



Youth Protection Policy

BDPA has adopted a number of policies aimed at eliminating opportunities for abuse within the Organization's numerous programs. The main purpose of this youth protection policy is to protect children from harm while in BDPA programs and services, whether from adults or other participants.

In consideration of the following policy, employees, staff, contractors, or volunteers working with any program or service of BDPA will be referred to as ("Adults" and/or "Personnel,") and any student, member, or participant will be referred to as ("Participants"). When discussing any combined Adult/Personnel, and/or Participant will be referred to as ("Individual" or "Person").

Sexual misconduct, including sexual harassment, non-consensual sexual acts and/or contact, sexual exploitation, and stalking, is strictly prohibited.

Many people 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**

- 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. 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**

- Sexual Assault includes physical or 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**
 - 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**
 - Stalking is engaging in the 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).

BARRIERS TO ABUSE

BDPA takes great pride in the high quality of its employees, staff, contractors, and volunteers. Being personnel of BDPA is a privilege, not a right. The quality of the programs and the safety of the participants call for exemplary adult leaders. Thus, BDPA works to recruit the best possible leaders.

Applications for initial and continuing employment or contract work are strictly scrutinized, including all necessary and appropriate background checks before an applicant is allowed to work. 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 placement (experience with children, the reason for interest in BDPA, discipline techniques, the applicant would employ, etc.).

BDPA has adopted the following policies in order to provide additional security for all participants. These policies are designed primarily for the protection of the participants; however, they also serve to protect the personnel from false accusations of abuse.

- **Two-deep Interaction:** Either two members of BDPA personnel, or one participant 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, events, performance, or other), or outing (concerts, events, tours, or other).

- **No One-on-One Contact:** One-on-one private meetings between personnel and participants 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 participants or be an open-door meeting. Should an exceptional situation require direct one-on-one contact (such as a single adult driving a sole participant to camp), such contact may be permitted only with the clear and direct approval of the participant's parent or legal guardian, or if over 18 written approval by the participant filed in BDPA offices.

- **Additional Transportation:** For trips using transportation organized by BDPA to and from BDPA functions, the adult 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 participants. In non-emergency/non-medical situations, one-adult-to-one-participant travel is not acceptable unless the adult is the participant's parent or legal guardian.
- **Large single-room or dormitory-type accommodations:** Adults and participants of the same gender may occupy dormitory or large single-room accommodations, provided there is a minimum of two adults and four participants. Further, a minimum of one of the adults must be a BDPA adult who is familiar with BDPA child safety policies. Adults must establish separation barriers or privacy zones such as a temporary blanket or sheet walls in order to keep their sleeping areas and dressing areas separated from the youth.
- **Sleeping facilities:** Male and female participants 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 participants will be separated by a large dividing space. There will be a mandatory policy of ONE sleeping bag/blanket per ONE participant.
- **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 adult who is familiar with BDPA child safety policies. No individual youth will share sleeping facilities with one adult unless the adult is the participant's parent or legal guardian.
- **Dorms and Hotels:** At no time is one adult allowed to be in a male or female participant(s) room with the door closed. There must be a minimum of two adults at any time.
- **Private Staff-Only Sleeping Areas** – At no time is a participant or student allowed in the private staff-only sleeping areas including but not limited to school classrooms, hotel rooms, dorm rooms, and staff busses.
- **Restroom and shower facilities:** If separate shower and restroom facilities are unavailable, separate times for male and female use should be scheduled and posted. Further, participants 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. Everyone needs to respect privacy in all situations where appropriate such as when participants are changing clothes or taking showers understanding that, at times the facilities do not have separate adult and participant locker rooms.
 - BDPA does not discriminate, and accommodations will be handled to the best of our ability based on a number of factors, including but not limited to the type of request, facilities, and scheduling. Please consult with the director or manager onsite.

