

## **Impulse Youth Arts Membership Protection Policies**

### Purpose and Overview

Our organization works with thousands of young people and we're determined to not only bring them a fantastic open-class performing arts experience but also ensure their safety and security. Below are several important policies and procedures we use to ensure that our students have an incredible and safe experience and that Impulse Youth Arts Organization (IYAO) holds itself to the highest ethical standards.

### Participant Safety Agreement

To ensure that all contractors, employees, volunteers, interns, and anyone who interacts with Impulse's students are briefed on the high expectations we hold for the safety and care of our members and held in writing to such standards – IYAO requires all such individuals to read, agree, and sign a Participant Safety Agreement as a part of the IYAO Membership Packet. This agreement is valid for one year, or for one clearly defined "season" spent with any IYAO program.

### Staff and Member Responsibilities

1. All members of Impulse Youth Arts Organization are expected to conduct themselves in according to all socially acceptable principals and responsible behaviors. Verbal abuse, physical violence, hazing, bullying, theft, drugs, alcohol and weapons are not allowed at any IYAO event or in association with IYAO in any context. Any member that has been determined by IYAO staff or administration to have participated in any unacceptable behavior may be removed from the organization.
2. All administration and staff members are responsible for monitoring the behaviors of the members and are required to intercede if necessary. Members are encouraged to raise concerns to staff if any problems arise.
3. Should any member act inappropriately towards any staff members, the staff will inform the Corps Director. The Corps Director will document the incident and bring it to the attention of the Board of Directors if needed. The Board of Directors will assess the severity of the infraction and assign consequences needed to protect the members and organization from further problems.

### Abuse

Definition: California State law defines child abuse as: Physical injury inflicted on a child by another person, sexual abuse, emotional abuse and child neglect. Child neglect is defined as negligent treatment which threatens the child's health or welfare.

### Categories of child abuse or neglect

1. **Sexual abuse** is the victimization of a child by sexual activities, including molestation, indecent exposure, fondling, rape, and incest.
2. **Physical abuse** is bodily injury inflicted by other than accidental means on a child including willful cruelty, unjustifiable punishment, or corporal punishment.
3. **Emotional abuse** is nonphysical mistreatment, resulting in disturbed behavior by the child such as severe withdrawal or hyperactivity. Emotional abuse includes willfully causing any child to suffer, inflicting mental suffering, or endangering a child's emotional well-being.
4. **General neglect** is the negligent failure of a parent/guardian or caretaker to provide adequate food, clothing, shelter, or supervision where no physical injury to the child has occurred.
5. **Severe neglect** refers to those situations of neglect where the child's health is endangered, including severe malnutrition.
6. **Exploitation** means forcing or coercing a child into performing activities that are beyond the child's capabilities or which are illegal or degrading, including sexual exploitation.

IYAO strictly prohibits any form of abuse towards members, volunteers and/or staff. Anyone who believes that he or she has been subjected to abuse in violation of this policy, or who believes that this policy has been violated, should report this matter immediately to the Impulse Youth Arts Organization Corps Director at [corpsdirector@impulseyoutharts.org](mailto:corpsdirector@impulseyoutharts.org). Failure to report or supervisory inaction may be cause for disciplinary action up to and including dismissal from the Impulse Youth Arts Organization and legal prosecution.

### Harassment

Definitions:

1. **Discrimination** is defined under applicable federal and state law. In general, unlawful discrimination means failing to treat people equally based on status that is protected under applicable law.
2. **Harassment** is a specific form of discrimination. It is unwelcomed behavior, based on a protected status, which is sufficiently severe or pervasive to create an intimidating, hostile, or offensive environment in IYAO or activities. Harassment may include but is not limited to: verbal abuse or ridicule including slurs, epithets and stereotyping, offensive jokes and comments; hazing threatening, intimidating, hostile acts, and displaying or distributing offensive materials, writings, graffiti, or pictures.
3. **Hazing** is defined as any action taken or situation created intentionally that causes embarrassment, harassment or ridicule, risks emotional and/or physical harm, to members of a group or team, whether new or not, regardless of the person's willingness to participate. Hazing is not just a crime; it is a felony.

