c. Selects the Commandant of DEOMI from Military Service nominations in consultation with the Director, Diversity Management Operations Center (DMOC).
- d. Establishes criteria for assigning officers and enlisted Service members from the Military Services to faculty and staff positions at DEOMI.

### **2.3. DIRECTOR, DMOC.**

Under the authority, direction, and control of the USD(P&R), through the Director, DoDHRA, and in consultation with the Director, Office for Diversity, Equity, and Inclusion (ODEI), the Director, DMOC:

- a. Develops MEO operational guidance and procedures in support of this issuance.
- b. Establishes evidenced-based standards, core competencies, and learning objectives for DoD Component MEO training and education programs.

c. Ensures that DEOMI curriculum and training materials reflect DoD, Military Department-specific, and Service-specific policy guidance, to include prevention strategies and risk and protective factors.

d. Convenes and chairs the DEOMI BOA in accordance with Paragraph 3.3.

e. Provides oversight and guidance for the following DoD programs: Investigations and Resolution Division, Workforce Recruitment Program, and Special Emphasis Program for Management and Minority Outreach.

#### **2.4. DIRECTOR, OFFICE OF PEOPLE ANALYTICS.**

Under the authority, direction, and control of the USD(P&R), and through the Director, DoDHRA, the Director, Office of People Analytics:

a. Develops workplace equal opportunity and gender relation surveys that will identify and assess racial, ethnic, and gender discrimination trends.

b. Provides oversight and guidance concerning administration of CCA.

c. Develops CCA survey tools that will:

(1) Indicate positive and negative organizational climate-related trends such as morale, retention, and satisfaction with the military way of life.

(2) Assess Service members' and DoD civilian employees' perceptions of organizational effectiveness, equal opportunity, equal employment opportunity, fair treatment, sexual assault prevention and response, sexual harassment prevention and response, suicide prevention and response, demeaning behaviors and hazing.

(3) Use scientific methods and ensure to the extent practicable, anonymity.

d. Establish accountability measures for commanders and supervisors and assist with developing and implementing action plans to address any challenges identified in a CCA.

#### **2.5. EXECUTIVE DIRECTOR, OFFICE OF FORCE RESILIENCY (OFR).**

Under the authority, direction, and control of the USD(P&R), the Executive Director, OFR:

a. Oversees DoD Component implementation and compliance with this issuance.

b. Oversees and develops MEO prohibited discrimination prevention and response program strategies and plans.

c. Provides the USD(P&R) with an assessment of program effectiveness, compliance with strategies, and recommendations for program improvements on an annual basis.

d. Oversees the collection of data and information related to MEO prohibited discrimination complaints.

e. Ensures that MEO prohibited discrimination complaints are referred to the appropriate Military Department for investigation, resolution, and data tracking.

f. Ensures that fair, impartial, and timely investigation, resolution, and follow up of all MEO prohibited discrimination complaints (including anonymous complaints) within DoD, and the records are protected and maintained in accordance with Section 552a of Title 5, U.S.C., also known and referred to in this issuance as the “Privacy Act of 1974.”

## **2.6. DIRECTOR, ODEI.**

Under the authority, direction, and control of the USD(P&R) and through the Executive Director, OFR, the Director, ODEI:

a. Serves as the DoD principal for developing DoD MEO policy and programs.

b. Provides oversight and guidance for DoD Component MEO programs and DEOMI.

c. Conducts policy compliance through annual review of DEOMI services and biennial curricula review. Develops procedures for recurring annual review of DEOMI services and curricula.

d. Conducts compliance reviews of DoD Component MEO policies and programs in accordance with this issuance. Compliance reviews will assess:

(1) Impartiality, timeliness, and sufficiency of MEO prohibited discrimination complaints.

(2) Timeliness and sufficiency of feedback provided to complainants.

(3) Effectiveness of policies and programs in reducing incidents of MEO prohibited discrimination and providing appropriate complainant services, care, and support.

e. Serves as chairperson of the Defense Diversity Working Group (DDWG).

f. Serves as a member of the DEOMI BOA.

g. Collects, assesses, and analyzes information and data regarding MEO prohibited discrimination complaints received by the Military Services and compiles reports in accordance with reporting requirements outlined in Section 10 of this issuance. Reviews, analyzes, and assesses information from OPA administered workplace equal opportunity and gender relation surveys to identify and assess racial, ethnic, and gender discrimination trends.

h. Develops an oversight framework to prevent and respond to MEO prohibited discrimination. This framework will include:



- (1) Long-term goals, objectives, and milestones.
- (2) Results-oriented performance measures to assess effectiveness.
- (3) Compliance standards for promoting, supporting, and enforcing policies, plans, and programs.
  - i. After receiving annual reports from the Military Departments, recommends changes for establishing, updating, and maintaining MEO prohibited discrimination prevention and response policies and programs to the USD(P&R), through the Executive Director, OFR.

## **2.7. DOD COMPONENT HEADS OTHER THAN THE SECRETARIES OF THE MILITARY DEPARTMENTS.**

The DoD Component heads other than the Secretaries of the Military Departments:

- a. Establish MEO prevention and response programs for their Components that ensure:
  - (1) Service members are treated with dignity and respect.
  - (2) Commanders and supervisors at all levels are held appropriately accountable for fostering a climate of inclusion within their organizations that is free from prohibited discrimination and does not tolerate retaliation for reporting prohibited discrimination allegations.
  - (3) Service members are evaluated only on individual merit, fitness, capability, and performance.
  - (4) MEO prohibited discrimination complaints from Service members who are assigned, detailed, or otherwise working in a DoD Component other than a Military Department are referred to the complainant's Military Department for disposition and data collection purposes. Informal MEO prohibited discrimination complaints may be addressed by the DoD Component, in consultation with the Military Department.
  - (5) MEO policies and programs are prominently posted, including information on complaint procedures.
  - (6) Commanders, as applicable, complete a CCA in accordance with Section 7 of this issuance.
  - (7) Appropriate accountability measures and action plans are implemented to address any challenges identified in a CCA.
  - (8) All commanders and senior enlisted advisors receive MEO training before assuming senior leadership and command positions.
  - (9) Substantiated MEO prohibited discrimination complaints are annotated on the offender's performance evaluation or Service record.

(10) Senior military and civilian leaders receive initial and refresher MEO training through coordination with the Military Departments; the Director, DMOC; or the Director, Defense Executive Resources Management Office.

b. Respond to Military Department data calls, including data and reports to support annual Congressional and DoD fiscal year reports required by Section 10 of this issuance.

