

BD Performing Arts (“BDPA”) Youth Protection Policy

Youth Protection in BDPA

How does BDPA prevent child abuse?

BDPA has adopted a number of policies aimed at eliminating opportunities for abuse within the Organization’s numerous programs. These policies focus on faculty, volunteer and staff selection, and on placing barriers to abuse within the programs.

Prohibition Against Sexual Misconduct

Sexual misconduct, including (1) sexual harassment, (2) non-consensual sexual acts and/or contact, (3) sexual exploitation and (4) stalking are strictly prohibited.

Most have experienced teasing as a part of their life experiences. The question is, when does teasing cross the line and become harassment? This is important because, unlike teasing, harassment can have significant negative effects on the individuals who are subject to it – humiliating and degrading them or causing them to feel threatened.

Sexual harassment by definition is unwelcome sexual conduct that either creates a hostile environment or is presented as a demand in exchange for gaining something (in the workplace or institution). Such behavior is illegal. Please note that no specific behaviors are associated with sexual harassment. Instead, sexual harassment encompasses a broad spectrum of behaviors that are generally defined to include the following:

- Visual: Ogling or staring; or inappropriate posters, pictures, magazines, or fliers.
- Verbal: Repeated requests for dates, questions about personal life, lewd comments/jokes, or whistling.
- Written: Love letters, obscene letters, or lewd bumper stickers or cards.
- Touching: Violating space, patting/grabbing. pinching, caressing, or kissing.
- Power: Relationships; using position to request dates, sex, etc.
- Threats: Quid pro quo demands (I’ll give you preferential treatment if ...)
- Force: Physical assault or rape.

Sexual Assault includes physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity, because they are below the minimum age of consent, or because they are incapacitated due to the use of drugs and/or alcohol.

Sexual Exploitation includes taking sexual advantage of another person for the benefit of oneself or a third party without consent. This includes, but is not limited to, sexual voyeurism, indecent or lewd exposure, recording any person engaged in sexual, private or intimate activity in a private space without that person's consent, distributing personal sexual information, images, or recordings or inducing incapacitation in another person with the intent to engage in sexual conduct.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress. Stalking includes conduct that occurs via electronic communications, including social media (i.e., cyberstalking).

Faculty and Staff

BDPA takes great pride in the high quality of its faculty and staff. Being a member of the faculty and/or staff is a privilege, not a right. The quality of the programs and the safety of the students call for exemplary adult leaders. Thus, BDPA works to recruit the best possible employees.

BDPA screens all faculty and staff members. Applications for initial and continuing employment are strictly scrutinized, including all necessary and appropriate background checks, before an applicant is allowed to work in a program. While no current screening techniques exist that can identify every potential child molester, one can reduce the risk of accepting possible child molesters by learning as much as one can prior to offering employment (experience with children, reason for interest in BDPA, discipline techniques the applicant would employ, etc.).

Barriers to abuse within the programs of BDPA

BDPA has adopted the following policies in order to provide additional security for all participants in the programs offered. These policies are designed primarily for the protection of students; however, they also serve to protect faculty and staff from false accusation of abuse.

Two-deep Interaction: Either two members of BDPA faculty or staff, or one member plus a screened volunteer, one of whom must be at least 21 years of age or older, are required to be present for every gathering (rehearsal, performance, or other), or outing (concerts, tours, or others).

No One-on-One Contact: One-on-one private meetings between faculty/staff and students is permitted in situations that require personal attention, such as private conferences, instruction, or the like. The meeting is to be conducted in view of other adults and/or students or be an open door meeting. Should an exceptional situation require direct one-on-one contact (such as a single staff member driving a sole student to camp), such contact may be permitted only with the clear and direct approval of the

student's legal parent or guardian, or if over 18 written approval by the student filed in BDPA offices.

Separate Accommodations: When activities require overnight stays, no individual student by themselves is permitted to sleep in the same room as a faculty/staff member or volunteer, other than his/her own legal parent or guardian. Further, male and female students are required to have separate restroom and shower facilities. When separate facilities are not available, separate times for male and female student use of the common facility should be scheduled and posted.

Proper Preparation to Minimize Risk: All activities involve inherent risk. All activities should be reviewed. No activity that involves increased risk should be undertaken without proper preparation, equipment, clothing, supervision, and safety measures.

