



Misconduct Policies and Procedures

May 2, 2018

Sacramento Comedy Foundation and, by extension, Sacramento Comedy Spot, strive to create a safe and supportive environment for all members of our community, which includes, but is not limited to, board members, employees, instructors, coaches, customers, volunteers, and performers. All community members should be able to work, learn, and thrive, free from misconduct, harassment (which includes stalking, sexual harassment, and sexual assault) and discrimination. All community members are held to the same standards and are required to adhere to these policies and procedures.

No member of our community should be made to feel uncomfortable or excluded because of his or her race, gender, gender identity, sexual orientation, religious beliefs, nationality, age, or disability. Keep in mind that your actions outside the Foundation or the Comedy Spot, as well as within, can hurt specific community members and can also impact the community as a whole.

Community members are encouraged to express themselves in a creative and intelligent manner, without fear of censorship or judgment, as long as that expression does not fall under the following definitions of misconduct, harassment, and sexual harassment.

Community members are encouraged to report incidents of misconduct, harassment (which includes stalking, sexual harassment, and sexual assault), and discrimination. All reports are taken seriously and will be investigated.

Most of the time, disagreements, complaints, or conflicts within the community can be solved by discussing them with leaders at the Foundation/Comedy Spot, including your coach, instructor, producer, board member, Brian Crall (President/Founder), or Lara Nall (Theater Assistant). We can not address disagreements, complaints, or conflicts if we are not aware of them.

If you do not feel comfortable talking to a Foundation/Comedy Spot leader about an issue, please contact a member of the Conduct Committee to help. Their contact information is listed below.

DO NOT take matters into your own hands. If you have a complaint about, or conflict with a student, performer, volunteer, employee, manager, coach, or customer, do not confront them. Please contact the Conduct Committee. The Conduct Committee can provide conflict resolution and mediation to help ensure that future issues do not arise. The Conduct Committee can also provide you with resources and open a full investigation in more serious situations.

MISCONDUCT

Misconduct refers to any of the follow actions:

- Actions that endanger the life or safety of another person
- Engaging in criminal conduct
- Acts of violence or threats of violence against any member of the community, on or off Sacramento Comedy Foundation property
- Threatening, intimidating, or coercing community members
- Causing the destruction or damage of Foundation property or the property of community members
- Theft of Foundation property or the property of community members
- Unauthorized use of Foundation intellectual or real property
- Being intoxicated in class, during performances, or while working or volunteering
- Romantic and/or sexual relationships between active roles of instructor and student, or coach and performer
- Any form of retaliation against a complainant or witness for filing a complaint, and/or for assisting or participating in an investigation, proceeding, or hearing

HARASSMENT

Harassment is verbal or physical conduct, including written, spoken or visual material that denigrates or shows hostility or aversion toward an individual because of his/her race, sex, color, religion, creed, gender, national origin, age, handicap, disability, citizenship, sexual orientation, veteran, or marital status, or that of his/her relatives, friends or associates, and that:

- Creates an intimidating, hostile or offensive working, educational, or performance environment
- Adversely affects an individual's employment, educational, or performance opportunities

Harassment includes sexual harassment and stalking (as defined below); however, harassment can take many forms, and is not necessarily sexual in nature. The following could be considered harassment and therefore constitutes prohibited conduct:

- Offensive comments, jokes, innuendoes, and other derogatory statements that are hurtful towards an above named protected category. This could include downloading, copying, storing, creating, transmitting or distributing any pornographic, offensive, defamatory, obscene or discriminatory information.
- Visual conduct, such as derogatory and/or sexually-oriented material defined towards an individual, including posters, photography, cartoons, drawings or gestures, and including those accessed or sent via e-mail, social network, or other physical and/or digital means
- Any conduct that creates an intimidating, hostile, or offensive environment

- Retaliation for having reasonably, and in good faith, reported or threatened to report harassment

STALKING

Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves repeated and continued harassment made against the expressed wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include:

- Pursuing or following
- Non-consensual (unwanted) communication or contact, including face-to-face, telephone calls, voice messages, electronic messages, text messages, written letters, social media messages, etc.
- Sending unwanted gifts (such as flowers)
- Trespassing, property damage
- Surveillance or other types of observation including invasion of online privacy

SEXUAL ASSAULT

Is defined as any non-consensual, intentional physical contact of a sexual nature, such as unwelcome physical contact with a person's genitals, buttocks, or breasts. Sexual assault occurs when the act is committed by a) physical force, violence, threat, or intimidation, b) ignoring the objections of another person, c) causing another's intoxication or impairment through the use of alcohol or other drugs, and/or d) taking advantage of another person's incapacitation, helplessness, or other inability to consent.

EXAMPLES OF MISCONDUCT

The following list attempts to provide some simple examples of misconduct to illustrate severity and the category the behavior falls into.

Misconduct:

- Pulling out an actual folding knife in character during a scene
- Throwing a chair against a wall
- Forcing your way into another person's car or cab when leaving a rehearsal, a show, or after socializing after those events

Harassment:

- Repeated reference to a performer's actual race regardless of the race of their character
- Writing sketches and providing situations referencing faculty or actual students (non-public figures) in a derogatory or insulting manner

- Retaliation for filing of a formal complaint

Stalking:

- Following someone else home from class, rehearsal audition or a show

Sexual Harassment:

- Pressure for a date or a romantic or intimate relationship
- Unnecessary and unwelcome references to various parts of the body
- Belittling remarks about a person's gender or belittling remarks about a person's sexual orientation based in gender-stereotyping
- Obscene gestures of a sexual or gender-based nature
- Unwelcome touching, kissing, hugging, or massaging

Sexual Assault:

- Non-consensual, intentional physical contact of a sexual nature

REPORTING INCIDENTS OF MISCONDUCT

Sacramento Comedy Foundation and, by extension, Sacramento Comedy Spot, encourage any member of the community to report misconduct to the Conduct Committee so the Foundation can take appropriate steps to prevent conduct from escalating and/or to eliminate harassing conduct.

