

## **SAMPLE HARASSMENT POLICY**

\_\_\_\_\_ school is committed to maintaining a work environment that is free of discrimination and harassment based on a person's sex, race, age, color, creed, religion, disability, ancestry or national origin, or any other classification protected by state or federal laws.

All employees should respect the rights, opinions, and beliefs of others. Harassment, because of sex, race, age, color, creed, religion, disability, ancestry, national origin or [list here any other categories addressed by the state's anti-discrimination laws], whether conducted by, or affecting an employee, vendor, client, volunteer, board member, or any other individual connected with \_\_\_\_\_ school is strictly prohibited.

Examples of conduct prohibited by this policy include using racial and ethnic slurs, making offensive references to stereotypes, or making jokes about characteristics protected by law. Any such harassment is prohibited by this policy whether or not the conduct also violates federal or state law. This policy applies to all employees, directors, officers, volunteers, and agents of \_\_\_\_\_ school, known here and forward, for use in this document, as School.

## **INTERACTIONS WITH MINORS**

School strives to ensure that our company activities and interactions, including our camps, are a community of education, inspiration, nurturing, care and fun for every person. In order to protect the safety and well-being of children in our care, we ask that you carefully review the following policies, guidelines, and code of conduct regarding abuse and sexual harassment. If you have reasonable cause to suspect that child abuse, harassment of any type or neglect with potential to cause injury to a child occurred or is occurring, you should talk with the appropriate person designated below to see what steps could and should be taken to protect the child. As used in this policy, the terms "child," "youth," or "minor" mean a person aged 17 or below. An "adult" is a person aged 18 or older. This policy applies to all interactions of staff and volunteers with any child, youth or minor, including without limitation current campers and former campers.

## **POLICIES**

No form of child abuse or harassment, whether physical, emotional or sexual, will be permitted or tolerated at camps or during lessons. Child abuse is morally and legally wrong. It can come in many forms. Physical abuse can be considered non-accidental injury or pain that is intentionally inflicted upon a child or youth. Emotional abuse can be considered mental or emotional injury to a child or youth that results in an observable and material impairment in the child or youth's growth, development or psychological or emotional functioning. Anything done to inflict pain while disciplining a student can be considered child abuse. The physical size and strength of staff members necessitates that you use discretion and restraint in all physical contact activities with campers. We cannot be too careful in the area of sexual abuse. Even the appearance of wrong or a false allegation can cause irreparable damage to the reputation of the accused staff member, volunteer, and/or the camp, as well as the company as a whole. Stating which behaviors are appropriate and inappropriate allows camp staff and volunteers to comfortably show positive affection, and yet help us to identify individuals who are not maintaining safe

boundaries with children or youth. Child sexual abuse includes, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult or third person. Sexual behavior between a child and an adult should be considered forced, whether or not the child has consented. The behavior may or may not involve touching. Sexual abuse perpetrated by one child or youth against another is any contact or activity of a sexual nature that occurs between a child or youth and another child or youth when there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth, such as where there is a significant age difference between the children, typically three years or more. This includes any activity that is meant to arouse or gratify the sexual desires of any of the children or youth.

### **Guidelines**

The following Guidelines for Appropriate Affection are based, in large part, on avoiding behaviors known to be used by child abusers to groom children or youth and their parents for future abuse. The following guidelines are to be carefully followed by all camp staff and volunteers, regardless of gender, working around or with children. Reporting abuse can precipitate severe consequences to a family, so it should never be done casually or thoughtlessly, and certainly not for malicious purposes. At the same time, failing to report abuse can have severe consequences to a child at risk. Therefore, if you have reasonable cause to suspect abuse or neglect with potential to cause injury to a child has occurred, you should talk with an appropriate person, as designated below, to see what steps could and should be taken to protect the child. You should immediately report violations of these policies, including behaviors that are inconsistent with the camp policies, guidelines for appropriate affection, code of conduct and other inappropriate behaviors. Procedures for Reporting Child Abuse and Policy Violations

1. Any actions you observe that involve abuse or that are otherwise not acceptable behavior according to the policies, guidelines, code of conduct, or any other inappropriate or suspicious behavior should be reported as soon as possible to a Camp Associate Director or Camp Director. An incident report should be filled out as well. If you have questions about whether abuse has occurred, contact the Camp Associate Director.
2. In the event of a report, the Camp Director will be responsible to direct and/or oversee internal and external action.
3. The Camp Director or his or her appointee will be the official spokesperson for the camp in any of these matters. All staff members and volunteers must be sensitive to the need for confidentiality in the handling of this information, and therefore, no other staff members or volunteers shall speak to the media, to each other, or to any third party, but only to the camp director regarding issues related to matters of abuse, except with respect to state reporting laws and cooperation with investigations as noted below. In the event that there is an accusation of child abuse, the camp will take prompt and immediate action as follows:
  - All allegations will be taken seriously and camp staff will take appropriate action in accordance with state laws, insurance requirements, and based upon advice of legal counsel. This includes full cooperation by camp staff with any internal investigation and

with an investigation by the authorities with the understanding that failure to do so may be grounds for termination.

