

Town & Gown Theatre Code of Conduct

I. Overview

Town & Gown Theatre is committed to providing an environment that is free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equal opportunities. Included in this code are an Anti-Harassment and Non-Discrimination Policy as well as Reporting Procedures, detailed below.

Harassment and discrimination will not be tolerated, condoned, or ignored at Town & Gown Theatre. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including permanent expulsion from the premises.

Town & Gown Theatre is committed to a comprehensive strategy to address harassment and discrimination, including the following:

- providing an effective and fair complaints procedure
- promoting appropriate standards of conduct at all times
- ongoing assessment of risks surrounding each of our work environments, including administrative, rehearsal, production, and/or performance spaces

If individuals have any questions about these policies and procedures, suggestions for improvement, or other concerns, they are encouraged to email any member of the Town & Gown Theatre Board of Directors or make use of our Reporting Form (which may be anonymous) any time.

II. Anti-Harassment, Bullying, and Non-Discrimination Policy

A. Definitions

i. Discrimination

Any form of unequal treatment based on the above grounds, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face. It may involve rules, practices, or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways. Even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy.

ii. Harassment

A course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome, including any such words or actions based on a ground of discrimination identified by this policy. Examples of harassment can include the following:

- Epithets, remarks, jokes or innuendos, including those related to any of the above grounds
- Posting or circulating offensive pictures, graffiti or materials, whether in print form or via e-mail, social media, or other electronic means
- Hostile or intimidating actions or remarks
- Sexual and gender-based harassment can include but is not necessarily limited to:

- Gender-related comments about a person's physical characteristics or mannerisms
- Paternalism based on gender which undermines a person's self-respect or position or responsibility
- Physical contact without expressed consent and (in instances of creative application) applicable discussion or choreography
- Suggestive or offensive remarks or innuendoes about members of a specific gender
- Propositions of physical intimacy inside the work environment
- Gender-related verbal abuse, threats, or taunting
- Leering or inappropriate staring
- Bragging about sexual prowess or questions or discussions about sexual activities
- Offensive jokes or comments of sexual nature about an employee, cast member, audience member, volunteer, or Board member
- Rough and vulgar humor or language related to gender
- Display of sexually offensive pictures, graffiti or other materials including through electronic means
- Demands for dates or sexual favors

If a person does not explicitly object to harassing behavior, or appears to be going along with it, this does not mean that the behavior is okay. The behavior could still be considered harassment under this Code of Conduct.

iii. Sexual Solicitation

This policy prohibits quid pro quo and any other forms of sexual solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes board members and directors, as well as co-workers where one person is in a position to grant or deny a benefit to the other. Reprisals for rejecting such advances or solicitations are also not allowed.

iv. Bullying

Bullying is classified as behavior that psychologically or physically hurts, manipulates, or isolates a person within the professional or volunteer environment. It can involve a singular or repeated incident, or a pattern of behavior that is intended to intimidate, offend, degrade, abuse, or humiliate a particular person or group of people. While bullying is a form of aggression, the actions can be both obvious and subtle. It is also qualified as the assertion of power through aggression by those in a position of influence or authority. As part of the Town & Gown Theatre Code of Conduct, bullying is a form of harassment that is under no circumstances to be tolerated, condoned, or ignored. Examples of bullying include the following:

- Excluding or isolating someone socially
- Intimidating a person
- Undermining or deliberately impeding a person's work
- Physically abusing or threatening abuse
- Removing areas of responsibilities without cause
- Constantly changing work guidelines
- Establishing impossible deadlines that will set up the individual to fail
- Withholding necessary information or purposefully giving the wrong information

- Making jokes that are obviously offensive by spoken word, e-mail, or social media
- Intruding on a person's privacy by pestering, spying or stalking
- Assigning unreasonable duties or workload which are unfavorable to one person (in a way that creates unnecessary pressure)
- Underwork – creating a feeling of uselessness
- Yelling or using profanity
- Criticizing a person persistently or constantly
- Belittling a person's opinions
- Unwarranted (or underserved) punishment
- Tampering with a person's personal belonging

v. Reasonable Person Test

If one is unsure if an action or statement could be considered bullying, harassment, or discrimination they may use the "reasonable person" test: *Could a reasonable person consider the action unacceptable?*

B. Applications

The right to freedom from discrimination and harassment extends to everyone working with Town & Gown Theatre in any capacity, including all employees, as well as directors, cast, volunteers, students, and audience members. It is also unacceptable for persons acting on behalf of Town & Gown Theatre to engage in harassment or discrimination with others outside of Town & Gown Theatre, including sponsors, audience members, or other with whom Town & Gown Theatre has professional dealings, such as students, instructors, performers, rental companies, or service providers. This Policy applies at every level of the organization and to every aspect of the theatre environment, including all operations and events that occur outside of the physical theatre itself, such as competitions, outside venues, meetings, travel, awards ceremonies, and other theatre parties or events. This policy prohibits discrimination, bullying, or harassment based on the following grounds, and any combination of these grounds:

- Age
- Creed (religion)
- Pregnancy and breastfeeding
- Sexual orientation
- Sex
- Gender identity
- Gender expression
- Family Status
- Marital status
- Mental, physical, developmental, language or learning Ability
- Race
- Ancestry
- Place or origin
- Ethnic origin
- Citizenship
- Association or relationship with a person identified by one of the above grounds
- Any other similar grounds

III. Procedures for Addressing a Complaint

A. Definitions

- i. Complainant - A person who has experienced, observed, or impacted by any of the behaviors prohibited in this Code of Conduct
- ii. Subject of the Complaint (“SOC”) - The person or persons alleged to have perpetrated the misconduct in the complaint

B. Records

Regardless of the method of addressing the prohibited behaviors in this Code of Conduct, all involved parties are entitled and encouraged to keep a record. They should aim to write down dates, times, and witnesses, what was said or done, when and by whom. Documentation is extremely important, especially if the SOC does not stop or if the issue requires a formal complaint. Records of the investigation will be securely maintained by Town & Gown Theatre.

