

Abuse and Harassment Prevention Policy

Program Participant Code of Conduct

The Brattleboro Music Center

Brattleboro Music Center strives to maintain a healthy, safe, productive environment for the BMC employees, faculty, volunteers, students, and program participants* in all programs or events sponsored by the BMC. This means that the BMC promotes an environment free from discrimination, whether based on race, ethnicity, color, body type, religion or spiritual path, gender, sexual or affectional orientation, gender identity, national origin, genetics, ability/disability, relationship status, employment/unemployment status, HIV/STD status, or age.

The Brattleboro Music Center will not tolerate harassment in any form by any BMC employee, faculty, volunteer, student, or program participant*. The BMC will not tolerate sexual advances, actions, or comments; racial or religious slurs or jokes; or any other comment or conduct that, in the judgment of the Board of Trustees of the BMC, creates, encourages, or permits an offensive or intimidating environment.

The Brattleboro Music Center Board of Trustees takes all complaints of harassment seriously. Participants who violate this policy may face disciplinary action from the BMC up to and including being dismissed from the program or event without refund.

Any person listed on a national or state sexual offender registry is prohibited from participating in BMC programs or events. The BMC Board of Trustees may approve the participation of such individuals with conditions and/or restrictions following a confidential appeal and hearing with advice of the BMC's legal counsel.

Please review the complete Abuse and Harassment Policy and procedures which are available on-line at the BMC website, or by requesting a printed copy from the BMC Office, the Executive Director, or Educational Programs Director.

* For purposes of this policy a program participant is a paid or unpaid performer in a program or event sponsored by the BMC.

Abuse and Harassment Prevention Policy

Staff, Faculty, and Volunteer Code of Conduct

The Brattleboro Music Center

Brattleboro Music Center strives to maintain a healthy, safe, productive environment for the BMC employees, faculty, volunteers*, students, and for program participants in all programs or events sponsored by the BMC. This means that the BMC promotes an environment free from discrimination, whether based on race, ethnicity, color, body type, religion or spiritual path, gender, sexual or affectional orientation, gender identity, national origin, genetics, ability/disability, relationship status, employment/unemployment status, HIV/STD status, or age.

The Brattleboro Music Center will not tolerate harassment in any form by any BMC employee, faculty, volunteer*, or student. The BMC will not tolerate sexual advances, actions, or comments; racial or religious slurs or jokes; or any other comment or conduct that, in the judgment of the Board of Trustees of the BMC, creates, encourages, or permits an offensive or intimidating environment.

The Music Center Board of Trustees takes all complaints of abuse and harassment seriously. Following an investigation of a complaint, a violator of this policy may face disciplinary action including reprimand, working restrictions, suspension, or dismissal.

Any person listed on a national or state sexual offender registry is prohibited from serving as staff, faculty, or volunteer* in any BMC programs or events.

Please review the complete Abuse and Harassment Policy and procedures which are available on-line at the BMC website, or by requesting a printed copy from the BMC Office, the Executive Director, or Educational Programs Director.

By signing this policy summary, I acknowledge that I understand and agree to abide by its contents.

Name _____ Signature _____
Date _____

Name _____ Signature _____
Date _____
Parent/Guardian (if signed by a minor above.)

*For purposes of this policy a volunteer is an unpaid person who regularly or occasionally works with children in a BMC educational program.

Abuse and Harassment Prevention Policy

Procedure

This Abuse and Harassment Prevention Policy establishes how Brattleboro Music Center (BMC) will prevent the physical, emotional and sexual abuse and/or harassment of children and participating adults by its employees, faculty, students, volunteers, and participants in programs or events sponsored by the BMC.

The BMC considers all staff and faculty to be responsible to report suspicions of abuse of any kind to the BMC Executive Director and if warranted, the appropriate state authority.