#### Appropriate Forms of Affection

- Brief hugs
- Pats on the shoulder or back
- Handshakes
- “High-fives” and hand slapping
- Verbal praise
- Touching hands, shoulders and arms of children
- Arms around shoulders
- Holding hands while walking with small children
- Kneeling or bending down for hugs with small children

#### Inappropriate Forms of Affection

- Inappropriate or lengthy embraces
- Inappropriate dancing or dancing too close
- Kissing
- Touching bottoms, chests, genitals, or areas covered by a bathing suit, except as to those which may occur during the course of instruction and/or safety, either on or off of the water
- Showing affection in isolated areas such as closets, staff only areas
- Any form of unwanted contact or affection
- Tickling or full body wrestling.
- No lap-sitting for boys
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development
- Snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing
- Private meals with individual children or youth
- Providing gifts or privileges of more than token value

At the first report of reasonable cause to believe that a child-abuse incident, harassment or neglect with potential to cause injury to a child has occurred, the staff member or volunteer receiving the report will notify a Camp Associate Director or Camp Director. The Camp Associate Director will assist the staff member in filling out an incident report.

The Camp Director may make a report to appropriate authorities, or coordinate and/or support other staff in making a report, in accordance with relevant state or local child

abuse reporting requirements and will cooperate with any legal authority involved to the fullest extent appropriate.

In the event the reported incident(s) involves a staff member or volunteer at camp, the Camp Director will take personnel or remedial action which he/she determines necessary, which can include, but is not limited to, immediate suspension and/or termination. As determined appropriate by the Camp Director, the parents or legal guardian of the child(ren) involved in the alleged incident, as well as camp staff with a need to know, will be notified in accordance with the directions, if any, of the relevant state or local agency

## **ROLE MODELING AND CONDUCT**

Code of Conduct: All School staff are expected to abide by the following behavioral expectations:

- Staff will exhibit the highest ethical best practices and personal integrity.
- Staff will provide a professional work environment that is free from physical, psychological, sexual, written, or verbal intimidation or harassment.
- Staff will not physically, sexually, or emotionally abuse or neglect a youth or adult.
- Staff will share concerns about suspicious or inappropriate behavior with their supervisor or the Camping Services Director.
- Staff will report any suspected abuse or neglect of a youth to the state authorities, in partnership with the Camping Services Director.
- Staff will accept their personal responsibility to protect youth and adults from all forms of abuse.

If you have questions about this policy, contact the National Surf Schools and Instructors Association (NSSIA) Headquarters for additional information.

### **Sexual Harassment Prohibited**

No one may threaten or imply that an employee's submission to or rejection of sexual advances will in any way influence any decision about that staff member's employment, advancement, duties, compensation, or other terms or conditions of employment. No one may take any personnel action based on an employee's submission to or rejection of sexual advances.

No one may subject another employee, volunteer, or customer to any unwelcome conduct of a sexual nature. This includes both unwelcome physical contact, such as touching, blocking, staring, making sexual gestures, making or displaying sexual drawings or photographs, and verbal conduct such as sexual propositions, slurs, insults, jokes, and other sexual comments. An employee's conduct will be considered unwelcome and in violation of this policy.

Examples of sexual harassment are: demanding sexual favors in return for employment conditions; unwelcome physical touching; sexual oriented remarks, innuendos and jokes; graphic, obscene or sexual posters or calendars or other print material; e-mail, voice messages, or similar communications which are persistent and unwelcome and sexual in

nature; and lewd suggestive comments regarding a staff member's style of dress, appearance, body, or personal life.

### **Making Complaints — Mandatory Reporting**

If you believe you are the victim of harassment you must immediately report this fact to the School owner. Also, if you observe harassment you should bring the offensive conduct to an instructor's attention. You should make any complaint about harassment directly to the School listed above. Complaints of harassment do not need to be in writing. However, in order for the School to properly investigate the report, it may not be anonymous. It is the policy of the School and NSSIA that no reprisal, retaliation, or other adverse action will be taken against any complainant for making a good faith report of harassment, or for assisting in an investigation of harassment.

### **Investigation of Complaints**

The School will promptly and thoroughly investigate all alleged violations of this policy submitted in writing, **a confidential but thorough investigation will be performed.**

An investigation cannot be accurately conducted if the allegation is anonymous. The investigation will generally consist of an interview with fact witnesses including the complainant and the alleged harasser. Every effort will be made during the course of the investigation to protect the confidentiality of those involved and of the information gained during the investigation; however, information will be disclosed as necessary in order to conduct a thorough investigation. The investigation may take several weeks. During the time period following a complaint of harassment the alleged harasser and alleged victim are not permitted to have one-on-one unsupervised contact at the workplace. The results of the investigation will be reported to the complainant and the alleged wrongdoer.

### **Penalties for Violations**

The School will take prompt disciplinary and remedial action in response to policy violations, including breach of confidentiality, retaliatory action, or bad faith allegations. Disciplinary action may include termination of employment and/or notification of proper authorities.

Note that this action is a violation of federal law and further action may be taken.