No Secret Organizations/Social Groups: BDPA does not recognize any secret organizations as part of its program. All activities of BDPA are open to observations by parents, faculty, volunteers, and staff.

Appropriate Attire: Proper clothing for activities is required. For example, skinny-dipping is not appropriate as part of BDPA programs.

Constructive Discipline: Discipline used in BDPA should be constructive and reflect high values. Corporal punishment is never permitted. Please see BDPA "Handbook for Members" section titled "Behavior" (page 7), for a further explanation of policy.

Hazing Prohibited: Any kind of hazing and/or initiations are prohibited and may not be included as part of any BDPA program.

Training and Supervision of New Faculty/Staff: Adult faculty and staff must monitor and guide the leadership/instruction techniques used by junior faculty, volunteers, and staff to ensure that all policies are followed.

How can parents help protect their children?

Parents participate in the protection of their children in a variety of ways. The most important is to maintain open lines of communication so that children are encouraged to bring any troubles to their parents for advice and counsel. In addition, parents need to be encouraged to participate in BDPA activities and events. All parents receive important information concerning BDPA various programs in their Member Handbooks. This information will help parents detect any deviations from BDPA's approved programs. If any deviations are noted, parents should be encouraged to call these to the direct attention of the BDPA Executive Director, Program Director, and/or Board of Directors for assistance.

While we hope that all those who come in contact with BDPA feel unhindered and unthreatened in raising concerns, complaints, and issues, we recognize that it is essential to also provide for confidential and anonymous submission of such concerns, complaints, and issues, to ensure BDPA has the full opportunity to investigate and address any potential violations of policy, law, or ordinance in the conduct of our activities. BDPA “Safe Place” policy can be accessed on our web page.

Anyone may report any concerns or issues via a form on our web page form and it will be sent to the Ethics Committee composed of BDPA Compliance Director and BOD President. You can also email any concerns or issues directly to ethics@bluedevils.org. In addition, reports may be made through the Ethics Line at 925-359-9479. The Ethics Line is monitored by members of the Ethics Committee.

Parents also need to review the member handbook. The information should be the subject of discussion between students and their parents prior to the student’s enrollment in BDPA.

Why do most child victims of sexual abuse keep the abuse secret?

A victim of child abuse is under a great deal of pressure to keep the abuse secret. In many cases of child molestation, the molester has threatened to harm the child or a member of the child’s family. The molester might have told the child that he would not be believed even if the child did tell. Another common situation is that the molester will tell the child that if the child tells about the abuse, he/she will get into trouble. The clear message is given to the child that if another persons find out, something bad will happen to the child. The pressure to maintain silence can often be successfully overcome by establishing open communication between children and adults, students and faculty, through proper discussion sessions.

What should a faculty, volunteer, or staff member do if a child tells them that he/she has been sexually abused?

How an adult responds to a child when he/she tries to disclose abuse can influence the outcome of the child’s victimization. By maintaining an apparent calm, the adult can help reassure the child that everything is going to be okay. By not criticizing the child, one counteracts any statements the molester may have made about getting the child into trouble. The adult should reassure the child that he/she is concerned and that the adult will arrange help. **Allegations by a BDPA student concerning abuse in any BDPA program or activity must be reported to the Executive Director, Program Director or a member of the Board of Directors.** Since this might be a mandatory reporting requirement, a student should be told that the information about the abuse will be forwarded to the proper authorities and not anyone else. **It is important that all faculty/staff members of BDPA understand that any report of abuse must only be given to either the Executive Director, Program Director or a member of the Board of Directors. BDPA will report the abuse to authorities if necessary.** If a

report is relayed to anyone else, and the allegations cannot be substantiated, the reporting faculty/staff member could be sued for defamation of character.

What are your reporting responsibilities?

In general, California state law (Cal. Penal Code, Sec.11165.7) states that any adult administrator, employee, teacher, teacher's aid, 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.** People are often concerned about being sued for reporting child abuse. Please note that a person is not required to know for certain that a child has been abused. All that the law requires is that 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.**

Student Behavior Guidelines

Mission Statement: Music and the performing arts connect youth with their culture through a common language crossing generational, social, and racial barriers. The activities that a young person pursues influences the type of person he or she becomes. The experiences that come with participation in a performing arts organization builds discipline, character, pride, and self-confidence at a crucial age and forms the springboard to even greater achievements in adulthood. BDPA performing arts programs enrich the lives of young people through a commitment to youth development and performance excellence while providing employment for our local community and audiences worldwide. BDPA has the expectation that all students within its programs relate to each other in a way that supports this mission.

