Spirit of Atlanta Conduct & Misconduct Policy Manual

Staff and Members

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Introduction

Spirit of Atlanta, Inc. (hereafter referred to as “Spirit of Atlanta” or “SOA”) is a community of individuals from diverse backgrounds challenging each other to explore the realms of creativity and excel in its pursuit of excellence. The Spirit of Atlanta community exists on the basis of shared responsibility, values and principles. This document is the foundation of those shared principles. Each member of the community bears responsibility for their conduct and all performers are empowered to kindly remind each other of their commitment to the standards outlined in this document.

The “Performer and Staff Handbook” exists as both an educational document and outline of policies. This handbook contains information about Spirit of Atlanta policies, expected conduct, an outline of misconduct and reporting protocol. It is the responsibility of all personnel to know, to understand, and to follow the policies and procedures explained in this handbook. This handbook is considered a living document subject to ongoing review.

**Glossary**

The definitions below are intended to provide clarity.

**Adult Performer** is any performer over the age of 18.

**Consent** is an agreement between participants to engage in sexual activity.

**Inherent Power** is power that is granted by the Spirit of Atlanta and includes the board of directors, staff, volunteers and student leadership.

**Minor Performer (Minor)** is any person under the age of 18.

**Misconduct is** unacceptable or improper behavior that is in violation of the Spirit of Atlanta policies.

**Observable and Interruptible** is interaction between two people within the line of sight and at a distance allowing for interruption by another person.

**Personnel** is any person governed by SOA policies.

**Sanctioned Activity** is any activity or event that the Spirit of Atlanta or Drum Corps International sanctions and is subject to the jurisdiction of the Spirit of Atlanta or Drum Corps International.

**Sleep Space** is the space where a person sleeps in a communal lodging area or hotel.

**Spirit of Atlanta Performer (SOA Performer)**—A SOA performer is any person performing with the Spirit of Atlanta regardless of membership status. This includes all rehearsals, camps, shows and special performances.

**Spirit of Atlanta Official (SOA Official)** isany adult with authority to direct actions or make decisions on behalf of the corps. These people include instructional staff, administrative staff, board members and volunteers.

Performer Rights

In accordance with our commitment to prioritizing the well-being of participants, the Spirit of Atlanta has established a set of boundaries and protocols aimed at ensuring safety and delivering a high-quality experience. Each participant is entitled to the following rights:

1. **Inclusive Environment:** The right to participate in an inclusive environment where they will be treated with dignity and respect.
2. **Freedom from Misconduct:** The right to train and perform free from any form of misconduct and abuse.
3. **Reporting Mechanism:** The right to question and report any improper behavior.
4. **Safe Environments:** The right to train and compete in safe environments, encompassing rehearsal spaces, travel, housing, and properly maintained equipment.
5. **Health and Welfare Priority:** The right to have their health and welfare prioritized.
6. **Input:** The right to provide input on matters that directly impact them.
7. **Voice in Quality of Life:** The right to respectfully voice their opinion on matters affecting the quality of life for all performers.
8. **Training for Success:** The right to receive training that facilitates personal success.

Speak Up

Spirit of Atlanta is dedicated to fostering a secure environment for individuals who wish to raise concerns about suspected or observed misconduct involving any person associated with the organization. The Speak Up initiative serves the following purposes:

* **Encouraging Open Communication:** To encourage anyone who suspects misconduct to come forward and speak up.
* **Confidential Reporting:** Providing multiple confidential reporting channels to ensure individuals feel comfortable sharing their concerns.
* **Thorough Investigation:** Ensuring that reports of suspected misconduct are assessed, investigated, and appropriately addressed.
* **Support and Protection:** Guaranteeing that the reporting person is not only supported but also protected from any reprisals for having the courage to speak up.

Power Differentials

Participation in drum corps requires a structure of roles and responsibilities that create power differentials that are both given and assumed.

A power imbalance or power differential exists when a person or group has the authority to make decisions, direct actions or otherwise assert power based on their responsibilities within the corps. A power imbalance refers to the amount of control or influence one party has over another.

Any relationship that involves a power imbalance, regardless of context or role, is one in which there is a fundamental difference in power. Given the power differences that exist within a drum corps whether it be staff member or student leader, it is important to recognize the potential for misuse/abuse of power and be mindful and respectful of this power differential.