Complainants should report misconduct to the members of the Conduct Committee (listed below). All members of the Conduct Committee are required to act on reports of alleged misconduct and will share the report of alleged misconduct with the other committee members in case immediate action is required.

CONDUCT COMMITTEE

The Conduct Committee will investigate all reports of alleged misconduct against any community member of the Sacramento Comedy Foundation and, by extension, Sacramento Comedy Spot. This includes, but is not limited to, board members, employees, instructors, coaches, customers, volunteers, and performers. Community members can contact any members of the committee to start the process of filing a formal complaint.

The Conduct Committee will include two board members, including the president, and at least two members of the Foundation / Comedy Spot community.

- In the event the complaint involves one of these committee members, the remaining members will act independently and with the guidance of at least one member of the Sacramento Comedy Foundation Board of Directors.

- Additionally, If a complaint involves a board member, the other board members will act independently and seek outside, independent guidance before making final determinations and taking appropriate disciplinary actions.

Brian Crall	brian@sacramentocomedyfoundation.org	(916) 402-4757
Mel Gelbart	mel@saccomedyspot.com	(916) 838-4049
Kimberly Chen	kimberly.yi.chen@gmail.com	(626) 512-2380
Nick George	nicksgallery@gmail.com	(858) 779-4321
Skeeter Salcedo	skeeters78@yahoo.com	(646) 337-6680

REPORTING PROCEDURES

- After a complainant has reported the alleged misconduct, all members of the conduct committee will be notified.
- The complainant is required to submit a formal complaint in writing.
 - Complainants report should be specific and truthful. Please include **specific** allegations, dates, details of the incident or incidents, names of the individuals involved, the names of any witnesses, and any other evidence in support of your claims.
- The Conduct Committee will begin to investigate the allegations.

INVESTIGATION PROCEDURES

- All members of the Conduct committee will read the complainant's written statement.
- The Conduct Committee will follow up with the complainant once a written statement has been received to clarify allegations and recommend support services.
- The respondent will be notified that a complaint has been filed, and he/she will have the opportunity to submit a written statement. Respondent's statement should be specific and truthful. Please respond to each of the complainant's specific allegations dates, details of the incident or incidents, names of the individuals involved, the names of any witnesses and any other evidence in support of your claims.
- All members of the Conduct Committee will read the respondent's written statement and decide how to best proceed with the investigation.
- The Conduct Committee will investigate the allegations by interviewing and asking for written statements from witnesses, and by following up with the complainant and the respondent in case more information is required.
- Results of the investigation will be shared with all Conduct Committee members.
 - In any case where there is a reasonable suspicion that criminal actions may have occurred, or are occurring, in addition to the reporting process described herein, the Conduct Committee may be obligated to report such actions to applicable law enforcement authority and to forward all applicable evidence to such law enforcement authority with respect to such actions.

- Such actions will be discussed and reported by the Sacramento Comedy Foundation Board of Directors.
- Conduct committee members will issue written findings to the Sacramento Comedy Foundation Board of Directors.
- The Board of Directors will discuss the findings of the Conduct Committee and take any and all appropriate disciplinary actions which may include, but may not be limited to, written warnings, suspension, banishment, and/or dismissal.
- A representative of the Board of Directors will meet separately with both the complainant and respondent. In these meetings the complainant and respondent will be issued a formal letter of findings and will discuss any disciplinary actions by the Board of Directors.
- Retaliation for filing a formal complaint or answering a formal complaint is a breach of these policies and will result in immediate disciplinary actions, which may include, but may not be limited to, written warnings, suspension, banishment, and/or dismissal.
- Failure to adhere to the Board of Directors findings is a breach of these policies and will result in immediate disciplinary actions which may include, but may not be limited to, written warnings, suspension, banishment, and/or dismissal.

COMPLAINANT REQUEST FOR CONFIDENTIALITY/PRIVACY

All complaints are handled in a discrete manner and maintained as confidential as possible during any investigation. Conduct Committee members will not publicly discuss a complaint in open forums (including public spaces, social media and other forums).

A complainant may make a request for confidentiality/privacy at any point. This type of request means that the complainant does not want her/his identity known to the respondent and witnesses. Conduct Committee members will make all reasonable attempts to comply with a request for privacy or the withdrawal of a report.

CONFIDENTIALITY/PRIVACY & NON-RETALIATION POLICY

Sacramento Comedy Foundation and, by extension, Sacramento Comedy Spot, prohibit any form of retaliation against any member of the community from filing a complaint under this policy, or for assisting or participating in an investigation, proceeding, or hearing. Anyone who files a complaint or cooperates in an investigation of a complaint under this policy will be protected from any retaliatory action as a result of filing such a complaint or cooperating in an investigation.

ANONYMOUS AND VAGUE COMPLAINTS

Sacramento Comedy Foundation encourages all community members to feel comfortable reporting misconduct. The Conduct Committee cannot fully investigate anonymous complaints.

However, they will utilize best efforts to investigate all such claims. If you do not feel comfortable filing a formal complaint, you may make an anonymous complaint on the Sacramento Comedy Foundation "Contact Us" page and selecting the "Misconduct Complaint" option:

<http://sacramentocomedyfoundation.org/contact/>

The Conduct Committee cannot fully investigate complaints without specific allegations. Complaints must contain specific allegations, dates, details of the incident or incidents, names of the individuals involved, the names of any witnesses, and any other evidence in support of your claims. Complainants submitting complaints without specific allegations will be asked to resubmit their complaint.