## **2.8. SECRETARIES OF THE MILITARY DEPARTMENTS.**

The Secretaries of the Military Departments:

a. Establish MEO programs for their respective Departments that ensure:

(1) Service members are treated with dignity and respect.

(2) Commanders and supervisors at all levels are held appropriately accountable for fostering a climate of inclusion within their respective organizations that is free from prohibited discrimination and does not tolerate retaliation for reporting prohibited discrimination allegations.

(3) Service members are evaluated only on individual merit, fitness, capability, and performance.

(4) MEO policies and programs are prominently posted, including information on complaint procedures.

(5) Commanders complete the CCA in accordance with Section 7 of this issuance.

(6) All commanders and senior enlisted advisors receive MEO training before assuming senior leadership or command positions.

(7) Substantiated MEO prohibited discrimination complaints are annotated on the offender's performance evaluation or Service record.

(8) Procedures are established to address MEO prohibited discrimination complaints from Service members who are assigned, detailed, or otherwise working in a DoD Component that is not a Military Department.

(9) Procedures are established for appeals of administrative findings on a formal complaint, as outlined in Paragraph 5.2.c.

(10) Appropriate administrative or disciplinary action is taken in cases involving substantiated MEO prohibited discrimination complaints.

(11) MEO training is provided during officer pre-commissioning programs.

b. Respond to ODEI data calls; including data and reports to support annual congressional and DoD fiscal year reports in accordance with Section 10 of this issuance.

c. Implement and ensure compliance with this issuance within their respective Military Services, including the Military Service Academies.

d. Oversee Military Department MEO training programs, which will include:

(1) Information regarding how to identify prohibited discrimination, using DoD standard definitions, as outlined in Section 4 of this issuance.

(2) Information regarding reporting options, procedures, and applicable timelines to submit MEO prohibited discrimination complaints (including anonymous complaints and complaints involving a Service member's commander or supervisor) to the appropriate commander or supervisor, the inspector general's office, MEO office, or staff designated by the Military Service to receive MEO prohibited discrimination complaints.

(3) Procedures for commanders and supervisors to receive, respond to, investigate, and resolve MEO prohibited discrimination complaints, including those made in Joint Service environments consistent with Section 6 of this issuance.

(4) Special seminars and briefings for senior civilian and military leaders, including:

(a) A mandatory 2-day program for all officers newly appointed to the grade of brigadier general or rear admiral (lower half) and all new members of the Senior Executive Service. To the extent possible, speakers and instructors for this program should at least be at a grade comparable to the target audience.

(b) Training for officers in the grade of major general and rear admiral, and above, and DoD civilians serving in Executive Schedule positions.

e. Provide a central program or function staffed with full-time qualified equal opportunity professionals to receive MEO prohibited discrimination complaints.

f. Ensure that a minimum of one toll-free or local hotline (or advice line) provides information on MEO prohibited discrimination policies and procedures covered within this issuance, including how and where to file complaints, and the behaviors that constitute prohibited discrimination.

g. Conduct annual assessments (biennial for the Reserve Components) of MEO programs to improve policy and enhance prevention and response initiatives.

## **2.9. CHIEF, NATIONAL GUARD BUREAU (NGB).**

In addition to the responsibilities in Paragraph 2.7., the Chief, NGB, ensures that the MEO programs and policies within National Guard organizations are consistent with this policy.

## **SECTION 3: OVERSIGHT FRAMEWORK**

### **3.1. DDWG.**

The DDWG serves as the primary resource in DoD to collaborate on military and civilian workforce diversity and inclusion matters, assess diversity goals and strategic plans, and formulate recommendations concerning implementation of Presidential Executive orders, congressional mandates, and DoD policy. The DDWG was established by the USD(P&R) in a memorandum dated December 12, 2007.

### **3.2. MODEL MEO PROGRAM.**

The Military Services will design and incorporate a structure for effective management and conduct an annual self-assessment to evaluate program success and compliance. MEO programs and policies will be evaluated on six essential elements.

- a. Element 1: Demonstration of Leadership Commitment.
- b. Element 2: Evaluation of Effectiveness and Efficiency.
- c. Element 3: Integration of MEO into Strategic Mission.
- d. Element 4: Management and Program Accountability.
- e. Element 5: Prevention and Response.
- f. Element 6: Compliance.

### **3.3. DEOMI BOA.**

The DEOMI BOA is a forum for senior leaders to exchange information and collaborate on the adequacy of DEOMI staffing, resources, plans, and strategies influencing support of DoD requirements for diversity management, civilian Equal Employment Opportunity (EEO), and MEO programs. In addition, the DEOMI BOA recommends efficiencies and allocation of resources and coordinates Military Department, Service-specific, and Total Force requirements for education, training, and research.

- a. The Director, DMOC, serves as the Chair of the DEOMI BOA.
- b. The principal members of the DEOMI BOA are civilian and military leaders at the senior executive or general or flag officer level. The DEOMI BOA membership is comprised of, but not limited to, the following officials:
  - (1) Deputy Assistant Secretary of the Army for Diversity and Leadership.
  - (2) Deputy Secretary of the Navy, Civilian Human Resources.

- (3) Director, 21st Century Sailor Office.
- (4) Director, Manpower and Personnel/Joint Chiefs of Staff.
- (5) Director, Diversity & Inclusion, Headquarters U.S. Air Force.
- (6) Director, Manpower Plans and Policies Division. Headquarters, U.S. Marine Corps.
- (7) Director, Manpower and Personnel, National Guard Bureau.
- (8) Special Assistant to the Chief, National Guard Bureau on Diversity.

## **SECTION 4: PROCEDURES AND REQUIREMENTS FOR PROCESSING MEO COMPLAINTS**

### **4.1. INFORMAL MEO COMPLAINTS.**

Informal MEO complaints should be addressed at the lowest appropriate level. When available, data collection requirements in accordance with Section 10 of this issuance are applicable to informal complaints. In accordance with Military Department and Military Service policy, an MEO professional or a member in the complainant's chain of command (other than the commander) will initiate informal resolution procedures within 3 duty days. If the complaint is not or cannot be resolved within 30 duty days or the complainant is not satisfied with the outcome, the complainant may file a formal complaint.

### **4.2. FORMAL MEO COMPLAINTS.**

All formal MEO complaints must be processed in accordance with any applicable privacy requirements of DoDI 5400.11 and the Privacy Act of 1974. Formal MEO complaints will be processed by an appropriate MEO professional using the procedures in Paragraphs 4.2.a. through 4.2.c. Formal MEO complaints submitted to a cognizant commander or supervisor, inspector general's office, or staff designated by the Military Department and Military Service concerned to receive MEO complaints will be referred to a MEO professional for processing.

a. The MEO professional will:

(1) Provide Service members information regarding the policies and procedures for filing a complaint of reprisal under DoDD 7050.06.