The Spirit of Atlanta recognizes the following personnel to have an inherent power over performers and/or subordinate employees:

* Administrative staff
* Board Member
* Caption Head
* Instructional Staff
* Medical Staff
* Student leadership (e.g.; drum major, captains, section leaders)
* Volunteer

Instances of power misuse, whether by staff or student leadership, encompass, but are not confined to, the following:

## ♦ Inappropriate Requests or Pressuring to socialize outside of any corps-related context

## ♦ Requesting special favors or personal servitude

## ♦ Inappropriately commenting on physical appearance

## ♦ Any sexual relationship that a staff member has with a performer

♦ Assigning exercise or conditioning that goes against professional standards or the standards of the Spirit of Atlanta (e.g., requiring laps or push-ups for purposes of humiliation, requiring exercise as a part of hazing rituals)

## ♦ Disrespectful and/or exploitative behavior, including engaging in unwanted conversations about personal beliefs or aspects of the performer’s identity

## ♦ Expecting completion of work that is inappropriately above or below the performer's skill level

## *Note: This applies to both staff and student leadership and covers a range of behaviors from inappropriate requests to disrespectful actions.*

The Spirit of Atlanta will consider the following questions when investigating misconduct based on a power differential:

1. What are the roles and responsibilities the accused party has within the organization?
2. What is the level of control one party has over the outcomes, opportunities and progression of the other?
3. Is one person experiencing difficult circumstances that could influence their level of vulnerability at the time?
4. Has the relationship between a person with inherent power and a subordinate evolved from a professional into a more intimate relationship?
5. Has the relationship, or an intimate aspect of a relationship been kept a secret?
6. Are there any signs or indicators that an intimate relationship is not consensual?
7. Are there any signs or indicators of coercive controlling or threatening behavior or abuse?

Professional Relationships and Boundaries

Spirit of Atlanta places a strong emphasis on maintaining a professional atmosphere within the drum corps, where both performers and staff are expected to uphold clear distinctions between personal and on-field interactions to ensure smooth operations. We entrust all personnel with the responsibility to exhibit maturity in their conduct.

While the policy does not discourage the formation of friendships or consensual romantic relationships among adult performers or staff members, it does establish specific boundaries governing the conduct of these relationships during on-field hours and within the training environment. Individuals holding leadership positions, such as drum majors, captains, or section leaders, are held to stricter requirements due to their roles as role models, access to sensitive information, and influence over those in subordinate positions.

**1. On-Field Professionalism:**

* During designated training hours and in designated workspaces, all personnel are expected to maintain a professional demeanor that does not impede the progress of others or overall productivity.

**2. Off-Hours Etiquette:**

* In off-duty moments, including meals, downtime, and travel, personnel involved in romantic relationships must exercise discretion to prevent discomfort for others.

**3. Inappropriate Physical Contact Prohibition:**

* Personnel are strictly prohibited from engaging in any form of physical contact considered inappropriate in a professional environment while representing the Spirit of Atlanta. This encompasses on the training field, in uniform, on school premises, in corps attire, around buses after performances, or in any location associated with the Spirit of Atlanta or Drum Corps International.

**4. Off-Duty Conduct Privacy:**

* While off-duty conduct is generally considered private, it must not lead to disruptions during on-field activities.

**5. Disclosure of Relationships by Leadership:**

* Drum majors, captains, or section leaders in positions of authority must promptly disclose (in writing) any romantic or sexual relationships with fellow performers to the Executive Director or Corps Director.

**6. Prohibition of Adult-Minor Relationships:**

* No romantic or sexual relationships are allowed between Adult Performers and Minor Performers.

**7. Prohibition of Staff-Performer Relationships:**

* Romantic or sexual relationships between Adult Performers and staff members are strictly prohibited.

*Any personal relationships among personnel that negatively affect training, or the competitive atmosphere will be addressed in accordance with Spirit of Atlanta’s disciplinary policy.*

Policy on Romantic Interactions Between Adult Performers and Minor Performers

**Not Allowed**

Given the intricate landscape of age-of-consent laws in the United States and the mobile nature of drum corps activities that span state lines for competitions, the Spirit of Atlanta strictly prohibits sexual relationships between adult and minor performers, even if the individuals involved are close in age and within the bounds of state law. Any pre-existing relationship between adult and minor performers, prior to one or both parties being contracted with the Spirit of Atlanta, must be disclosed to the Executive Director for thorough review. Failure to disclose such a previous relationship with a Spirit of Atlanta Minor Performer may result in immediate suspension or removal from the corps, and there is a possibility of reporting to law enforcement.

Intimate and Sexual Relationships Consist of:

* Hand holding
* Kissing
* Petting
* Intercourse
* Sexting

**Example 1—When to Declare a Previous Relationship:** If two individuals attended the same high school and were in a relationship while both were minors, and one person turned 18 during the season while the other remains 17 and under contract with the Spirit of Atlanta, both parties must report the relationship to the Executive Director.

**Example 2—Allowable Relationships with Minors**: A minor performer seeks guidance from an adult performer on a part of the show. Over time, an intimate friendship forms, and they discuss important aspects of their lives, including conversations about school, family, hopes, and dreams. As long as no sexual boundaries are breached, this is considered an allowable relationship.

**Example 3—Not Allowable Relationship with a Minor:** Two performers, aged 17 and 19, share the same section, with spots next to each other in much of the show. Over time, they develop a romantic connection, hanging out after practice and on free days, eventually progressing to holding hands and kissing. This relationship is not allowed and, depending on the state, could potentially venture into illegal activities between an adult and a minor if sexual activity should occur.