One of the developmental tasks of childhood is to learn appropriate behavior. Children are not born with an innate sense of propriety and thus need guidance and direction. The examples set by faculty and staff as adult role models is a powerful tool for shaping behavior and a tool that is stressed by BDPA.

Misbehavior by a single student in a training or performing department group may disrupt the education process. Further, misbehavior during activities may actually constitute a threat to the safety of the individual who misbehaves as well as to the safety of the other student members. Therefore, as misbehavior places an unacceptable burden on all members of BDPA it cannot be ignored.

Please see BDPA Member Handbook section titled "Code of Conduct" for a more complete discussion of this subject.

Student responsibilities

All students of BDPA are expected to conduct themselves in accordance with the normal principals of socially responsible behavior and BDPA Code of Conduct.

Physical violence, sexual harassment, non-consensual sexual acts and/or contact, sexual exploitation, stalking hazing, bullying, theft, verbal abuse, drugs, and alcohol have no place in BDPA. Any students found guilty of engaging in unacceptable behavior may be expelled from the organization.

Further, faculty, volunteers, and staff are required to advise BDPA students that should they be confronted by threats of violence or other forms of bullying from other students, or from any other persons, the students should seek help from any member of the organization: faculty, staff, counselors, or volunteers.

Training and performing department responsibilities

All faculty and staff are responsible for monitoring the behavior of students under their responsibility, and are required to intercede when necessary. Parents of students who misbehave should be informed and asked for assistance in dealing with their child's behavioral problems.

BDPA does not permit the use of corporal punishment by faculty or staff when disciplining students.

The Executive Director, Program Director and/or the Board of Directors will review repetitive and/or serious incidents of misbehavior.

Requirements for Activities, Events, Tours, and Others

1. Two-deep supervision: Either two faculty or staff members, or one faculty or staff member and one volunteer, one of whom must be of at least 21 years of age or older, are required for all activities such as concerts, trips, tours, etc. One-adult-to-one-student interaction is acceptable only so long as the interaction takes place at a location within reasonable common view.
2. Large single-room or dormitory-type accommodations: Adults and students of the same gender may occupy dormitory or large single-room accommodations, provided there is a minimum of two adults and four students. Further, a minimum of one of the adults must be a BDPA faculty or staff member who is familiar with BDPA child safety policies. Adults must establish separation barriers or privacy zones such as temporary blanket or sheet walls in order to keep their sleeping areas and dressing areas separated from the youth.
3. Transportation: For trips using transportation organized by BDPA to and from BDPA events, faculty and staff must do the following: 1) designate a meeting place, date, and time; 2) establish a plan for making periodic check-point stops as a group along the route; and 3) plan daily destination points. For larger vehicles, supervision by two adults is optimal. For smaller vehicles, supervision by one adult is acceptable; however, the vehicle must

carry a minimum of two or more students. In non-emergency/non-medical situations, one-adult-to-one-student travel is not acceptable unless the adult is the student's legal parent or guardian. Should an exceptional situation require that a single staff member drive a sole student, such an arrangement may be permitted only with the signed approval of the student's legal parent or guardian, or if a student is over 18, they must provide BDPA with a written release of liability.