(2) Explain the investigation process and provide complainants information regarding complainant support resources available, such as counseling and referral services, on- and off-base, and any appeal rights.

(3) Monitor the progress of the investigation and keep the complainant informed about the status, to include delays in the investigation.

(4) Adhere to Service-specific policies and procedures.

(5) Refer complaint to the appropriate commander or supervisor within 3 duty days.

b. The commander or supervisor will:

(1) To the extent practicable, within 5 duty days of receipt of the complaint, forward the MEO prohibited discrimination complaint, with a detailed description of the facts and circumstances, to a level in the organization which has a legal office (e.g., a GCMCA or agency headquarters) and initiate an investigation of the complaint.

(2) Notify complainant(s) and alleged offender(s) when an investigation begins and provide them information about the investigation process. Closely monitor and ensure timely completion of any investigation and, to the extent practicable, direct the investigation to be completed not later than 30 duty days after the date of which the investigation is commenced. Results of the completed investigation will identify substantiated, unsubstantiated, or dismissed allegations. When the investigation is complete, notify the complainant(s) and alleged offender(s) of the results.

(3) Submit a final report on the results of the investigation, including any action taken, to the next superior officer as referenced in Paragraph 4.2.b.(1) within 36 duty days of the start of the investigation.

(4) If, due to extenuating circumstances, it becomes impossible to conduct a complete investigation within the timeline stated in Paragraph 4.2.b.(2), the commander may obtain an extension in writing from the next higher commander for usually not more than 30 calendar days. The commander must provide progress reports every 14 calendar days thereafter until the investigation is completed. Upon receipt of an approved extension, the commander must inform the complainant and the alleged offender of the extension, its duration, and the reasons for which it was requested. Upon completion of the investigation, a final report on the results of the investigation must be submitted, including any action taken, to the next superior officer as described in Paragraph 4.2.b.(3).

(5) Take appropriate disciplinary or administrative action when a complaint is substantiated.

c. The investigating official or MEO professional will:

(1) Advise the MEO professional when an investigation begins.

(2) Submit a final report on the results of the investigation to the commander or supervisor within 30 days of the start of the investigation, as practical.

(3) If the investigation cannot be completed within 30 duty days, the investigating official will submit a report on the progress of the investigation to the commander or supervisor and the MEO professional every 14 duty days until the investigation is completed.

### **4.3. ANONYMOUS COMPLAINTS.**

Actions taken regarding an anonymous complaint will depend upon the extent of information provided by the complainant. If an anonymous complaint contains sufficient information (e.g., name, date, unit) to permit the initiation of an investigation, the investigation will be initiated by the commander or supervisor in accordance with this issuance and applicable Service regulations. The commander or supervisor and investigating officer will adhere to all timelines and notification requirements in Paragraphs 4.2.b. and 4.2.c. If the investigation reveals any additional complainants, the MEO professional will provide them the same information required to be provided to complainants in Paragraph 4.2.a.(2). A memorandum for record or other written form of data collection will be used to record the following information:

- a. Date and time the information was received.
- b. A detailed description of the facts and circumstances included in the complaint.
- c. Date the complaint was closed and by whom.
- d. Any other pertinent information.
- e. Anonymous sexual harassment complaints will be processed in accordance with Section 1561 of Title 10, U.S.C. when there are sufficient details to conduct an investigation.

#### **4.4. SUPPLEMENTAL GUIDANCE.**

Military Departments will establish supplemental guidance for receiving, responding to, investigating, and resolving MEO prohibited discrimination complaints consistent with the timelines and procedures outlined in this instruction.

#### **4.5. RELEASE OF REPORT.**

When the Military Department releases a final report of an investigation of a formal or anonymous MEO complaint it will:

- a. Inform complainants (to the extent their identity is known) and offenders of the availability of a final investigative report and their right to request a copy of the investigative final report, redacted as necessary to comply with the Privacy Act of 1974, and any other applicable laws and regulations.
- b. Process Freedom of Information Act requests in accordance with DoDM 5400.07.



## **SECTION 5: RESPONDING TO MEO COMPLAINTS FROM SERVICE MEMBERS**

### **5.1. RESPONDING TO MEO COMPLAINTS.**

Commanders and supervisors will:

- a. Inform Service members of available reporting options and procedures, to their commander, supervisor, the inspector general's office, MEO office, or staff designated by the Military Service concerned to receive complaints. An official will be specifically designated to receive allegations of prohibited discrimination involving commanders and supervisors to ensure impartial adjudication of such complaints.
- b. Advise Service members of available support resources.
- c. Respond to and, as appropriate, investigate all MEO complaints using the procedures in Section 4 of this issuance.
- d. Follow additional procedures and comply with requirements set forth in Component-specific policies and guidance.
- e. Take appropriate disciplinary or administrative action when a complaint is substantiated.

### **5.2. APPEALING ADMINISTRATIVE FINDINGS CONCERNING PROHIBITED DISCRIMINATION COMPLAINTS.**

- a. An administrative finding concerning a complaint resolved through an informal process will be set aside when the complainant files the same or similar complaint through the formal process.
- b. An administrative finding concerning a complaint resolved through the formal process may be appealed by the complainant or an alleged offender within 30 duty days of receiving notice of the finding.
- c. Initial and final appeal procedures will be established in Military Department and Military Service policy, subject to the following:
  - (1) The first level of appeal will be at least two organizational levels above the level at which the appellant is assigned, when practicable.
  - (2) The appeal procedure is not an adversarial process that provides for personal appearances or hearing rights.
  - (3) The final appeal authority will decide the appeal based on the written record and any written arguments submitted with the appeal. The appeal authority may sustain or overrule the finding, or remand the matter for further fact-finding.

(a) Commanders and supervisors are not required to withhold appropriate administrative or disciplinary action while an appeal is pending.

(b) The administrative appeal process is not applicable to findings rendered pursuant to command action under the UCMJ (i.e., non-judicial punishment or court-martial).