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Policy on Relationships Between SOA Officials and Adult Performers

**\*Not Allowed\***

Spirit of Atlanta is unwavering in its commitment to fostering an environment where the education of its performers takes precedence. Recognizing the potential impact on the educational atmosphere, dating, romantic, or sexual relationships between SOA Officials and Adult Performers, even if consensual, are prohibited.

The existence of power differentials, whether real or perceived, can compromise a performer's ability to provide genuine consent in such relationships. An SOA Official's impartiality in teaching, critiquing, or advising a performer becomes questionable when engaged in a dating, romantic, or sexual relationship. Even when conducted with integrity, these relationships may be perceived by others as biased, partial, or influential. Additionally, the termination of such relationships can lead to discord and disrupt the normal operations of the corps.

In adherence to these considerations, dating, romantic, or sexual relationships between performers and Spirit of Atlanta Officials are strictly prohibited, even outside the corps' active session. Any pre-existing relationship before employment with Spirit of Atlanta must be disclosed to the Executive Director upon hiring, as failure to do so is deemed a fireable offense.

The Executive Director will assess each disclosed relationship based on several factors, including the nature of the relationship, the duration of acquaintance between the parties, and age differences. While there are no guarantees regarding the acceptance of the relationship or the continuation of employment, this policy ensures a transparent process for all parties involved.

**Example 1—When to declare a previous relationship (for adult performer and staff member):** If two adult performers are engaged in a romantic relationship because of their previous time marching together, and one of them is hired by the organization after they age-out, while the other remains a performer and is under contract. Both parties must report the previous relationship to the Executive or Corps Director before employment begins.

**Example 2— When to declare a previous relationship (for adult performer and staff member):** A 20-year-old performer and 22-year-old medical staff member have known each other since high school and although they are not currently in a romantic relationship, they have had a previous relationship in the past. Both parties must report this conflict of interest to the Executive or Corps Director.

Misconduct Overview

Misconduct

Sexual

IPV

Physical

Emotional

Bullying

Hazing

Harassment

Spirit of Atlanta recognizes 7 categories of misconduct. For purposes of education, reporting and response, misconduct is defined as conduct committed by or against another person. For any situation or report of misconduct, Spirit of Atlanta will refer to the definitions listed here to guide the investigation and outcome of such reports.

**I. Sexual Misconduct**

Sexual misconduct is a form of behavior that utilizes power, control, and/or intimidation to inflict harm on another individual. This includes instances of sexual harassment, sexual assault, coercion, force, and stalking, all of which transpire in the absence of consent. Consent is defined as a freely and explicitly given affirmative response, distinct from the mere absence of a negative response, and cannot be obtained when an individual is incapacitated due to alcohol or drugs.

It is explicitly prohibited for any official associated with Spirit of Atlanta to engage in sexual misconduct with any performing member of Spirit of Atlanta, irrespective of their age. Spirit of Atlanta commits to reporting any sexual act involving a minor to the appropriate authorities.

II. Sexual Harassment

Sexual harassment encompasses:

1. Unwanted sexual behavior, advances, or requests for favors.
2. Unwelcomed verbal, visual, or physical sexual conduct.
3. Offensive, severe, and/or frequent remarks about an individual's sex.
4. Harassment of a sexual nature interfering with an individual's right to participate in drum corps.
5. Unwanted backrubs or hugs.

Examples of sexual harassment include, but are not limited to:

• Physical acts of spying or following another person, including the use of social media for stalking.

• Unwanted phone calls, texts, instant messages, or gestures.

• Sexually suggestive jokes, gestures, or innuendos.

• Inappropriate touching.

• Intimidation.

**III. Sexual Violence**

Sexual violence comprises:

1. Sexual assault or coercion.
2. Unwanted fondling or sexual touching.
3. Forcing a victim to perform sexual acts, such as oral sex or penetrating the perpetrator's body.
4. Unwanted penetration of the victim (rape).

IV. Sexual Coercion and Force

Sexual coercion involves "using pressure, alcohol or drugs, or force to have sexual contact with someone against their will" and includes "persistent attempts to have sexual contact with someone who has already refused." Perpetrators may use threats to force compliance, such as threatening humiliation, social ostracization, or damage to one's status within the corps.

1. Intimate Partner Violence or Dating Violence

Intimate Partner Violence (IPV) is a pattern of assaultive and/or coercive behaviors that may encompass physical injury, psychological abuse, sexual assault, progressive isolation, stalking, deprivation, intimidation, and reproductive coercion. Such behaviors are perpetrated by individuals involved in, were, or wish to be involved in an intimate or dating relationship with another person, with the aim of establishing control.

1. Emotional Abuse

Emotional abuse may include:

• Name-calling, insults, and putting someone down.

• Dictating what someone wears or deeming their attire unacceptable.

• Excessive texting.

• Monitoring social interactions and demanding exclusive time spent together.

• Threatening to harm the partner's social status.

• Unauthorized access to personal belongings, such as luggage, equipment bags, and cell phones.

• Demonstrating extreme jealousy.

• Accusing the partner of infidelity.