Definitions

Abuse: Abuse takes many forms. The following are prohibited:

1. Physical abuse: Injury inflicted on a child (any person under the age of 18), or adult, by an employee, staff, faculty member, student, volunteer, or participant
2. Sexual abuse: Contact or activity of a sexual nature between an adult and a child, a child and another child, or unwelcome contact by an adult with another adult
3. Emotional abuse: Mental or emotional injury inflicted on a child or adult by the actions of an adult or child
4. Neglect: Failure to provide adequate care for a child
5. Economic abuse: Deliberate misuse of the money or belongings of a child

Harassment:

Harassment is defined as unwelcome conduct that interferes with an individual's ability to attend or enjoy a program or event, or to conduct the business of the Brattleboro Music Center, by creating or contributing to an intimidating, threatening, unsafe, hostile, or abusive environment.

Harassment includes, but is not limited to:

- Intimidating or threatening another person in any way,
- Touching people (sexually or non-sexually) without verbal or non-verbal consent,
- Making sexually suggestive comments or gestures,
- Violating others' implicit or explicit boundaries, or personal space,
- Stalking or following another person without consent (including stalking via email or social media),
- Repeatedly asking a person to do something (sing, socialize, etc.) when the

- person has said no,
- Photographing or recording people without their express consent,
 - Degrading, shaming, or disrespecting other people for any aspect of their identity, including but not limited to: race, ethnicity, color, body type, religion or spiritual path, gender, sexual or affectional orientation, gender identity, national origin, genetics, ability/disability, relationship status, employment/unemployment status, HIV/STD status, or age.
 - Repeatedly and/or intentionally misgendering people,
 - Revealing identifying personal information without consent,
 - Communication that is sexually suggestive or obscene including but not limited to letters, notes, invitations, email, electronic messaging, or social media.

Policy Guidelines

Personnel Screening

Safeguards in the hiring process will eliminate from consideration any candidates who have a history that makes them a high risk for violating this policy. The screenings and background information required will depend on the position and its level of involvement with children and vulnerable adults. All employees, faculty, and volunteers working in educational programs will have background, criminal, and sex offender checks.

All information collected about a candidate will be reviewed and used to determine if the applicant is appropriate for the respective position. If the candidate is hired, all information collected during the hiring process will be included in the employee's personnel file, which will be maintained over the course of employment with BMC.

For Employees, Teachers, and Volunteers who *regularly* work with or around children

Candidates for positions that involve regular interaction with children will be screened and selected using the following:

1. BMC employment application that includes signed authorization to perform necessary background checks,
2. Criminal background checks in any and all states where the candidate has lived in the past seven years,
3. Sexual offender registry checks in any and all states where the candidate has lived for the last seven years,
4. Driving records and any applicable certification if the position requires the transportation of children,
5. In-person interview.

For Employees, Faculty, and Volunteers who *occasionally* work with children

Candidates for positions that involve occasional contact with children will be screened and selected using the following:

1. BMC employment application that includes signed authorization to perform necessary background checks,
2. Driving records and any applicable certification if the position requires the transportation of children,
3. In-person interview.

Administrative Guidelines for Students in Educational Programs

All programs and events sponsored by the BMC support and insure safe interaction between adults and children. The following safeguards are in effect.

1. Programs for children and youth must have a minimum ratio of one adult to 15 student participants.
2. Request for new BMC sponsored activities or programs must be submitted by a Program Director or member of the Faculty in writing and approved by the Executive Director prior to implementation.
3. Written permission, by hand or via email, must be obtained from a parent or guardian before any employee, faculty, or volunteer transports a child in the name of BMC.
4. After a class, activity, or event the BMC will release a minor only to the parent, legal guardian or a person designated by a parent or legal guardian.

Administrative Guidelines for Program Participants

The BMC Executive Director or any Program Director is authorized to remove any participant from a program when the person is found to have violated this policy. Any contemplated suspension or dismissal of a participant from a BMC program must be reviewed with the BMC Executive Director.

