

# Diverse Harmony

## Anti-Harassment Policy, Procedures and Reporting Requirements

### 1. General Prohibition of Harassment

Diverse Harmony (the "Organization") expressly prohibits any form of unlawful harassment of employees, volunteers, independent contractors, Board members and choir members based on race, color, national origin, gender, sexual orientation, age, disability, gender expression or other protected classes. "Harassment" includes unwelcome, annoying or offensive conduct directed at any person, such as threats, demands, requests, pursuit, teasing, abuse, taunts, insults, heckling or other similar action.

### 2. Sexual Harassment

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, other verbal or physical conduct of a sexual nature, and comments, jokes, innuendoes and other sexually oriented statements constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's affiliation with the Organization; or
- Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting such individuals' participation in the activities of the Organization; or
- Such conduct and the scope, severity and pervasiveness of such conduct has the purpose or effect of substantially interfering with an individual's performance for the Organization or creating an intimidating, hostile, or offensive environment.
- Examples of such conduct include, but are not limited to, unwelcome flirtations, physical touching, advances or propositions; verbal comments about sex or physical attributes; any display in the workplace of harassing or intimidating objects; printed materials or pictures pertaining to sex or physical attributes; and sexually explicit or suggestive e-mail or voicemail messages.

### 3. Supervision Procedures

Unless an extenuating situation exists, the Organization:

- Will have adequate number of screened and trained paid staff or volunteers present at events involving minors. Supervision will increase in proportion to the risk of the activity.
- Will monitor facilities during activities involving children.
- Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
- Will encourage minors to use a "buddy system" whenever minors go on trips off the Organization's property.

- Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.
- Will designate a "confidential counselor" to whom any minor can go at any time, without special permission, to discuss any problems he or she is having.

#### **4. Behavioral Guidelines**

All volunteers and paid staff will observe the following guidelines:

- Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
- To the extent possible, the Organization events that are co-educational will have both male and female chaperones.
- Whenever possible, at least two unrelated paid staff or volunteers will be in the room when minors are present. Doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present. Speaking to a minor or minors one-on-one should be done in public settings where paid staff or volunteers are in sight of other people.
- Avoid all touching with minors.
- Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.
- If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor to another individual with supervisory authority.
- If one-on-one conversation is necessary, avoid meeting in isolated environments.
- Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the proper authorities and to the President of the Organization for handling.

#### **5. Complaint Procedure**

If you feel this policy has been violated, whether by a co-worker, a supervisor, a Board member, an independent contractor, vendor, or member of the public, you should immediately contact either the Artistic Director or President of the Board. If these individuals are involved in the harassment, you should contact any member of the Board. *See Item 10 below for mandatory reporting requirements for child abuse and/or neglect.*

#### **6. Investigation**

Any complaint of harassment should be investigated promptly. Internal investigations to resolve a complaint should be conducted as confidentially as possible. The Organization cannot guarantee the anonymity of an individual making a complaint. The Organization at its sole discretion may engage outside resources for assistance with the investigation or notify appropriate authorities.

#### **7. Prohibition of Retaliation**

It is against the Organization's policy to discriminate or retaliate against any person who has complained concerning harassment or has participated in any manner in any investigation. Any person who, after investigation, has been determined to retaliate against anyone for using this procedure shall be subject to disciplinary action, up to and including the immediate termination of their working relationship with the Organization.

## 8. Discipline

Any supervisor, agent, or staff member who is found to have engaged in harassment is subject to disciplinary action, up to and including the immediate termination of their working relationship with the Organization.

## 9. Good Faith Complaints

The Organization recognizes that false allegations of harassment can have serious effects on innocent people. The Organization may take disciplinary action, up to and including the immediate termination of the working relationship with the Organization, in cases where false, frivolous or vexatious complaints are submitted. No disciplinary action should be taken where complaints are made in good faith.