1. Physical Abuse

Physical abuse encompasses:

• Shaking and grabbing.

• Pulling hair.

• Slapping, punching, and kicking.

• Using objects to inflict harm.

• Choking and strangling.

• Sexual violence.

• Touching or kissing someone against their will.

• Preventing a person from using birth control.

1. **Physical Misconduct**

Physical misconduct is defined as 1) causing, or reasonably threatening to cause physical harm to another person; or 2) intentionally making physical contact of an insulting, offensive, or probking nature with another person. Physical misconduct includes the following:

1. Contact:

* Punching;
* Beating;
* Biting;
* Striking;
* Choking; or
* Intentionally hitting another with objects; or
* Unwanted touching.

1. Non-contact:

* Confinement or isolation;
* Painful stances or positions;
* Actions interfering with hydration, nutrition, food or sleep;
* Illegal provision of drugs or alcohol;
* Damaging personal property;
* Denying medical attention; or
* Deliberately ignoring orders by a medical professional such as a doctor or physical therapist.

**Physical Conditioning** that is against professionally acceptable standards is considered physical misconduct under Spirit of Atlanta’s Policy. Examples of conditioning against professionally acceptable standards include:

* Using conditioning as retaliation;
* Conditioning against medical advice;
* Conditioning that induces fear, excessive and unnecessary pain and undue stress; and
* Conditioning where vomiting, fainting or injury occurs and is medically ignored.

1. **Emotional Misconduct**

Emotional misconduct involves a pattern of deliberate, non-contact behavior that has the potential to cause emotional or psychological harm to a performer. Non-contact behavior includes verbal and physical acts, as well as actions that deny attention or support.

Emotional misconduct includes, but is not limited to:

* Verbal acts that repeatedly and excessively attack someone personally;
* Acts that humiliate or degrade;
* Physical acts that are repeated and/or severe, but do not make physical contact such as throwing items toward another person, throwing items down to create fear, or hitting walls near another person;
* Body shaming;
* Invasion of personal space for purposes of intimidation;
* Statements that attack someone based on race, gender, national origin, sexual orientation, gender identity, religion, or disability;
* Acts that deny attention or support by ignoring or isolating a person for extended periods of time, including routine or arbitrary exclusion from practice/training;
* Neglect of basic needs; and
* Refusal of privacy or invasion of privacy.

1. **Bullying**

Bullying is an intentional behavior that hurts, harms, or humiliates another person or a specific group of people either physically or emotionally. The tenants of bullying include:

* An existing power imbalance between the person or persons bullying and the target of the bullying;
* Physical, social or intellectual strength than the target;
* Perpetration by one person or by a group; and
* Actions intended to humiliate and degrade.

Bullying misconduct includes, but is not limited to:

1. Physical: hitting, pushing, spitting and throwing objects at another person;
2. Verbal: teasing, ridiculing, taunting, name-calling, intimidating or threatening to cause someone harm;
3. Cyberbullying: Using social media or other electronic applications to intimidate or spread rumors about another person; and
4. Taunting or teasing based on race, gender, national origin, sexual orientation, gender identity, religion or disability.

*\*While performers are often the perpetrators of bullying toward their teammates, it is a violation of this policy if a staff member or other responsible adult knows about, or reasonably should have known of bullying, but takes no action to intervene on behalf of the targeted person(s).*

1. **Hazing**

Hazing is conduct that endangers, abuses, humiliates, degrades or intimidates the person as a condition of joining or being socially accepted by a section or group of Spirit of Atlanta. A person’s consent to hazing activity cannot be used as a defense.

Hazing can consist of contact acts, non-contact acts, or sexualized acts. This includes, but is not limited to:

1. Contact Acts:

* Tying, taping or otherwise physically restraining another person;
* beating, paddling or other forms of physical assault;

1. Non-Contact Acts:

* forcing the consumption of alcohol, illegal drugs or other substances;
* personal servitude;
* excessive training requirements;
* sleep deprivation;
* withholding of water and/or food;
* restrictions on personal hygiene; and
* Withholding medical care or manipulating a person to not seek medical care; or

1. Sexualized Acts:
2. Actual or simulated sexual conduct of any nature.

*\*Any act of hazing involving sexual misconduct will be reported to the proper authorities.*

1. **Harassment**

Harassment is repeated attempts to establish dominance, superiority or power over an individual or group. Harassment includes any act or conduct described as harassment under federal or state law. Whether conduct is harassing depends on the totality of the circumstances, including the nature, frequency, intensity, location, context and duration of the behavior.