C. Methods for addressing prohibited behaviors

i. Direct Address

If the complainant feels comfortable and it is safe to do so, they may attempt to correct the issue directly by informing the SOC(s) that their behavior is unacceptable and that it must stop immediately.

ii. Complaint Submissions

a) Submitting a Complaint

If the complainant is not comfortable communicating directly with the SOC(s), or if the complainant has addressed the behavior and it has continued, the complainant is encouraged to submit a complaint. They may use the attached form, or submit their complaint in writing or via email to any member of the production team or the Board of Directors, who shall immediately convey the complaint to the rest of the Board of Directors. In the event that a member of the Town & Gown Theatre Board of Directors is a party or witness to an incident, or if the complainant so chooses, complaints may be submitted directly to the theatre’s compliance officer listed on the complaint form. In the event the theatre’s compliance officer is involved in a production at the theatre in any capacity, the Bylaws & Policies Committee will appoint an alternate compliance officer for the duration of that production.

b) Confidentiality

To the extent that is lawful and reasonable, steps will be taken to keep as many details of the investigation confidential as possible. Please note, should the complainant choose not to identify themselves during the reporting of the incident, the Town & Gown Board of Directors will not be able to contact the complainant and may not be able to enforce the policy to the fullest extent. Any parties made aware of the details or circumstances surrounding a formal investigation are expected to retain confidentiality. In the event an associated party does not retain confidentiality, they may be subject to disciplinary action by The Board of Directors.

c) Investigation of a Complaint

- (1) Reports will be handled on a case by case basis, beginning with a conversation between the complainant and a two-person panel selected by the Board President (or other member of the Board of Directors if the President is involved in the incident).
- (2) Upon the submission of a complaint, the investigative panel will contact the complainant and SOC in a timely manner of no longer than five (5) business days.

- (3) The complainant and the SOC will be given an opportunity to object to the membership of the panel for any reason. It is our hope to make this process as comfortable and unbiased as possible as we navigate the delicate nature of our community/work environment and the uniqueness of each situation.
- (4) The investigation will be conducted within ten (10) business days from the initial response. Whether the SOC is allowed to continue participating at the theatre during that time is at the discretion of the director of the current production and/or the board of directors, depending on the parties and circumstances of the complaint. The investigation shall include, but is not limited to, the following:
 - Further conversations with the complainant to gather information
 - Contacting involved parties to discuss the complaint
- (5) Once the investigation is completed, the panel will meet with the board to provide them with a verbal and written report of their findings and recommendations to address the complaint, which may include, but not be limited to, the following:
 - Disciplinary action of the person responsible for the incident
 - Physical or sexual abuse will automatically trigger disciplinary action
 - Disciplinary action could include a permanent ban from a physical presence and/or participation of any kind at Town & Gown Theatre
 - Facilitation of appropriate mediation or counseling for those involved
 - Suspension, termination, or removal of the individual from their role or position
 - Discussion with the SOC regarding expected and appropriate behavior and responsibilities
 - Implementation of internal policies and/or measures to prevent the occurrence from happening again
- (6) Eligible members of the Board of Directors will determine any actions taken to address the situation. Examples of board member ineligibility include but are not limited to the following:
 - direct or secondary involvement in the situation
 - conflicts of interest
 - objection by one of the involved parties
- (7) The board president or an alternate designee will inform the complainant, the SOC and/or any affected parties of the outcome of the investigation and next steps. If applicable, there will be a follow-up put in place to monitor the working relationship of the parties involved. The record of previously-investigated incidence that resulted in disciplinary action may be considered when the Board of Directors determines what if any disciplinary action taken at the end of the investigation
- (8) Complaints that are found to be false will not be tolerated and will be considered a breach of this policy and subject to disciplinary action as-outlined in section C.ii.c.(5).

IV. Additional Policies & Disclaimers

- A. Notwithstanding the above, in any extremely urgent and/or life-threatening situation in the workplace or theatre, particularly with regard to serious violence, the most important and immediate concern is the safety and well-being of the affected person. If there is imminent danger to a person's safety, police, fire department, or paramedics should be called.
- B. The form and referenced code do not supersede an individual's right to pursue a police report and or investigation, or legal counsel.
- C. Past Infractions
Complaints may be submitted for any incidents taking place up to five years prior to the complaint's submission.

This Code of Conduct and the attached Complaint Report were established by the Town & Gown Board of Directors on July 30, 2024.

Town & Gown Theatre Complaint Report

Names or Descriptions of the Subject(s) of the Complaint:

Date and Time (if ongoing, please elaborate):

Location of incident or cause for concern:

Description of events:

Additional information (if-applicable):

OPTIONAL: If you would like to be contacted, please provide your name, email address and phone number. Providing contact info is not required to report an incident. If you choose to provide your name, measures will be taken to maintain anonymity if and when possible.

This form is optional. Complaints may be submitted in writing or via email to any Board Member or to Town & Gown Theatre's compliance officer, Chuck Lester: the.chuck.lester@gmail.com (405) 414-4279.