## **SECTION 6: PROCESSING MEO COMPLAINTS IN A JOINT MILITARY ENVIRONMENT**

### **6.1. MEO PROGRAM.**

Joint military environment leaders (e.g., Combatant Commanders and Directors of Defense Agencies or DoD Field Activities under OSD Principal Staff Assistants) are responsible for MEO within their respective areas of responsibility and must comply with this issuance. Special consideration must be exercised in meeting DoD MEO standards for assigned Service members. At a minimum, they will:

- a. Ensure that MEO prohibited discrimination complaints are referred for disposition within the timelines established in this issuance.
- b. Ensure that MEO complaint disposition procedures, to included responsibilities and resources, are addressed in applicable regulations and DoD Component servicing agreements.
- c. Ensure, upon completion and final disposition of the complaint, that the complainant's commander or supervisor and the alleged offender's commander or supervisor are informed of the final disposition for proper tracking, documentation, file maintenance, and records management purposes.
- d. Respond to incidents of MEO prohibited discrimination and comply with investigation timelines and notification requirements established in this issuance.

### **6.2. MEO COMPLAINT RESOLUTION PROCEDURES.**

a. When the complainant and alleged offender are assigned to different organizations and the commander of the joint military environment does not have command or supervisory authority over the alleged offender:

- (1) Prohibited discrimination complaints will be processed by the organization that has administrative control over the complainant.
- (2) The complainant's commander or supervisor is responsible for providing notice and sending updates to the alleged offender's commander or supervisor, upon receipt and final resolution of a complaint.
- (3) The complainant's commander or supervisor is responsible for ensuring the completed complaint forms are provided to the alleged offender's commander or supervisor.

b. When an administrative finding substantiates an allegation of prohibited discrimination, the alleged offender's commander or supervisor is responsible for administering appropriate corrective or disciplinary action.

## **SECTION 7: CCA PROCEDURES**

### **7.1. OVERVIEW.**

a. To determine the overall health and effectiveness of an organization, CCAs provide an opportunity for Service members and civilian employees to express opinions regarding the manner and extent to which leaders, including commanders and supervisors, respond to allegations of problematic behaviors, including sexual assault, sexual harassment, and prohibited discrimination. Commanders of military commands are required to conduct CCAs. Other organizational leaders may conduct CCAs consistent with this issuance.

b. CCAs must include all Service members in the command or organization. CCAs may include civilian employees. Contractor personnel may not participate in the CCA.

c. To avoid survey fatigue, CCAs should not be administered more frequently than once every 12 months unless necessary to comply with Paragraph 7.2.a.(1) or to address a particular concern.

### **7.2. PROCEDURES.**

a. To strengthen prevention programs for problematic behaviors, including prohibited discrimination, harassment (hazing, bullying, sexual harassment) and sexual assault, DoD Components will establish procedures to ensure:

(1) Commanders of military commands conduct a CCA within 120 calendar days after assumption of command and annually thereafter while retaining command.

(2) Commands or organizations with fewer than 50 survey participants conduct CCAs with another unit or organization, such that at least 50 people are surveyed, to ensure that survey respondents are not individually identifiable in the results.

(3) CCA results and analysis are provided to relevant individual commanders and the next higher level commander simultaneously and within 30 calendar days of initial request for command level analysis.

(4) Inclusion of a statement in the commander's performance evaluation or annual fitness report annotating if the commander has conducted the required CCA. Failure of a commander to conduct the required CCAs must be noted in the commander's performance evaluation or annual fitness report.

b. The Office of People Analytics, upon request, will provide aggregate results to DoD Components concerning CCA completion rates.

## **SECTION 8: MEO PREVENTION AND RESPONSE TRAINING AND EDUCATION**

### **8.1. GENERAL TRAINING REQUIREMENTS.**

a. In accordance with DoDI 1322.31, DoD Components will ensure MEO training is administered to all Service members and DoD civilian employees who supervise Service members.

b. Military Departments will provide MEO training during pre-commissioning programs, initial entry training, and professional military education (PME) programs. This training will:

(1) Be provided to all Service members, enlisted and officer, including flag and general officers.

(2) Include comprehensive material on leadership roles and responsibilities for EO programs, complaints processing, reprisal prevention and detection, and climate assessment methodologies.

c. Personnel not assigned to MEO billets, with program-associated responsibilities (e.g., inspectors general, chaplains, investigating officers, and personnel working in complainants' assistance and support programs) will receive MEO training as necessary to perform their duties.

d. Training facilitators will promote the chain of command as the primary channel for complaints, while providing information regarding reporting options, procedures, and applicable timelines to submit MEO complaints (including anonymous complaints and complaints involving a Service member's commander or supervisor) to the appropriate commander or supervisor, inspector general's office, MEO office, or staff designated by the Military Service to receive MEO complaints. The training content will be appropriate to the Service member's grade and commensurate with their level of responsibility.

### **8.2. ORIENTATION TRAINING.**

DoD Components will ensure MEO training is provided to all newly assigned Service members. The training will encompass the entire cycle of prohibited discrimination prevention, reporting, response, and accountability procedures.

a. MEO training must be administered within 60 calendar days.

b. The training will include DoD MEO policies, reporting options, and processes through which Service members may report prohibited discrimination or retaliation.

### **8.3. COMMON MILITARY TRAINING (CMT).**

The training will consist of comprehensive material on leadership roles and responsibilities for MEO programs; complaints processing; reprisal and reprisal prevention and detection; and climate assessment methodologies. See Appendix 8A for terminal learning objectives (TLOs). The training will include:

- a. Options for obtaining assistance when the alleged offender is the commander or in the complainant's chain of command; options must include but not be limited to, inspector general.
- b. Witnesses and bystander intervention protection.

### **8.4. PME AND LEADERSHIP DEVELOPMENT TRAINING.**

The training will include:

- a. An overview of the MEO program. The overview includes:
  - (1) The definition of prohibited discrimination.
  - (2) The consequences of prohibited discriminatory behaviors.
  - (3) Available resources to discuss concerns on addressing actions potentially perceived as prohibited discrimination.
- b. The commander's and senior enlisted Service member's role in the MEO program.
- c. Information on retaliation specific to Paragraph 8A.2.c.:
  - (1) Available resource(s) regarding retaliation.
  - (2) Chain of command responsibilities for allegations of retaliation.
  - (3) Incidents and negative behaviors that can affect command climate.
- d. Continuing education and training to ensure mastery and competency in the MEO field.
- e. A training module for new or prospective commanders at all levels of command. The training will be tailored to the responsibilities and leadership requirements of Service members as they are assigned to command positions. The training will address fostering a climate:
  - (1) That does not tolerate prohibited discrimination.
  - (2) In which individuals assigned to the command are encouraged to intervene and prevent potential incidents of prohibited discrimination.
  - (3) That encourages reporting incidents of prohibited discrimination.

f. Training topics for:

- (1) Understanding the needs of, and the resources available to, the complainant.
- (2) Assigning investigating officers for alleged incidents of MEO prohibited discrimination.
- (3) Understanding available disciplinary options, including court-martial, non-judicial punishment, and administrative action.