## 10. Legal Reporting Requirements and Procedure for Abuse or Neglect Allegations

Any person may report to law enforcement or Child Protective Service in good faith suspected child abuse and/or neglect. The following section pertains to those individuals associated with the Organization who are mandatory reporters under Washington state law.

**Definition of Abuse:** For purposes of reporting child abuse and neglect, Washington law defines a child as a person under the age of 18. Washington law defines abuse or neglect as "the injury, sexual abuse, sexual exploitation, negligent treatment, or maltreatment of a child by any person under circumstances which indicate that the child's health, welfare, and safety is harmed, excluding conduct permitted under RCW 9A.16.100." RCW 26.44.020

Child abuse may be violent or non-violent. All child sexual abuse is an exploitation of a child's vulnerability and powerlessness in which the abuser is fully responsible for the actions. Child sexual abuse is criminal behavior that involves children in sexual behaviors for which they are not personally, socially, and developmentally ready. Child abuse and neglect includes both physical and non-physical aspects. The effects of child abuse are ongoing and affect the victim mentally, emotionally, physically, socially, and spiritually.

The profile of a child molester is varied. Over eighty percent of the time, the typical child molester is someone known and trusted by the victim. Most abuse takes place in the context of ongoing relationships. Adult child abusers may be married and have children. The non-similarities in the molester profile means we should not make assumptions about who might or might not be a child molester.

**External Reporting Obligations:** As a nonprofit organization, the Organization has certain reporting obligations related to suspected child abuse or neglect. RCW 26.44.030(1)(b). An independent contractor, Board member or volunteer in a supervisory role for the Organization, who has reasonable cause to believe that a child has suffered abuse or neglect is required by Washington law (RCW

26.44.030(1)(b)) to report child abuse or neglect to the proper law enforcement agency, provided the abuse or neglect was caused by a person:

1. whom he or she regularly supervises,
2. who is employed by, contracted by, or volunteers for the Organization, and
3. who regularly has unsupervised access to a child or children.

Washington law requires that all reports required to be made under RCW 26.44.030(1)(b) must include the name of the accused, if known. The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

The independent contractor, Board member or volunteer shall report the suspected child abuse (1) pursuant to the internal reporting procedures set forth below, and (2) to the proper law enforcement. **Merely reporting to the Organization does not satisfy the mandatory reporting obligations under Chapter 26.44 RCW.**

In addition, the mandatory reporting obligations required by Washington law extend to other persons including, but not limited to, any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, licensed or certified child care providers or their employees.

**Internal Reporting Obligations:** Staff members or volunteers who have reasonable cause to believe that abuse or neglect has occurred must discuss the matter with the Board President within 24 hours. Unless the risk of injury is immediate, the staff member or volunteer shall make such report prior to reporting to government officials. The report should be made verbally and in writing.

If the staff member or volunteer is a "mandatory reporter to law enforcement," they must also make an internal report as set forth above.

In addition, staff members and volunteers should discuss and report any behavior that may be perceived as inappropriate, suspicious, or harmful in any way to the Board of the Organization, its volunteers or choir participants (including children and youth) with the President of the Board or Artistic Director as soon as possible.

## **Acknowledgement of Anti-Harassment Policy, Procedures and Reporting Requirements**

These guidelines have been designed to guide and assist you when working with minors. The information establishes general practices and guidelines and should not be construed in any way as a contract of employment or continued employment. The Organization reserves the right to make changes in the content or application of this program and to implement those changes with or without notice.

The terms defined herein are defined for the purposes of the program and do not suppose or establish a legal relationship. These terms are not defined for the purposes of creating a legal relationship with the Organization or any related or associated entity and instead are to be used with this document.

----- TEAR HERE -----

I have received a copy of **Diverse Harmony’s Anti-Harassment Policy, Procedures and Reporting Requirements** document. I understand it is my responsibility to become familiar with and adhere to the information contained herein. I understand that these policies are the property of Diverse Harmony.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Sign, scan and return to [busmgr@diverseharmony.org](mailto:busmgr@diverseharmony.org)