- **Safety Rule of Four:** No fewer than four individuals, two adults, and two participants, may participate in an event organized by BDPA. Only in the event of an 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 participant.
- **Social Gatherings:** Any staff participating in a social gathering that includes current participants 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.
- **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 or social groups as part of the organization. All activities of BDPA are open to observation by parents, personnel, and volunteers.
- **Appropriate Attire:** Proper clothing for activities is required. For example, skinny-dipping is not appropriate as part of BDPA.
- **Constructive Discipline:** Discipline used in BDPA should be constructive and reflect high values. Corporal punishment is never permitted. Please see the BDPA “Handbook for Members” section titled “Behavior”, for a further explanation of the policy.
- **Hazing Prohibited:** Any and all kinds of hazing and/or initiations are prohibited and may not be included as part of any BDPA procedure.
- **Training and Supervision of New Personnel:** Senior adults must monitor and guide the leadership/instruction techniques used by junior adults 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 have access to important information concerning BDPA's various programs, and it should be reviewed before participation. 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 CEO, director, manager, 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's "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 the 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. Members of the Ethics Committee monitor the Ethics Line.

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. A clear message is given to the child that if other 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 AN ADULT DO IF A PARTICIPANT OR CHILD TELLS THEM THAT THERE HAS BEEN SEXUAL ABUSE?

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 participant concerning abuse in any BDPA program or activity must be reported to the CEO, director, manager, or a member of the Board of Directors. Since this might be a mandatory reporting requirement, a participant 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 adults of BDPA understand that any report of abuse must only be given to either the CEO, director, manager 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 adult 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 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.*

PARTICIPANT BEHAVIOR GUIDELINES

Mission Statement: BD Performing Arts permanently enriches the lives of young people through a commitment to youth development and performance excellence, while providing enjoyment for our local community and audiences worldwide.

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 influence the type of person he or she becomes. The experience that comes 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 has the expectation that all participants within programs and services related 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 BDPA is a powerful tool for shaping behavior and a tool that is stressed by BDPA.

Misbehavior by a single participant 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 participants. Therefore, as misbehavior places an unacceptable burden on all adults and participants of BDPA, it cannot be ignored.

Please see the "Code of Conduct" sections in the handbook or agreement, as it pertains to you, for a complete discussion of this subject.

PARTICIPANT RESPONSIBILITIES

Participants in BDPA are expected to conduct themselves in accordance with the normal principles of socially responsible behavior and the 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. Anyone found guilty of engaging in unacceptable behavior may be expelled from the organization.

Further, personnel, employees, volunteers, and staff are required to advise BDPA students that should they be confronted by threats of violence or other forms of bullying from anyone, they should seek help from any adult.

ADULT RESPONSIBILITIES

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

The CEO, director, manager, and/or the Board of Directors will review repetitive and/or serious incidents of misbehavior.

COMMUNICATION PROTOCOLS

Communication between adults and participants 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 adult or participant's parent, it should definitely not be said to a participant. There is no tolerance for adults crossing the line into a participant's personal mental or physical space. There is no tolerance for an adult to use 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 participants.

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

In the event that a participant makes inappropriate overtures of any kind toward an adult of BDPA, it is recommended that he or she seeks managerial participation in conducting a private, three-person meeting with that participant 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 adults should write up a synopsis of this incident and provide copies to the CEO. If the situation is not resolved as a result of this process, then the CEO and Director/Manager will determine the level of consequence required to protect the adult and organization from any escalation, up to and including expelling the participant from further participation in any BDPA activities.

BDPA has four forms of official communication between participants and adults:

- 1) BDPA provided emails (@bluedevils.org). This is the favorable way to communicate
- 2) BlueCloud broadcast text and email messages
- 3) Slack
- 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 participants their personal social media and networking sites (including but not limited to 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 participants’ personal sites. BDPA adult person is always deemed to be but not limited to an instructor, teacher, etc... not a buddy of the participants.

- **Zero Engagement**

- All BDPA adults should have zero engagement on all social media and networking sites. Adults are never, including but not limited to like, retweet, heart, share, etc. on any members personal sites. No adult should post on any participants social accounts. No adult should mention or publicize a participant through their personal social platforms. Zero Engagement is the policy.

PROHIBITION OF CONSENSUAL RELATIONSHIPS & SEXUAL ACTIVITY

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.

Acknowledgement

I acknowledge receipt of the BDPA Youth Protection Policy. I have read and understand this policy. I will bring any questions, if any, to the attention of the CEO, Director, and/or Board of Director.

Date: _____

Print Name: _____

Signature: _____