**8.5. MEO TRAINING AT PRE-COMMISSIONING PROGRAMS.**

An MEO professional or advisor will provide initial training and annually thereafter. The training will include, at minimum:

- a. DoD MEO policies, reporting options and processes (informal, formal, or anonymous) through which an MEO prohibited discrimination or retaliation complaint may be filed.
- b. A brief history of the problem(s), nature and consequences of prohibited discrimination in the Military Services, and retaliation (including use of social media and electronic communications), to effectively identify, report, and eradicate prohibited discrimination.

## APPENDIX 8A: CMT TLOS

### 8A.1. PURPOSE.

CMT TLOs will facilitate MEO prevention and response by strengthening individual knowledge, skills, and capacity to prevent and respond to MEO prohibited discrimination.

### 8A.2. CMT OBJECTIVE.

The objective of this CMT is for Service members to understand race relations, equal opportunity, opposition to gender discrimination, and sensitivity to hate group activity in the Military Services with the following training subjects:

#### a. TLO 1: MEO (Prohibited Discrimination) Training.

Understand equal opportunity policies and programs for compliance with statutory requirements associated with prohibited discrimination. Enabling learning objectives (ELOs) include:

- (1) Defining key terms.
- (2) Discussing MEO program and policies.
- (3) Identifying applicable requirements in DoDD 1020.02E and DoDI 1020.03.
- (4) Describing the MEO prohibited discrimination complaint process that includes formal and anonymous reporting. Students will recognize the nature, consequences, and effects of prohibited discrimination, as well as individual actions to prevent and respond to discrimination. Training in this area requires students to process scenarios.
- (5) Explaining DoD policy and impact on readiness.
- (6) Describing behaviors that violate MEO policies. Students will discuss current issues associated with prohibited discrimination, such as prohibited activities and on-off installation harassment.
- (7) Identifying cultural and social issues that affect individual and group behavior.
- (8) Describing how perceptions influence behavior.
- (9) Explaining problematic behaviors and misconduct associated with printed materials, electronic materials, and social media. Training must also address issues concerning social media misconduct and inappropriate electronic communications.
- (10) Discussing hate group attributes, in accordance with DoDI 1325.06 and Department of Justice and Federal Bureau of Investigations resources.



(11) Identifying prevention strategies and behaviors that may reduce problematic behavior.

**b. Service Social Media Policy Review.**

Training must include activities that require the student to demonstrate knowledge that is conducive to a positive bystander intervention strategy. These activities should support behaviors and actions associated with risk reduction, mutual respect, creating a healthy command climate, and issues concerning new policies and guidance on social media.

**c. TLO 2: Harassment and Retaliation Training.**

Understand the policy and the acceptable and unacceptable behaviors associated with DoD prevention and response to harassment (including sexual harassment, hazing, bullying) and retaliation (including online, e-communications and social media misconduct) relevant to applicable statutory requirements in the Military Services. ELOs include:

- (1) Hazing and bullying prevention and response.
- (2) Describing the MEO complaint process that includes informal, formal, and anonymous reporting.
- (3) Explaining problematic behaviors and misconduct associated with printed materials, electronic materials, and social media.
- (4) Identifying prevention strategies and behaviors that may reduce problematic behavior.
- (5) Required modules on sexual harassment:
  - (a) Defining sexual harassment and sexual assault.
  - (b) Discussing current issues associated with sexual harassment and sexual assault. During discussions, students are expected to explain why sexual harassment is no longer a form of discrimination, and how sexual harassment applies to the work environment (vs. workplace).
  - (c) Recognizing the nature, consequences, and effects of sexual harassment.
  - (d) Describing the MEO complaint process that includes informal, formal, and anonymous reporting.
  - (e) Explaining problematic behaviors and misconduct associated with printed materials, electronic materials, and social media.

**d. TLO 3: Sexual Violence Training.**

Understand the construct of sexual violence and its impacts. ELOs include:

- (1) Explaining the distinction between sexual harassment and sexual assault.

(2) Explaining command and personnel roles and responsibilities to include all available resources for complainants or victims on and off base.

(3) Describing DoD and Military Department policies that ensure protection of victims of alleged sex-related offenses and members who intervene on behalf of victims from retaliation.

(4) Describing Military Departments reporting requirements on retaliation to Sexual Assault Prevention and Response Office.

(5) Explaining the sexual violence investigation process.

**e. TLO 4: CCA Training.**

Understand the CCA process, commander's dissemination of results in chain of command, and consequences of commander non-compliance. ELOs include:

(1) Explaining the purpose of a CCA.

(2) Describing commander's responsibilities related to CCA.

(3) Describing leadership commitment and accountability of CCA timeline requirements; and consequences of untimely compliance and non-compliance.

(4) Explaining the utility of participating in climate assessment and an individual's role in prevention and response.

(5) Explaining the role of command MEO professional and the use of DEOCS Assessment to Solutions.

**f. TLO 5: Dissident and Protest Activity Training.**

Understand the sensitive issues concerning dissident and protest or hate group activity and its impacts on the DoD. ELOs include:

(1) Identifying dissident and protest activity.

(2) Identifying the constitutional and statutory provisions relevant to handling dissident and protest activities in the Military Services, in accordance with DoDI 1325.06.

(3) Explaining command and personnel roles and responsibilities to include all available resources for complainants or victims on and off base.

(4) Describing prohibited activities associated with dissident and protest activities.

(5) Describing DoD and Military Department policies ensuring protection of members of alleged dissident and protest activities and members who intervene on behalf of victims.

(6) Recalling problematic behaviors associated with on-off post demonstrations.

(7) Describing the procedures associated with the possession and distribution of printed and electronic materials on an installation.

(8) Recognizing the fundamental behaviors associated with early prevention, intervention, and counseling.

(9) Explaining grievance procedures when the alleged perpetrator is the commander or other officials in the member's chain of command, concerning an individual's right to go outside the process.

(10) Explaining reporting requirements to commanders, supervisors, and officials of military criminal investigative organizations.

**g. TLO 6: Centers for Disease Control and Prevention Guiding Principles of Sexual Violence.**

Understand the primary, secondary, and tertiary actionable continuum of harm risk prevention strategies and behaviors. ELOs include:

(1) Explaining how inclusive behaviors within an organization can act as a protective factor against sexual harassment.

(2) Recognizing problematic behaviors and identify where those behaviors would fall among the continuum of harm.