A person listed on a national or state sexual offender registry is prohibited from participating in any BMC programs or events. The BMC Executive Director will inform the person of their suspension or dismissal from a program should information come to the attention of the BMC Executive Director about a participant that reveals a conviction for a sexual offense against a child or listing in a sexual offender registry.

The BMC Board of Trustees may approve the participation of such individuals with conditions and/or restrictions following a confidential appeal and hearing with advice of the BMC's legal counsel.

This BMC policy requires that administrators face discipline or dismissal if they know of abusive behaviors and fail to take action.

Procedures in the Event of a Complaint

I. Complaints of Abuse or Harassment

In order for the BMC to take action, any employee, teacher, student, student's parent/guardian, volunteer, or participant who believes he or she has been subjected to or personally witnessed abuse or sexual harassment should file a complaint. Complaints may be made in writing or in person by contacting

BMC Executive Director
20 Blanche Moyses Way
Brattleboro VT 05301
(802) 257-4523

The Executive Director is also available to discuss confidentially any concerns and to provide information about the BMC Abuse and Harassment Policy and the complaint process.

II. Investigation of a Complaint

Any complaint will be investigated confidentially in a fair and a timely manner. The investigation by a professionally qualified neutral third party will be conducted in such a way as to maintain confidentiality to the extent practicable. An investigation may include confidential interviews with the person filing the complaint, the alleged perpetrator, and/or others who may have relevant information. When an investigation is initiated the BMC Executive Director will inform the person filing the complaint and, to the extent appropriate, the person alleged to have committed the conduct prohibited by this policy.

III. Resolution of the Complaint

Based on the findings of the completed investigation and advice from legal counsel, the BMC Executive Director will take appropriate disciplinary action including warning, reprimand, suspension, or dismissal. With the advice of legal counsel, the BMC Board of Trustees may hear an appeal of a suspension or dismissal.

IV. Retaliation

Any employee, faculty, student, volunteer, or participant making a complaint in good faith or assisting with the investigation of a complaint shall not be adversely affected in terms and conditions of employment, program participation, status, discrimination, or dismissed because of the complaint. Complaints of retaliation will be promptly investigated and corrective action taken by the BMC Executive Director.

V. Training and Dissemination

The BMC will provide periodic training sessions for all employees, faculty, and volunteers concerning:

- Their responsibilities to protect others,
- Their rights to be free from abuse and harassment,
- The procedures for relief and resolution provided by this policy.

A copy of this policy will be distributed to all employees, faculty, and volunteers and posted in areas of the BMC facilities for public information.

VI. State and Federal Remedies

In addition to the above, a complaint can be made to the government agencies listed below. Using BMC's complaint process does not prohibit filing a complaint with these agencies. Each agency has a time limited period for filing a claim from the date of the alleged abuse or harassment.

- The United States Equal Employment Opportunity Commission (EEOC)
1 Congress Street 10th Floor
Boston MA 02114
(617) 565-3200
- Vermont Human Rights Commission
14-16 Baldwin Street
Montpelier VT 05633-6301
(800) 416-2010 or (802) 828-2480
email: human.rights@state.vt.us
- Vermont Department of Children and Families
www.dcf.vermont.gov
(800) 649-5285 (24/7 hotline)

VII. Public Comment

The BMC welcomes any suggestions for improving this policy and procedures. Suggestions should be addressed confidentially to the BMC Executive Director and/or Chairman of the Board.

BMC Abuse and/or Harassment Reporting Form

Name: _____ Date Submitted: _____

Circle one:

Employee Faculty member Volunteer Student Program Participant

Name of Immediate Supervisor or Director of Program/ Performance

Statement of Complaint

Name(s) of Person(s) Accused of Wrongdoing:

Description of Incident (Include date, time, place and the actions and statements of all persons involved.)

Action(s) Requested:

Action(s) Taken by Administration (Include date(s) and time(s) and if information was obtained in person or by phone interviews.)

Resolution:

Signature of Supervisor, Program Director,
BMC Executive Director and other signators as warranted

Date