4. **Bullying** is defined as unwanted, aggressive behavior that involves a real or perceived power imbalance. Verbal bullying may include but is not limited to: ridicule including slurs, epithets, stereotyping, offensive jokes and comments, threats, and intimidating. Physical bullying may include but is not limited to: physical acts of aggression, hostility, and nonaccidental harm.
5. **Sexual harassment** is harassment between two individuals which includes unwelcome behavior or conduct of a sexual nature that is made, either explicitly or implicitly, a condition of an individual's experience, participation, or advancement in IYAO or activities or the submission to or rejection of such behavior or conduct is a factor in decisions affecting that individual's experience, participation, or advancement in IYAO or activities.
6. **Retaliation** occurs when an adverse action is taken against an individual for engaging in protected activity. Protected activity consists of:
  - a. Opposing conduct reasonably believed to constitute discrimination, including harassment, that violates an employment discrimination statute; or filing a complaint about such practice.
  - b. Seeking an accommodation under this policy.
  - c. Testifying, assisting, or participating in any manner in an investigation or other proceeding related to a discrimination complaint.
  - d. Adverse actions that are reasonably likely to deter a complaining individual or others from engaging in protected activity are prohibited.
7. **Report** any allegation(s) of a violation of this policy that is/are made to any staff or administration of IYAO.
  - a. IYAO is committed to providing members, staff, and guests, with an environment that is free of harassment, discrimination, or retaliation. IYAO expressly prohibits harassment, discrimination, and retaliation by members, staff, employees, contractors, or agents based on protected status, including race, color, religion, sex, national origin, age, disability, veteran status, and sexual orientation.
  - b. All IYAO staff and volunteers are responsible for participating in and assist with creating and maintaining an environment that is free from all forms of prohibited discrimination, including harassment and retaliation.
  - c. All IYAO members shall cooperate with any investigation of allegations of violations of this policy. Providing false or misleading information or failure to cooperate may result in disciplinary action up to and including dismissal from the Impulse Youth Arts Organization.
  - d. Anyone who believes that he or she has been subjected to discrimination, harassment, or retaliation in violation of this policy, or who believes that this policy has been violated, should report the matter immediately to the IYAO Corps Director and/or the Board of Directors. Failure to report or supervisory inaction may be cause for disciplinary action up to and including dismissal from the IYAO.

- e. All IYAO staff and volunteers who receive reports of discrimination, harassment or retaliation shall maintain the confidentiality of the information that they receive except where disclosure is required by law or is necessary to facilitate legitimate IYAO processes, including reporting, investigation, and resolution of allegations.
- f. Violations of this policy may result in disciplinary action, up to and including dismissal from the IYAO. Violations of this policy by staff, or persons who are not members, of IYAO may be subject to appropriate legal action as provided for under California law.
- g. An individual's filing of a complaint or charge with any outside agency or entity will not affect any IYAO investigation concerning the same or similar events.

### Violence policy

1. Any act of intimidation including menacing and harassing behaviors, threat of violence, and acts of violence committed against any person is prohibited.
2. All weapons, explosives, and fireworks, are prohibited on all land, buildings and equipment that is owned, leased, rented or under the control of IYAO or its affiliated or related entities, in all residential facilities (whether managed by IYAO or another entity), in all IYAO vehicles and or vehicles rented by IYAO, and at all IYAO or IYAO affiliate-sponsored events and activities.
3. Any person experiencing or observing imminent violence in the workplace should call the local Police Department at 911.
4. All incidents and allegations of violent or threatening conduct by IYAO member, staff, volunteer, employee (whether on-site, at an event or off-site) must be reported to the local Police Department, and the IYAO Corps Director and President of the Board immediately. If either person determines that the behavior poses or has posed a serious threat to personal safety or to the welfare of the IYAO, its staff, members, or volunteers, the individual will not be permitted to return to any IYAO buildings, properties, competitions or events until an appropriate threat assessment has been completed and, if necessary, conditions for return are imposed. Impulse Youth Arts President of the Board, Board of Directors and local Police Department and other appropriate offices will coordinate the assessment in light of the relevant circumstances.
5. Staff must notify the Corps Director or a member of the Board of Directors of any restraining orders against any individuals who may interact or attempt to interact with IYAO members and staff. This may include members, staff, employees, volunteers or non-employees.
6. Any IYAO staff, the Corps Director or a member of the Board of Directors who receives a report of a suspected violation of this policy shall document and report the suspected violation to the appropriate authority.

7. Employees found to be in violation of this policy shall be subject to disciplinary action up to and including termination. Any employee who intentionally brings false charges will be subject to disciplinary action up to and including termination.

### Fraternization and Conduct Policies

#### **1. Responsibilities**

- a. Impulse Youth Arts Organization takes great pride in the high quality of its Staff. Being a Staff member of IYAO is a privilege, not a right. The quality of the programs and the safety of members call for exemplary adult leaders. IYAO works diligently to recruit the best possible employees and volunteers
- b. IYAO screens all individuals who successfully meet the requirements for Staff.
- c. Applications for initial and continuing employment are strictly scrutinized, including all necessary and appropriate background checks, before an applicant can work in a program.

#### **2. Conduct with Members**

- a. To provide guidance to IYAO staff regarding appropriate conduct and interaction with members, IYAO has adopted the following policies. These policies have been adopted to ensure the safety and security of all members within the organization. In addition, the policies are designed to provide protection for staff from any improprieties and/or accusations that may occur.