(3) Identifying primary, secondary, and tertiary interventions that can combat problematic behaviors within an organization.

(4) Recognizing risk factors within an organization that might lead to an increased likelihood of sexual harassment.

(5) Recognizing protective factors within an organization that might lead to a reduced likelihood of sexual harassment.

(6) Explaining objectives of DoD strategy for mitigating the risk of sexual harassment.

## SECTION 9: COMPLAINT COMPLIANCE REVIEW

### 9.1. INVESTIGATION COMPLIANCE REVIEW.

Commanders, supervisors, and equal opportunity professionals will ensure all investigation reports are reviewed by legal counsel to determine if:

- a. The investigation complies with all applicable legal and administrative requirements.
- b. The investigation adequately addresses the complaint.
- c. The evidence supports the administrative findings concerning the complaint.

Commanders will direct investigating officer to obtain additional information if the finding is not supported.

- d. The investigation conclusions and recommendations are consistent with the findings.
- e. Any errors or irregularities exist and, if so, their legal effect, if any.
- f. The complainant and alleged offender were informed, in writing, of the results of the investigation, including whether the complaint was substantiated, unsubstantiated, or dismissed.
- g. The complainant and alleged offender were advised of their right to appeal.

### 9.2. APPEAL COMPLIANCE REVIEW.

When a complainant or offender appeals the administrative finding concerning a complaint, the following should also be answered by commanders, supervisors, and equal opportunity professionals:

- a. What is the basis for the appeal?
- b. Is the corrective action documented in the case file?
- c. Was the corrective action, if any, appropriate?
- d. Were the complainant and the alleged offender briefed on the outcome? If so when?
- e. Was the response documented in the case file?
- f. What, if any, new evidence was provided by the complainant or alleged offender that was not readily available during the investigation?
- g. If the complaint was unsubstantiated, were there any management deficiencies identified that may have contributed to the allegations? If so, were these addressed and corrected?

## SECTION 10: DATA COLLECTION AND REPORTING REQUIREMENTS

### 10.1. DATA COLLECTION.

The Military Departments will collect and maintain data concerning MEO prohibited discrimination complaints by their respective Service members, to include Service members assigned outside the Military Department. This data will include information pertaining to informal, formal, and anonymous reports. Such data will be reported annually (and as needed) to the Director, ODEI, through a DoD-approved automated database. At a minimum, the Military Departments' data will include:

- a. The type of complaint (i.e., informal, formal, or anonymous).
- b. The number of MEO prohibited discrimination complaints received.
- c. The number of complaints substantiated and unsubstantiated (formal and anonymous).
- d. The demographics (e.g., race/ethnicity, gender, and pay grade) of the complainant and alleged offender.
- e. Complainant and alleged offender status (active duty, Reserve Component, civilian).
- f. The alleged offender's working relationship to the complainant at the time of the alleged incident(s) (e.g., superior, coworker, subordinate).
- g. Basis of the complaint (e.g., race, gender).
- h. The duty status of both the complainant and alleged offender (e.g., training, temporary duty, leave, and on-duty or off-duty).
- i. Whether the alleged offender has prior substantiated MEO prohibited discrimination complaints documented in his or her personnel file.
- j. A narrative description of the alleged incident(s), including the use of social media.
- k. For Service members assigned, detailed, or otherwise working in a DoD or OSD Component other than a Military Department, the identification of the DoD Component in which the MEO prohibited discrimination complaint arose.
- l. The location of the alleged incident.
- m. By whom and at what level of the organization the allegation was investigated.
- n. By whom and at what level of the organization the allegation was adjudicated.
- o. The timeline of events from the date of complaint to final disposition, and reason(s) for any delays.

- p. The disposition of substantiated complaints, including no action, non-judicial punishment, discharge in lieu of court-martial or other adverse action, adverse administration action, court-martial.
- q. Complaints resolved through conflict resolution or dispute resolution.

## **10.2. REPORTING REQUIREMENTS.**

The Director, ODEI, will provide a consolidated annual report to the USD(P&R), through the Executive Director, OFR that incorporates non-personally identifiable information and data collected by the Military Departments related to MEO complaints. The report will include:

- a. An aggregation and assessment of the information and data provided by the Military Departments.
- b. Information regarding DoD efforts to improve MEO complaints prevention and response policies and procedures.
- c. Recommendations to strengthen MEO complaint prevention and response efforts, if appropriate.

## SECTION 11: DEOMI

### 11.1. COMMANDANT OF THE DEOMI.

The Commandant of the DEOMI:

- a. Operates the DEOMI under the authority, direction, and control of the Director, DoDHRA, through the Director, DMOC, subject to the policy guidance of the Executive Director, OFR, through the Director, ODEI.
- b. Coordinates all DEOMI publications and research projects with the Military Departments; the Director, DoDHRA; and the Director, ODEI.
- c. Maintains accreditation by an independent postsecondary accreditation body, as appropriate.
- d. Prepares a five-year plan for DEOMI programs that includes priorities and projections reflecting the needs of the users of DEOMI services based upon input from DoD Components and the Director, ODEI.
- e. Ensures that DEOMI training methods, technologies, and curriculum are relevant and meet the needs of the Military Departments. Curriculum will include:
  - (1) Guiding principles of the Centers for Disease Control and Prevention concerning sexual violence prevention.
  - (2) Procedures for prevention of, and response to, MEO prohibited discrimination complaints, to include formal, informal, and anonymous processes.
  - (3) Conduct and interpretation of CCA and other applicable assessment tools.

### 11.2. DEOMI FACULTY MEMBERS.

DEOMI faculty members:

- a. Provide:
  - (1) Primary training for Service members and DoD civilian employees assigned to MEO, EEO, and human relations positions. This includes training on policies and programs on the prevention and response to prohibited discrimination, harassment, and participation in extremist activities.
  - (2) Special seminars and briefings for senior military and civilian leaders.
  - (3) Assistance or consultation services, upon request, to all DoD entities in developing curricula and educational materials for MEO, EEO, and human relations education.

(4) MEO or EEO advisors and human relations instructors with educational training materials to remain current in the MEO or EEO subject areas and continue to develop professionally.

(5) MEO and EEO training, on a space-available basis, to:

(a) Other federal agencies.

(b) Contractors retained by DoD entities to perform MEO, EEO, and related functions on a reimbursable basis.

(c) Nonfederal agencies that perform related functions (e.g., State and local governments and private sector organizations).

(6) Assistance to all DoD entities, including the Military Service Academies and PME schools, in developing and reviewing curriculum and educational materials for MEO.

(7) Objective-based curricula to senior leaders to include:

(a) Diversity and inclusion.

