

# The Minnesota State Band

## Harassment Prevention Policy

### OVERVIEW

The Minnesota State Band (MSB) recognizes a moral and legal responsibility to provide its members, contractors, vendors, audiences, and other constituents an environment that is free from illegal harassment, intimidation, or coercion based on a person's race, color, creed, religion, national origin, gender, disability, age, sexual orientation, marital status, status regarding public assistance, or any other status protected by law.

MSB considers harassment unacceptable behavior that will not be tolerated under any circumstances and encourages its members to report any incidents of illegal harassment to any member of the MSB Board of Directors. Such reports of illegal harassment will be investigated promptly and thoroughly and if an investigation produces evidence that harassment has occurred, appropriate disciplinary action, up to and including dismissal, will be taken. MSB will not tolerate any form of retaliation against any individual who reports or serves as a witness to illegal harassment.

### OBJECTIVES

MSB will:

- Provide an environment that is free from harassment and retaliation
- Ensure compliance with legislative requirements
- Provide information, instruction, training, and supervision to members
- Provide support and assistance to members, as appropriate

### PARTIES COVERED

This policy outlines the organization's definitions and procedures related to these types of misconduct.

This policy applies to organization members, including:

- Band members, including full-time members, new prospective members during their one- year probation and substitute musicians;
- Conductors and assistant conductors; and
- Third parties who are engaged in any band activity or program, or who are otherwise interacting with the band, including, but not limited to, volunteers, contractors, vendors, visitors, and guests.

### DEFINITIONS

#### **Harassment**

Any form of behavior that is based upon a person's race, color, creed, religion, national origin, gender, disability, age, sexual orientation, marital status, status with regard to public assistance, or any other status protected by law that:

- Is uninvited or unwelcome by the person at whom it is directed
- Involves abuse of power
- Is likely to cause a hostile or uncomfortable environment through humiliation, embarrassment, offense, or intimidation
- May cause offense

#### **Sexual Harassment**

Includes, but is not limited to the following:

- Unwanted advances, interest, propositions, or demands of a sexual nature
- Jokes, suggestions, or comments of a sexual nature
- Offensive hand or body gestures
- Offensive staring or leering
- Distribution of material, telephone calls, emails, screen savers, images from the Internet, photographs, or other objects that may be offensive
- Unwelcome physical contact such as brushing against a person, patting, touching, or fondling
- Sexual intimidation, abuse, assault or rape (also a criminal offense)
- Unwelcome comments about a person's sex life or physical appearance

#### **Other Harassment**

Includes, but is not limited to the following:

- Derogatory name-calling
- Insults and racial jokes
- Ridicule of any individual for cultural differences
- Harassing communications via electronic means, including social media and other internet-based methods
- Racist graffiti
- Abuse or threats
- Unwelcome remarks or innuendos
- Taunting about a person's race, ethnic or national origin, creed or faith
- Physical attack

## **RESPONSIBILITIES**

It is the responsibility of MSB to create a culture where everyone can realize their full potential and that recognizes harassment as unacceptable behavior.

MSB is responsible for:

- Ensuring that all members are aware of the appropriate and acceptable standard of behavior
- Ensuring a supportive, comfortable, and safe environment
- Ensuring that members are aware of their rights and responsibilities regarding harassment
- Intervening if a member creates an intimidating, hostile, or offensive environment; adversely affects member prospects; adversely affects an individual's performance, health,
- Taking action to deal with behavior that may be offensive or intimidating
- Handling complaints immediately, seriously, and as confidentially as possible
- Preventing the victimization of anyone involved in a harassment complaint

MSB MEMBERS are responsible for:

- Actively contributing to a harassment-free environment
- Treating colleagues and other constituents with respect and dignity
- Ensuring their behavior does not constitute harassment or condone circumstances that may allow such to happen
- Ensuring individuals do not suffer from harassment
- Ensuring members act in an appropriate manner towards other members, contractors, vendors, audiences, and other constituents
- Reporting all known or observed harassment to any member of the Board of Directors – failure to report such behavior could result in disciplinary action, up to and including dismissal
- participating fully and in good faith in any resolution process or formal complaint and investigation process where they have been identified as having potential relevant information.

## **COMPLAINT PROCEDURE**

Any member who feels he/she is the victim of illegal harassment as described above should immediately notify in writing any member of the Board of Directors. Complaints of harassment will be taken very seriously and will be investigated in a timely and appropriate manner. Every effort will be made to conduct the investigation as confidentially as possible, however, the investigation will typically include a discussion with the alleged offender along with witnesses and other potential victims. It may also be necessary to share information with others on a need-to-know basis.

Any person found to have been the cause of illegal harassment can expect to face disciplinary action, up to and including dismissal.

Policy Approved by Minnesota State Band Board of Directors: March 3, 2021

It is required that each member of MSB sign a receipt saying they have received the policy.

I acknowledge that I have received a copy of the Minnesota State Band Harassment Prevention Policy.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_