Harassment, which may be a form of Emotional, Physical or Sexual Misconduct, includes, but is not limited to:

1. Discriminatory Harassment: Harassment based on age, sex, race, color, ethnicity, culture, national origin, religion, sexual orientation, gender expression, gender identity, or mental or physical disability.
2. Stalking: Conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress. Stalking generally involves a course of conduct which includes two or more acts, involving persistent and frequent unwanted in-person contact, surveillance or unwanted telephone and/or other electronic contact.
3. Sexual Harassment: Sexual advances, requests for sexual favors, or other verbal or physical behaviors of a sexual nature

**Abuse of Process**

There are three forms of misconduct related to the reporting process. Spirit of Atlanta adopts the definitions of Abuse of Process as follows:

**Abuse of Process** – the direct or indirect interference with a report or the investigation process. Examples include:

1. Falsifying information
2. Destroying or concealing evidence
3. Discouraging participation or publicly disclosing a reporting party’s identity or identifying information

**Intentionally Making a False Report** – A report that is intentionally false or made maliciously without regard for the truth. Reports made in an effort of good faith are not considered a false report. Just because a report is deemed unfounded or inconclusive does not mean a report is considered intentionally false.

**Retaliation** – Any adverse or discriminatory action, or the threat of an adverse or discriminatory action carried out against a performer or staff member because of filing a report of misconduct or violation of policy. Examples of retaliation by performers include, but are not limited to:

1. Bullying;
2. Deliberate and direct exclusion;
3. Cyberbullying;
4. Humiliation;
5. Hiding or stealing personal property;
6. Conditioning for purpose of humiliation and punishment;
7. Unjust verbal attacks during a rehearsal; or
8. Blacklisting.

Safe Interactions Policies for Performers and Staff

The policies listed here are intended to set standards for interactions in common spaces. Spirit of Atlanta encourages violations of the *Safe Interactions Policies* to be reported directly to the Executive Director, Corps Director or their designee first. If the Executive Director or Corps Director **does not** address the concern or if the concern is related to a Director, violations may be reported directly through the online portal on the website.

**Transparency in Interactions**

In our commitment to safety, accountability, and professionalism at Spirit of Atlanta, we emphasize the importance of transparent and observable interactions between our staff and performers. To cultivate a culture of openness and trust, we mandate that all engagements between staff and performers occur in visible and accessible settings. When utilizing electronic communications, it is imperative to use official channels exclusively.

This commitment to transparent communication serves to mitigate the risk of misunderstandings and inappropriate conduct. Moreover, it encourages a shared responsibility within the drum corps community, fostering active involvement in upholding our collective values and standards.

1. **Group Lodging and Sleep Space**

For the purposes of this policy, group lodging consists of any situation where SOA Performers and SOA officials are required to stay together in places such as a school, rental home (Airbnb) or other large communal space organized by the Spirit of Atlanta. The sleeping space of any person is considered a private area regardless of the location and consent must be given for interactions to occur in that area.

Sleep space constitutes any area where an individual performer or staff member has placed their bedding and/or travel gear. The sleep space is considered a private area and should be treated as such. No one is allowed to enter the sleep space of another person without consent. Entering the sleep space of another person can include:

* Sitting on a person’s bedding without permission.
* Standing next to a person’s bedding for an extended length of time without permission.
* Placing their bedding next to another person after being explicitly asked not to constitutes stalking behavior towards that individual.

SOA Official Responsibilities:

1. Spirit of Atlanta administration must take all necessary steps to ensure that SOA officials are separated from SOA Performers through separate rooms, partitions or doors.
2. SOA Officials may not sleep in the same sleeping area as SOA Performers. If an SOA Official is required to stay in the same space, they must be separated from the performers at a distance allowing for privacy and necessary steps must be taken to separate the space with a partition.
3. SOA Officials may not enter the sleep space of SOA Performers for any reason except in the event of an emergency.
4. **Travel by Bus**

Each person is designated their own seat and space for their personal gear on the bus. This space is considered a private space and should be treated as such. No one is allowed to enter a person’s personal space on a bus without consent, which includes the personal items kept in the area as well as. Entering the personal space on a bus includes:

* Sitting in the seat of another person without permission.
* Touching or rifling through a person’s personal items within their bus area.
* Standing next to a person’s seat for long periods of time without permission.

SOA Official Responsibilities:

1. SOA Officials are prohibited from sitting with a SOA Performer or entering their specifically designated seating and personal property area.
2. SOA Officials are to enter a bus designated for performers for official business only and always remain at the front of the bus, except in the event of an emergency.
3. **Locker Rooms, Bathrooms and Showers**

Performers should keep in mind that locker rooms, showers and bathrooms are for active preparation for practice, performances or personal hygiene.  Locker rooms, bathrooms and showers are always considered a private space and are not a lounge or social area. Additionally,

* Use of any device’s (including a cellphone’s) recording capabilities, including voice recording, still cameras, and video cameras in locker rooms, rest rooms, changing areas, or similar spaces is prohibited.
* Horseplay in the shower or locker rooms is strictly prohibited.
* Removing items from another person without their knowledge such as towels, clothing or hygiene products is against this policy.
* Touching another person in a locker room or bathroom is strictly prohibited and will result in an immediate suspension until time when an investigation can be conducted.