#### **3. Two Deep Leadership**

- a. Two (2) members of IYAO staff, one of whom must be at least 21 years of age or older, are required to be present for every IYAO sponsored activity including tours, rehearsals, performances, etc.

#### **4. No One on One Interaction**

- a. One-on-one interactions are strongly discouraged between staff and members but are permitted in situations that require personal attention, such as individual feedback and/or instruction.
- b. One-on-One interaction is to be conducted in plain view of other adults and/or members.
- c. Should a situation require direct one-on-one interaction (such as a single staff member driving a sole member to camp), such interaction should only be permitted with the clear and direct approval of the member (if over 18) or the member's legal parent or guardian (if under 18).

- d. Regardless of the situation, these instances should be avoided and occur where rare and exceptional circumstances have occurred.

## **5. Social Gatherings with Members**

- a. Any staff participating in social gatherings which include current members must recognize that such a function will be considered an official gathering of IYAO, requiring notification to and permission from the Corps Director of IYAO. All IYAO rules and policies will therefore be in effect at such a gathering, and staff behavior must conform to all policies and procedures stated here in.

## **6. Social Media**

- a. Staff are prohibited from requesting and/or soliciting members to include them in their social media networks. If, however, a member asks that staff communicate directly with them via their social media networks, such actions are permissible on a limited basis and should be kept to a minimum (i.e. last-minute communication regarding logistical or rehearsal information).

## **7. Accommodation**

- a. General Expectations - Staff are required to respect the individual privacy of all members in all situations and always including overnight accommodations, restroom usage, changing clothes, and showering.
- b. When IYAO activities require an overnight stay(s), staff are required to sleep in rooms separated from members.
- c. It is the expectation that that members will be provided with separate restroom and shower facilities.
- d. If separate accommodations are not available, separate times will be scheduled (i.e. turns) for member usage of the restroom, shower, etc.
- e. Overnight stays require that adult supervision (both male and female staff, 21 years of age or older) be present. One of the adults serving in this capacity must be familiar with current IYAO Member Protection Policies.

### *Whistleblower Policy*

The IYAO Whistleblower & Anti-Retaliation Policy can be found in the Membership Handbook which can be found at the following link. A standalone printable version can be downloaded on the same page. This policy allows for a

confidential and secure channel with which to report complaints, reports, or inquiries about prohibited practice or violations of law including illegal or improper conduct by Impulse itself, by its leadership, or by others on its behalf.

### Report a Concern - Whistleblower

IYAO takes our Whistleblower & Anti-Relation Policy seriously. If you have a complaint, report, or inquiry to submit please use this form or email the President of the Board of Directors at [President@impulseyoutharts.org](mailto:President@impulseyoutharts.org). All submissions will be securely delivered only to the President of the Board of Directors. All reports will remain confidential and treated with the utmost sincerity.

In the event of a report of sexual abuse or harassment, IYAO will follow internal reporting procedures. After a concern has come to the Board of Directors attention an investigation into the situation will pursue. All care will be taken to protect all parties involved until a conclusion is reached. Once reached by the Board of Directors, a course of action will be pursued including all appropriate reporting needed to government agencies as needed.

#### Reporting Responsibilities

1. In general, California state law (Cal. Penal Code, Sec.11165.7) states that any adult administrator, employee, teacher, teacher's aide, volunteer, or others; for either a public or a private organization; whose duties include either direct contact with, or supervision over children; has a mandatory duty to report child abuse. While it is unclear if all staff of IYAO are mandated reporters, it is the policy of this agency to report all suspicions or allegation of child abuse to Child Protective Services. Staff are not required to know for certain that a child has been abused.
2. The law requires a person have 1) reasonable suspicion, and 2) that the report is being made in "good faith". When these requirements are met, all states provide immunity from liability for child abuse reporters.

#### Acknowledgement of Receipt

All Impulse Youth Arts Organization faculty, staff and volunteers are required to read and abide by the policy and procedures contained in this agreement. Should any questions arise, clarification and/or interpretation can be provided by the Corps Director or a member of the IYAO Board of Directors.

By my signature below, I acknowledge receipt of the IYAO Member Protection Policies and Procedures and acknowledge that I have read and agree to abide by the Member Protection Policies and Procedures contained therein. In addition, I agree that it is my responsibility to sign the attached acknowledgement of receipt and return the completed form to the Corps Director for inclusion in my employee or volunteer file.

I am aware that if I violate any portion of this agreement, the Corps Director or a Member of the Board of Directors in conjunction with the President of the Board may, at their sole discretion, terminate my employment and/or participation in the Impulse Youth Arts Organization.

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Signature

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Date

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Print First and Last Name