



Spirit of Atlanta Reporting Tiers

The tier system is intended to assess the matter for initial response and the collection of data for tracking incidents and reporting to the Board. Reports will be tiered based on the information originally submitted to SOA. Spirit of Atlanta will follow state and federal law when presented with any report of child abuse or criminal activity, including immediate referral to Law Enforcement. Such reports will be immediately classified as Tier 3.

Spirit of Atlanta will use a 3-Tier System to assess each report to:

1. Identify those reports that need immediate attention
2. Prioritize actions
3. Allocate resources
4. Determine appropriate resolution

Reports of issues that are not considered matters within the jurisdiction of SOA are referred to the relevant party for resolution. A brief overview of each tier is described below. Please note, the tiers listed below are a guide. It's important that all investigations and reports remain organic in nature.

Tier 1

Tier 1 Incident reports allege are appropriate for resolution at the lowest level and with the discretion of the Executive Director or Corps Director.

Tier 1 violations can include minor policy violations, Code of Conduct violations and any violation not sexual, criminal or predatory in nature. Tier 1 violations do not include bullying, hazing, harassment, or physical misconduct as outlined in the Safe Interactions Policy. Tier 1 examples can include:

- Violation of policy—non-criminal, non-sexual, non-predatory
- Student leader abuse of power
- Arguments, disagreements and conflicts between members
- Alcohol usage by members during unauthorized times or by underage members
- Performer disagreements with staff
- Use of negative instructional techniques
- Any situation that could harm the reputation of SOA that does not rise to the level of criminal conduct

- Unprofessional teaching methods that don't rise to the level of emotional or physical misconduct
- Code of conduct violations

Tier 1: Process

Tier 1 reports do not require a full investigation. They can often be resolved informally based on the reported information and discussions with the involved parties. These types of violations may be addressed by the Executive Director, Corps Director or their designee. Resolution is at the discretion of the Executive Director or Corps Director, without approval from the Board or the inclusion of the Safety Officer.

Tier 2

Tier 2 incident reports are reports that do not rise to the level of criminal conduct or sexual misconduct. It includes other forms of misconduct including emotional, physical, harassment, bullying and hazing.

Tier 2 examples can include:

- Use of instructional techniques such as exercise that induces vomiting, crying or that would cause a reasonable person to fear for their wellbeing.
- Staff member refusal to follow medical orders placed on a member by a medical professional.
- Items thrown at another person during the course of instruction such as shoes, drumsticks, guard equipment, water bottles, etc., but does not make contact with another person.
- Instructional techniques that refuse basic needs such as bathroom breaks, water, sunscreen, or medical care.
- Hazing
- Bullying
- Violation of the one-on-one policy
- Emotional misconduct that includes name calling, deadnaming, cussing and humiliation.
- Using conditioning as punishment
- Disregarding medical orders by a staff member

Tier 2 Process:

Tier 2 reports must be brought to the attention of the Executive Director for immediate intervention if the report is made in "real time." Following a full investigation, the Executive Director may resolve the issue at their discretion for the immediate safety of the performers and staff that can include suspension or removal from the corps. All Tier 2 reports must be

brought to the attention of the Board Chair and Safety Officer as soon as possible. The Board Chair will utilize their discretion to include other members of the Board or Legal Counsel.

**All tier two reports must be documented and reported to the board as part of the Executive Director's Report.*

Tier 3

Tier 3 Incident reports require a formal investigation, board intervention and reports to law enforcement, Drum Corps International and a third-party investigation body if the situation is warranted.

Tier 3 examples can include:

- Violations of policy with the possibility of predatory intent
- Severe acts of emotional misconduct, including repeated use of demeaning or harmful instructional techniques
- Physical acts that include slapping, punching, pushing, or hitting. (This is not a situation where a fight broke out between two people)
- Sexual misconduct involving performers by a SOA Official
- Sexual misconduct between performers
- Sexual misconduct involving staff members (sexual assault, sexual harassment, etc.)
- Severe medical misconduct
- Elevated threats of violence
- Conduct that includes an accusation of discrimination or discriminatory actions
- Repeated offensive conduct based on age, race, ethnicity, culture, religion, national origin, or mental or physical disability
- Retaliation against an individual making a report of misconduct
- Intimidating witnesses, intentionally misleading an investigator or interfering in an investigation

Tier 3 Process:

All tier 3 matters will involve immediate intervention by the Executive Director with the consultation of the Safety Officer, Board Chair, Legal Counsel and possibly Drum Corps International as deemed appropriate. The SOA Safety Officer, in consultation with the Board Chair will decide whether to include the full Board of Directors. With the guidance of the Safety Officer, Board Chair and in consultation with the Executive Director, decisions will be made on an immediate course of action that can include:

- Report to law enforcement
- Immediate removal from program
- Separation from performers for duration of investigation
- Include parents of performers in investigation and discussions

- Separation without the possibility of rehire
- Separation without the possibility of reinstating membership

Tier 3 reports will

**All tier three reports must be documented, with a formal resolution communicated in writing to the Claimant, Respondent and other necessary parties such as Legal Counsel and Drum Corps International.*

**Any report involving law enforcement must have documentation listing the jurisdiction reported to.*

**Any person who declares a conflict of interest with a Tier 2 or 3 report, must declare the conflict at the beginning of any investigation and recuse themselves if the situation warrants.*