SOA Official Responsibilities:

1. Under no circumstances shall SOA Officials be undressed (disrobed or partial or full nudity where private body parts are exposed) in front of SOA Performers.
2. Reasonable steps shall be taken to not shower or undress in locker rooms during the hours designated for SOA Performers.
3. **Hotels**

Interactions between SOA Officials and SOA Performers must be always observable and interruptible.  Staff and volunteers **cannot** share a hotel room or otherwise sleep in the same room with any performer of Spirit of Atlanta. Additionally:

1. Adult performers shall not share rooms with Minors.
2. Performers must adhere to all rule and regulations of the hotel to include noise ordinances and protection of hotel property.
3. Performers must adhere to the room assigned to them and may not change rooms without approval from the Corps or Executive Director or their designee.
4. Performers shall answer the doors fully covered and may not leave the hotel room dressed only in underwear, bras or other pieces of clothing deemed to be intimate attire.

SOA Official Responsibilities:

1. SOA Officials may not enter the hotel room of any SOA Performer. Any interaction must occur with the door open and the SOA official in the hallway.
2. SOA Officials and SOA Performers must remain fully clothed during interactions that occur near hotel rooms.
3. **Social Media and Electronic Communication**

Members and Officials of the Spirit of Atlanta are required to maintain a professional demeanor when engaging on social media platforms, as such interactions are often public and can be construed as a direct representation of the corps.

Electronic communication encompasses various forms, including but not limited to phone calls, video calls, video training sessions, text messaging, social media platforms (such as Facebook, Twitter, Instagram, Reddit, TikTok, etc.), emails, gaming platforms, and direct messaging.

Engaging in cyberbullying by any individual associated with the Spirit of Atlanta towards another corps member or anyone involved in the broader drum corps community is strictly prohibited. This includes acts of harassment, intimidation, humiliation, or any behavior that instills reasonable fear of harm. Such actions that substantially disrupt the operation of any activity or event within the Spirit of Atlanta are not tolerated.

SOA Official Responsibilities:

1. All electronic communication between a SOA Official and a Minor must comply with the One-on-one Policy and must be open and transparent.
2. A parent or guardian may request in writing that a Minor not be contacted through electronic communications. Such requests must be honored.
3. Private communication of a personal nature from a Minor in violation of the One-on-one Policy must be brought to the attention of the Executive Director and future communications must include a third party.
4. SOA Officials are not permitted to maintain private social media connections with Minors. All such existing connections must be discontinued by the SOA Official.
5. **Gifting**

To prevent the appearance of favoritism or grooming, the following applies when giving or receiving gifts:

1. SOA Performers are not allowed to give personal gifts to staff members unless they are part of a gift program authorized by the Spirit of Atlanta for purposes of end of season or holiday gifts. A section may give gifts as a collective whole. Individual gifts from members to instructors may be given at the end of the season, but may not exceed $25 in value.

SOA Official Responsibilities

1. SOA Officials are not permitted to give personal or private gifts to any SOA Performer.
2. The Executive Director and/or Caption Heads may set guidelines for a reward system that equally applies to all SOA Performers. The award system, which may include a gift or privilege, must serve a legitimate motivational, inspirational, or educational purpose and applied equally across an entire section.
3. **Costume Fittings**

For purposes of this policy, a costume fitting is any situation where a SOA Performer is being measured or fitted for clothing worn on behalf of the corps. The following rules apply at all times:

1. SOA Performers are responsible for wearing appropriate clothing and undergarments to all fittings.
2. SOA Performers must change in and out of costumes in designated private or semi-private areas and never in front of a SOA Official.
3. SOA Performers are responsible for practicing good hygiene.

SOA Official Responsibilities

1. Only SOA Officials that have been assigned to conduct costume fittings may do so, without exception.
2. All costume fittings must occur with two assigned SOA Officials and the person conducting the fitting must do so within the line of sight of the second SOA Official.
3. SOA Officials may not observe the SOA Performer while they are in a state of undress.
4. **Medical Modalities**

SOA Officials and SOA Performers are expressly forbidden from conducting any type of medical treatment on another person. If deemed medically necessary, such activities may only be provided by a medical professional specifically appointed by Spirit of Atlanta to perform such duties.

1. Any medical treatment must be performed by a licensed professional and conducted in an observable and interruptible location.
2. SOA Officials may not ice or tape any SOA Performer, unless their job duty specifically states such duties are allowable or under emergency circumstances. Daily icing and taping must be conducted by the performer, unless an emergency situation exists.
3. Performers are to be informed of all treatments and have the right to immediately stop such treatments upon request without explanation.
4. In the event of an emergency where medical care is necessary to stabilize a condition, the parent or guardian of a minor must be notified and if not onsite, should be notified as soon as reasonably possible to approve any further non-emergency medical treatments.

Medical Orders and Follow-up

Staff and volunteers must adhere to any and all restrictions placed on the performer for practice and/or competition. To include, but not limited to:

1. A time frame for how long the medical provider wants the restrictions placed on the performer.
2. Any training modifications that the medical provider feels will benefit the performer.
3. Any alternative forms of conditioning that may be acceptable during practice (i.e. lower body conditioning only, in place of full body conditioning)
4. SOA Performers are required to follow all medical directives and may not change the directives without the approval of a medical professional. For example, if an athletic trainer requires that a particular part of the body must be rested for a specific period of time, then the performer must follow such orders unless they receive approval to discontinue the rest period. A staff member may not alter medical orders under any circumstance even when requested by the performer.