4. Safety Rule of Four: No fewer than four individuals, two adults and two students, may participate in an event organized by BDPA. Only in the event of emergency may a group of four separate into two independent groups. In such instances the two independent groups must each consist of one adult and one student.
5. Social Gatherings: Any staff participating in a social gathering that includes current students must recognize that such a function will be considered an official gathering of BDPA, requiring notification to and permission from management. All BDPA rules and policies will therefore be in effect at such a gathering, and staff behavior must conform to all work standards and expectations.
6. Sleeping facilities for male and female students: Male and female students require separate male and female sleeping facilities where possible. In most cases, the facilities will be large single-room or dormitory-type accommodations explained in section 2. In this case all male and female students will be separated by a large dividing space. There will be a mandatory policy of ONE sleeping bag/blanket per ONE student.
7. Supervision of overnight stays: Coed overnight activities require male and female adult leaders, both of whom must be 21 years of age or older, and one must be a BDPA faculty or staff member who is familiar with BDPA child safety policies. No individual youth will share sleeping facilities with one adult unless the adult is the student's legal parent or guardian.
8. Restroom and shower facilities: If separate shower and restroom facilities are not available, separate times for male and female use should be scheduled and posted. Further, students should be encouraged to visit such facilities in groups of two or more. Finally, when possible, the doors on restroom stalls should provide privacy latches or display signs that say Occupied or Unoccupied. Faculty, staff, and parent volunteers need to respect the privacy of students in all situations where appropriate such as when students are changing clothes or taking showers understanding that at times the facilities do not have separate faculty and staff locker rooms.

Staff/Student Communication Protocols

Communications between staff and students should always be of a professional, not personal nature. If a person's thoughts are not specifically focused on BDPA activities and requirements, or they can't or shouldn't be said in front of another staff person or a student's parent, it should definitely not be said to a student. There is no tolerance for staff crossing the line into a student's personal mental or physical space. There is no tolerance for staff using suggestive language, sexual innuendo or invitation, abusive language or intimidation, or unseemly behavior or language. And in this age of cyber communications, it is deemed inappropriate and unacceptable to transmit messages or images that contain overtly or subtly personal or sexual content to BDPA students.

Particular care must also be taken to protect private information about any student. This would include health issues, family issues, behavioral issues, addresses, phone numbers, social security numbers, etc. Caption heads will be provided with data required for managing their assigned students only. There should be no sharing of such private information between staff. Even group emails should be sent utilizing "bcc," (blind copies), to prevent others from seeing the email addresses of other students.

In the event that a student makes inappropriate overtures of any kind toward a member of the staff, it is recommended that the staff member seek managerial participation in conducting a private, three-person meeting with that student in which more appropriate behavioral standards and expectations are defined and mandated. This should be dealt with quickly and directly, but *not* in a one-on-one meeting. Both the Manager and staff member should write up a synopsis of this incident and provide copies to the Executive Director. If the situation is not resolved as a result of this process, then the Executive Director and Corps Manager will determine the level of consequence required to protect the staff and corps from any escalation, up to and including expelling the student from further participation.

BDPA Official Communication

BDPA has four forms of official communication between members and staff.

- 1) BDPA provided emails (@bluedevils.org). Please do not use personal emails to communicate
- 2) BlueCloud broadcast text and email messages
- 3) Slack messages
- 4) Text messages only if you have a 2 to 1 ratio. This is the least favorable way to communicate

Social Media

No staff should initiate an opportunity to have students participate in their personal social media and networking sites (facebook, LinkedIn, YouTube, Reddit, Tumblr, Snapchat, Instagram, Blogs, etc.), or other "buddy-oriented" web addresses. Staff can authorize and accept student-initiated connections to their own personal sites but

should not initiate invitations to connect into the students' personal sites. A staff person is always deemed to be an instructor of students, not a buddy of the students.

Zero Engagement – All BDPA staff members should have zero engagement on all student's social media and networking sites. Staff members are never to like, retweet, heart, share, etc. on any members personal sites. No staff should post on any student's social accounts. No staff should mention or publicize a student through their personal social platforms.

Prohibition on Consensual Relationships and Sexual Activity Between Staff/Staff Volunteers and Participants

Consensual romantic or sexual relationships and sexual activity of any nature between the staff of BDPA (including faculty as well as staff volunteers) and the students, members or participants, regardless of their ages is strictly prohibited. This prohibition extends through the full tenure of a participants' involvement in BDPA activities.

BDPA

Youth Protection Policy

Acknowledgment of Receipt

All BDPA faculty, staff, counselors, and others, are required to both read and understand this written policy statement on youth protection. Should you have any questions please bring them to the attention of the Executive Director, Program Director or a member of the Board of Directors. When faculty, staff, or volunteers are satisfied that they have both read and understand this policy, they must sign the attached form and return it to BDPA office for inclusion in their employee file.

I _____ (please *print* name) acknowledge receipt of the Youth Protection Policy of BDPA. I have read and understand this policy.

Signature

DATE: _____