(b) Prohibited discrimination.

(c) Ethical decision making.

(d) Toxic leadership.

(e) Retaliation prevention and response strategy.

(f) Leadership accountability and oversight framework.

(g) Unconscious bias.

(h) Harassment prevention and response.

b. Develop and distribute:

(1) Educational research materials to help MEO professionals and human relations instructors remain current in MEO subject areas and provide professional development training.

(2) Reference resources, national observance materials, research papers, and other awareness products that support DoD Component MEO programs and personnel. Means of distribution include:

(a) Computer-based electronic systems, such as email, internet, and simulation.

(b) Teleconferencing.

(c) Distance learning, webinars, and online courses.



c. Review Military Service training plans for compliance with this issuance and sufficiency of content, and report potential deficiencies to the Director, ODEI.

d. Conduct MEO and human relations research with the Military Services and provide special research-related projects on request in support of the DDWG and DEOMI BOA. Research should be approved by DoDHRA and OFR.

e. Act as a clearinghouse to monitor and distribute research findings relevant to MEO, human relations, and diversity and inclusion.

f. Develop procedures for reference resources, lesson plans, research papers, and demographic databases that support programs outlined in this issuance, through the use of existing computer-based electronic systems.

g. Serve in an advisory capacity to other federal departments and agencies; state and local governments; and private sector organizations, as determined by the Commandant of DEOMI, consistent with applicable laws and regulations and after consultation with the DMOC.

h. Develop and provide a website that allows DoD Components and the Military Services to access human relations research, diversity and inclusion information, tools, training materials, and products supporting MEO professionals and leaders in the field and fleet.

### **11.3. FACULTY MEMBER CRITERIA.**

a. The Director, DoDHRA, establishes criteria for assigning officers and enlisted Service members, including members of the Reserve Components, to faculty and staff positions at DEOMI. To receive instructional staff assignments to DEOMI personnel must, at a minimum:

(1) Complete the DEOMI Equal Opportunity Advisor Course (officer and enlisted).

(2) Complete a Military Service instructor training course (e.g., academic instructor school, basic instructor course) or equivalent instructional methodologies (officer and enlisted).

(3) Have a minimum of three years remaining in military service upon assignment to DEOMI (officer and enlisted).

(4) Possess a bachelor's degree (officer only).

(5) Complete at least one successful tour as an equal opportunity advisor or command climate specialist (enlisted only).

(6) Possess an associate degree or equivalent level of college credit or experience (enlisted only).

b. Each Military Service and NGB may select candidates for consideration and approval to serve as faculty members. Service members must meet DEOMI prerequisites and Service-specific requirements.

c. DoD civilian employees must meet the following qualification criteria for selection as a faculty member:

- (1) Possess at least an associate degree from a regionally or nationally accredited postsecondary institution.
- (2) Successfully complete a Military Service instructor qualification course (e.g., academic instructor school, basic instructor course) or equivalent instructional methodologies course (civilian or military equivalent).
- (3) Successfully complete applicable DEOMI equal opportunity or EEO occupational training. Applicable course are:
  - (a) DEOMI Equal Opportunity Advisor Course.
  - (b) DEOMI Equal Opportunity Advisor Reserve Component Course.

d. Civilian faculty nominated or selected for assignment as EEO trainers must:

- (1) Meet minimum occupational qualifications for an EEO specialist or other human resources specialist as described in Office of Personnel Management's Position Classification Standard for Equal Employment Opportunity Series, General Schedule-0260.
- (2) Successfully complete Military Service instructor qualification courses (e.g., academic instructor school, basic instructor course) or equivalent instructional methodologies courses.
- (3) Have at least three years of experience as an EEO specialist.

e. Newly assigned faculty members must achieve a minimum score of 80 percent on all required instructor certifications and the DEOMI instructor development program.

f. The professional development training of MEO staff personnel must include continuing education and training to ensure mastery and competency in the MEO field.

#### **11.4. ACADEMIC FREEDOM AND NON-ATTRIBUTION.**

a. The Commandant of DEOMI will determine the policy and procedures governing academic freedom, integrity, and non-attribution at DEOMI. The policies and procedures will be consistent with:

- (1) DEOMI standard operating procedures.
- (2) National Defense University (NDU) standard operating procedures.
- (3) NDU's Policy on Academic Freedom.

b. In accordance with NDU Regulation 360-1, academic materials within the publication domain must include disclaimers that:

(1) Citations and references are used only for education and training purposes that support research or training objectives. Referenced materials from non-Federal Government sources may not be used for any reason other than for their intended purpose (e.g., education, training, and research).

(2) DEOMI does not endorse the content of any specific reference material, or the organization that is the source of the material, unless specifically identified as a DoD or other Federal Government source.

(3) Reference materials from non-federal sources are included in this material solely to expose students to varying points of view and to generate discussion.

## GLOSSARY

### G.1. ACRONYMS.

ACRONYM	MEANING
BOA	Board of Advisors
CCA	command climate assessment
CMT	common military training
DDWG	Defense Diversity Working Group
DEOCS	Defense Organizational Climate Survey
DEOMI	Defense Equal Opportunity Management Institute
DMOC	Diversity Management Operations Center
DoDD	DoD directive
DoDHRA	DoD Human Resources Activity
DoDI	DoD instruction
DoDM	DoD manual
EEO	equal employment opportunity
ELO	enabling learning objective
MEO	military equal opportunity
NDU	National Defense University
NGB	National Guard Bureau
ODEI	Office for Diversity, Equity, and Inclusion
OFR	Office of Force Resiliency
PME	professional military education
TLO	terminal learning objective
UCMJ	Uniform Code of Military Justice
U.S.C.	United States Code
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

## G.2. DEFINITIONS.

These terms and their definitions are for the purpose of this issuance.

<b>TERM</b>	<b>DEFINITION</b>
<b>anonymous complaint</b>	Information received by the commander, or other person, regardless of means of transmission, from an unknown or unidentified source, that includes allegations of prohibited discrimination. The individual is not required to divulge any personally identifiable information.
<b>CCA</b>	A systematic procedure used to gather, synthesize, and report key perceptions, attitudes, and behaviors within an organization, all which can affect unit readiness. A complete assessment includes a DEOCS in addition to utilizing data gathered from interviews, observations, and existing records or reports in order to form a complete and actionable picture of organizational climate.
<b>clearinghouse</b>	A place for the exchange of information concerning a specific topic.
<b>color</b>	Skin tone or complexion. Even though race and color clearly overlap, they are not synonymous. Thus, color discrimination can occur between persons of different races or ethnicities, or between persons of the same race or ethnicity.
<b>complainant</b>	A person who submits an allegation or report of MEO prohibited discrimination.
<b>DEOMI</b>	A DoD institution used to enhance combat and operational readiness by enhancing unit and organizational leadership and cohesion. This is accomplished by developing and conducting education and training in the administration of military, equal opportunity, EEO, and human relations.