Reporting Guide

Spirit of Atlanta takes reports of misconduct or violations of policy very seriously. Our goal is to ensure that anyone who reports knows their rights and is aware of all available resources and options to continue to have the opportunity to be successful.

* Allegations of misconduct or policy violations reported to Spirit of Atlanta are reviewed as an incident report without making assumptions of its validity.
* Spirit of Atlanta will follow state and federal law and report child abuse, including sexual abuse, or criminal activity to law enforcement and other authorities as deemed appropriate.
* The role of Spirit of Atlanta within the realm of investigations is not that of a criminal investigative entity. SOA's investigations are solely focused on policy violations. Forensic investigations related to criminal matters will be entrusted to law enforcement agencies.

**Reporting Descriptions and Definitions**

1. **Claimant**

A “Claimant” is the person who is alleged to have experienced conduct that violates the Spirit of Atlanta policy.

1. **Disclosure vs. Reporting**

When considering whether to report it’s important to understand the differences between “Disclosure” and “Reporting.”

Disclosure involves directly and intentionally telling someone about a personal experience, whereas reporting constitutes asking someone in authority to take official action.

To that means, all SOA Officials must report all relevant details of misconduct of which they become aware.  Spirit of Atlanta will need to determine what happened – and will need to know the names of the individuals involved in the incident, any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

1. **Duty to Respond**

Even if a performer or his or her parent does not want to file a report or does not request that the drum corps take any action on the performer’s behalf, if the corps has been made aware of possible misconduct, it will promptly investigate to determine what occurred and then take appropriate steps to resolve the situation.

1. **False Reporting and Tattle Tale Reporting**

Providing or submitting false or misleading information in bad faith, with a motive to obtain personal advantage or to cause intentional harm to another person, is prohibited, and the individual is subject to disciplinary action.

1. **Respondent**

A “Respondent” is a person who is alleged to have violated the policies of Spirit of Atlanta.

1. **Third Party Reporter**

A “Third-Party Reporter” is a person, other than the Claimant, who files a report. A third-party reporter will not receive information on the outcome of the report, updates on the report and may or may not be called as a witness.

**Performer Rights During the Reporting Process**

1. **Right to submit a report anonymously**

Any individual may make an anonymous report. An individual may report the incident without disclosing his/her name, identifying the Respondent or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, Spirit of Atlanta’s ability to respond to an anonymous report may be limited.

1. **Right to confidentiality**

Documents or evidence related to the reporting process must remain confidential, in that they may not be disclosed outside of the proceedings, except as may be required by law or authorized by Spirit of Atlanta. Spirit of Atlanta may disclose the outcome of the matter to those persons or organizations with a need to know so that the outcome can be properly effectuated or understood. Those persons or organizations may include Drum Corps International, third-party investigation organization, Legal Counsel, Claimant, Respondent and parents of performers involved. Additionally:

* A Claimant may publicly discuss the incident, their participation in the process, or the outcome of the process. A Claimant may not discuss the participation of others in the process.
* A Respondent may publicly discuss the incident, their participation in the process, or the outcome of the process. However, a Respondent, or any advisor or attorney for a Respondent, may not disclose any Claimant’s or Participant’s identifying information, including without limitation names and contact information.
* If any person or entity misrepresents the process, the underlying facts, or the outcome of a matter, Spirit of Atlanta may publicly correct the record.

1. **Right to be heard**

All parties involved in an investigation have the right to be heard, present evidence and call witnesses.

1. **Right to not participate**

Any person involved in an investigation has the right to not participate in the process. However, the investigator will be required to come to a finding at the conclusion of the investigation based on all the available evidence and information. If you decline to participate, whatever information you may have but did not share will not be considered when the findings are determined.

1. **Performer’s right to have a parent as an observer**

The claimant and respondent retain the privilege of seeking guidance from an advisor. This advisor must not have any role as a witness or direct involvement in the investigation. To maintain confidentiality, the advisor cannot be a peer. A parent is allowed to accompany the claimant or respondent in any meeting or proceeding related to the investigation or resolution but is restricted to serving as a witness. If either party is represented, legal counsel is permitted to attend the proceedings. No other parties may participate in formal proceedings.

**Paths for Assistance**

1. **Formal Reporting**

*\*Managed at the highest level\**

Performers are encouraged to file a formal report if any of the following questions in the box below are answered “yes.” A formal report will begin the investigation process that can include, but is not limited to:

* Statements from both the Claimant and Respondent
* Witness statements
* Evidence collection
* Creation of safety plans
* Law enforcement involvement
* DCI involvement
* A written resolution that outlines actions taken to remedy the situation or disciplinary action taken.

When filing a report, you are encouraged to follow the steps below:

1. Speak in 1st Person.
2. Include as many details as possible such as date, time, persons involved, witnesses, location, direct quotes and actions taken by the parties involved.
3. Include the name of any SOA Official who had been informed or awareness of the situation.
4. Indicate your level of safety. If you feel unsafe and need an immediate safety plan, state that.
5. Avoid exaggerations or embellishments.
6. It’s important when using words such as “assault”, “grooming”, “hazing”, “bullying”, and “harassment” to follow the definitions used in this document as the investigator or SOA Official assigned to review the report will be following the official definitions.

*\*Formal Reporting should not be used to settle personal disputes or to raise grievances not associated with misconduct, safety or a violation of policy.*

**Should I file a formal report?**

Does this fall under state mandatory reporting guidelines that includes a minor?

Does this include criminal behavior under the law?

Does this fall within one of the categories of misconduct?

Does this involve a situation where discriminatory actions took place?

Was there a violation of code of conduct that cannot be handled or managed by the Executive Director or their designee??

Are you seeking a formal investigation?

Has a person disclosed to you that they want to make a report, but are scared to do so?

Do you have concerns for your safety or the safety of another person?

Are you seeking a safety plan?

Does this violate the one-on-one protocol that involves a power imbalance between a staff member and performer?

Are you being harassed or stalked?

Does this involve a situation where someone has touched you without consent?

Do you want the corps to pursue disciplinary action against another person?

Would you like this elevated to Drum Corps International?

Do you feel that there is a safety issue such as medical care being ignored?

Does this involve a violation of the Safe Interaction Policies and includes one of the categories of misconduct?

Has a staff member shown unprofessional conduct that violates the rights of the performers?

1. **Seeking Guidance**

*\*Managed at the corps level not requiring a formal investigation or legal involvement.\**

Performers are encouraged to seek guidance from a corps administrator if any of the questions below are answered “yes.” Tier 2 reporting is a process that allows the performer to process the concern with an administrator before the decision is made to file a formal report. If you are not yet ready to make an official report, this option is most appropriate to help you decide. Keep in mind, SOA Officials are required to report any disclosure of misconduct against another person, sexual misconduct and child abuse.

**Should I speak with an Administrator?**

Is this a situation that could tarnish the reputation of the corps, but does not include one of the categories of misconduct? For example, a corps member displays public intoxication on a free day or you witnessed negative comments being made to another corps.

Is this a situation where you feel uncomfortable because a mutual friendship or consensual relationship has ended, but do not feel unsafe?

Are you engaged in a mutual relationship and no longer wish to be in that relationship, but you are bus partners?

Did you overhear a conversation or a rumor that concerns you, but you don't have all the information?

Do you feel concerned for someone, but do not have their consent to file a report?

Do you need someone to confide in or want to seek assistance and support, but you are not seeking action or do not want to name the Respondent.

Has the situation negatively effected your participation and you are seeking guidance as to how to move forward before you file a report?

Has there been a violation of the Safe Interaction Policies, but does not include one of the categories of misconduct?

1. **Seeking Support**

*\*For purposes of guidance from a peer and to talk through next steps.\**

There are many situations that don’t require the help or advice of a staff member or other official of the corps. These situations often include times when a performer just needs someone to listen or offer further guidance. In these situations, a performer is encouraged to reach out to a peer leader. If you answer “yes” to the following questions, you are encouraged to reach out to a peer leader for support.

**Should I seek support from a peer leader?**

Does the situation involve a mutual break up and you are seeking guidance as to how to interact with that person?

Has someone shown affection toward you that makes you uncomfortable, but does not reach a threshold of harassment or sexual misconduct? For example, a peer has asked you out and you said no. They are now ignoring you.

Are you having trouble adjusting to the teaching style of a staff member?

Do you need help understanding better ways of managing rehearsal requirements such as conditioning or training?

Do you feel there is favoritism given to some performers over others?

Are you having a difficult time getting along with someone?

Are you feeling alone and need someone to talk to?

Are you struggling with the show and need some help?

**Incident Reporting Guide**

The utilization of incident reports is paramount for our organization as they serve as invaluable tools for learning from past events, identifying potential risks, and implementing proactive measures to enhance safety and efficiency.

An incident report is a factual, objective, and professional document of an adverse event, including all relevant details that caused it and any outcomes that stemmed from it.

Incident reports extend beyond injuries and encompass a wide range of situations including but not limited to the following:

* Injuries necessitating immediate medical attention.
* Any call to 911 or law enforcement.
* Falls resulting in harm, whether from a prop or environmental factors such as a wet floor.
* Theft.
* Vehicle accidents or crashes.
* Cases of food poisoning.
* Missing students.
* Instances of suicide ideation or suicide attempts.
* Student behavior causing significant disruptions to corps activities.

*\*Reports of misconduct and violations of the safe interaction policies should be reported through Face Up.*

**Staff Responsibilities:**

All staff and volunteers are obligated to complete an incident report within 8 hours of an adverse event. The incident report forms are accessible on the website under the Spirit Safe tab.

Please use the following guide when completing an incident report.