<b>TERM</b>	<b>DEFINITION</b>
<b>equal opportunity</b>	The right of all persons to participate in, and benefit from, programs and activities for which they are qualified. These programs and activities must be free from social, personal, or institutional barriers that prevent people from rising to the highest level of responsibility possible.
<b>ethnicity</b>	Classifications of ethnicity include: Hispanic or Latino, defined as an individual of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race; and not Hispanic or Latino.
<b>formal complaint</b>	An allegation submitted in writing to the staff designated to receive such complaints in Military Department operating instructions and regulations; or an informal complaint, which the commander or other person in charge of the organization, determines warrants an investigation.
<b>gender identity</b>	The individual’s internal sense of being male or female. The way an individual expresses their gender identity is frequently called “gender expression,” and may or may not conform to social stereotypes associated with a particular gender.
<b>informal complaint</b>	An allegation, made either orally or in writing, that is not submitted as a formal complaint through the office designated to receive discrimination complaints. The allegation <b>must</b> be submitted to any entity authorized to receive a MEO complaint.
<b>investigation</b>	An examination into allegations of wrongdoing or misconduct.

<b>TERM</b>	<b>DEFINITION</b>
<b>joint service environment</b>	A locality from which operations of two or more of the Military Departments are projected or supported and which is manned by significant elements of two or more Military Departments or in which significant elements of two or more Military Departments are located. Includes joint commands, joint bases, Defense Agencies, and joint field activities that involve more than one branch of Military Service.
<b>MEO</b>	The right of all Service members to serve, advance, and be evaluated based on only individual merit, fitness, capability, and performance in an environment free of prohibited discrimination on the basis of race, color, national origin, religion, sex, gender identity, or sexual orientation.
<b>MEO complaint</b>	An MEO allegation or report of prohibited discrimination-based race, color, national origin, religion, sex, gender identity, or sexual orientation made by a Service member to a commander, supervisor, the inspector general's office, MEO office, or other staff designated by the Military Service concerned to receive MEO complaints.
<b>MEO Program</b>	The DoD-wide military program of equal opportunity that is accomplished through efforts by the DoD Components. It provides an environment in which Service members are ensured an opportunity to rise to the highest level of responsibility possible in the military profession, dependent only on merit, fitness, and capability.
<b>national origin</b>	An individual's or ancestor's place of origin. Also applies to an individual who has the physical, cultural, or linguistic characteristics of a national group. National origin discrimination involves treating people (applicants or employees) unfavorably because they are from a particular country or part of the world, because of ethnicity or accent, or because they appear to be of a certain ethnic background (even if they are not).

<b>TERM</b>	<b>DEFINITION</b>
<b>prohibited discrimination</b>	Discrimination, including disparate treatment, of an individual or group on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation that is not otherwise authorized by law or regulation and detracts from military readiness.
<b>protected communication</b>	Any communication protected in accordance with Section 1034 of Title 10, U.S.C. that relates to prohibited discrimination.
<b>race</b>	A division of human beings identified by the possession of traits that are transmissible by descent and that are sufficient to characterize persons possessing these traits as a distinctive human genotype. Race discrimination involves treating someone unfavorably because he or she is of a certain race or because of personal characteristics associated with race (such as hair texture, skin, color, or certain facial features). Classifications of race include: White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian, or other Pacific Islander.
<b>religion</b>	A personal set or institutionalized system of attitudes, moral or ethical beliefs, and practices that are held with the strength of traditional religious views, characterized by ardor and faith, and generally evidenced through specific religious observances.
<b>reprisal</b>	Taking or threatening to take or recommend an unfavorable personnel action, or withholding or threatening to withhold, or recommend against, a favorable personnel action, for making, preparing to make, or being perceived as making or preparing to make a protected communication.



<b>TERM</b>	<b>DEFINITION</b>
<b>retaliation</b>	Wrongfully taking or threatening to take or recommend an adverse personnel action against any person; or wrongfully withholding or threatening to withhold, or to recommend against, a favorable personnel action against any person for reporting or planning to report a criminal offense, or making or planning to make a protected communication, with the intent to discourage any person from reporting a criminal offense or making or planning to make a protected communication.
<b>social media</b>	Web-based tools, websites, applications, and media that connect users and allows them to engage in dialogue, share information, collaborate, and interact. This includes using social media on-duty and off-duty through the use of government or personal devices in a manner that meets any of those definitions.
<b>sex</b>	The biological distinction between males and females.
<b>sexual orientation</b>	Homosexuality, bisexuality, or heterosexuality, whether such orientation is actual or perceived, including association with another individual of a particular sexual orientation.
<b>total force</b>	The organizations, units, and individuals that comprise DoD resources for implementing the National Security Strategy. It includes DoD Active and Reserve Component Service members and DoD civilian personnel.

## **REFERENCES**

- DoD Directive 1020.02E, “Diversity Management and Equal Opportunity in the DoD,” June 8, 2015, as amended
- DoD Directive 1440.1, “DoD Civilian Equal Employment Opportunity (EEO) Program,” May 21, 1987, as amended
- DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- DoD Directive 7050.06, “Military Whistleblower Protection,” April 17, 2015
- DoD Instruction 1020.03, “Harassment Prevention and Response in the Armed Forces,” February 8, 2018
- DoD Instruction 1322.31, “Common Military Training (CMT),” February 20, 2020
- DoD Instruction 1325.06, “Handling Dissident and Protest Activities Among Members of the Armed Forces,” November 27, 2009, as amended
- DoD Instruction 5015.02, “DoD Records Management Program,” February 24, 2015, as amended
- DoD Instruction 5400.11, “DoD Privacy and Civil Liberties Programs,” January 29, 2019
- DoD Manual 5400.07, “DoD Freedom of Information Act (FOIA) Program,” January 25, 2017
- DoD Manual 8910.01, Volume 1, “Department of Defense Information Collections Manual: Procedures for DoD Internal Information Collections,” June 30, 2014, as amended
- National Defense University Regulation 360-1, “Public Information,” October 11, 1990
- United States Code, Title 5, Section 552a (also known as the “Privacy Act of 1974,” as amended)
- United States Code, Title 10
- United States Code, Title 42, Section 2000d