

Winter Sky Independent, Inc.
CODE OF CONDUCT

WINTER SKY INDEPENDENT, INC. CODE OF CONDUCT

This Code of Conduct applies to everyone involved with the Winter Sky Independent Colorguard, including all participants, minor participants, groups, instructional staff, personnel, volunteers, and contractors. Everyone must follow this Code of Conduct to stay in good standing with Winter Sky Independent. The policies in this Code of Conduct aim to ensure safe environments and experiences during all Winter Sky activities.

This Code of Conduct explains what behavior is appropriate or inappropriate. While it cannot cover every possible situation, everyone must follow the letter and spirit of these guidelines to stay in good standing with Winter Sky Independent, Inc.

Definitions of Parties

- **Participant:** A person over 18 performing with a group.
- **Minor Participant:** A person under 18 performing with a group.
- **Group:** The entire organization or an individual participating group.
- **Staff:** A person engaged by the group in an instructional or administrative role.
- **Volunteer:** A person who freely gives their time to Winter Sky and provides support in any capacity.
- **Contractor:** A person who provides occasional services for a fee.

Winter Sky Independent will not tolerate conduct that violates its policies. Even if an action was not intended to violate this Code of Conduct, Winter Sky prioritizes the actual impact of the action over the person's intentions to prevent negative experiences.

In addition to upholding this Code of Conduct, Winter Sky Independent can review and may take interim action against anyone involved in or accused of unlawful activities related to their participation in Winter Guard or the marching arts.

All parties should consider themselves ambassadors of Winter Sky Independent. They are expected to uphold these policies, remind others of them when necessary, and report alleged violations.

Alcohol & Drug Policy

All parties have the right to participate in an environment free of alcohol, drugs, and other substances. Prohibited substances include narcotics, inhalant drugs, and over-the-counter medications unless used with a valid medical prescription. Violations include, but are not limited to:

- Distributing alcohol and prohibited substances to any participant.
- Consuming or being under the influence of alcohol or a prohibited substance while under the participating group's supervision or providing services to parties in connection with any event or activity, including rehearsals.
- Possessing or distributing alcohol or a prohibited substance on school grounds or arena facilities where such activities are prohibited.

Please note, while cannabis is legal recreationally in New York State for persons of age, we must adhere to the rules of each facility that we are at. Schools prohibit smoking of any kind on premises.

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We will also be traveling to and through other states that may not permit the use and possession of cannabis. Local laws will apply.

Exceptions to this policy may be made on a case-by-case basis by group administration to allow alcohol at specifically sanctioned social and fundraising events. At such allowable events, local regulations are expected to be followed. Prohibited substances remain forbidden at all times.

Anti-Retaliation, Whistleblower, and False Reporting Policy

Winter Sky Independent, Inc. will not tolerate retaliation against any party who makes a good faith report or threatens to make a good faith report. Retaliatory actions include threatening, intimidating, harassing, coercing, or any other action that could dissuade someone from reporting misconduct. Retaliation does not include good-faith actions lawfully pursued in response to a reported violation.

Any participant knowingly making a false allegation will be subject to disciplinary action. A false allegation differs from an unsubstantiated allegation, which means there is insufficient evidence to determine whether an allegation is true or false. An unsubstantiated allegation alone is not grounds for a Code violation.

Bullying Policy

Bullying means severe behavior directed at a participant that is aggressive and likely to hurt, control, or diminish the participant emotionally or physically often centering around a real or perceived power imbalance. Examples of bullying include repeated physical, verbal, or social abuse. Physical abuse may refer to hitting, pushing, beating, biting, or other offensive contact. Verbal abuse may refer to ridiculing, taunting, name-calling, intimidating, or threatening to cause harm. Social abuse may refer to using rumors or false statements to diminish someone's reputation or socially excluding someone and asking others to do the same. Bullying may occur in person or virtually through any social or electronic mediums.

Bullying does not include occasional instances of rude or mean-spirited language, conduct arising from a conflict or struggle between persons with incompatible views or positions, or professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved participant performance.

Confidential Reporting

Reports are to be made confidentially to a Member of the Board of Directors. Confidentiality means the board member will know the reporter's identity but will not share it unless consent is provided or if they are legally required to do so. Inaccurate or withheld information will limit the board's ability to conduct an inquiry and respond.

Fraternization Policy

Winter Sky Independent maintains a strong position on fraternization between all parties. Fraternization means any close personal relationship that goes beyond a professional working relationship and can include romantic or intimate relationships, excessive socializing, and favoritism. Examples include:

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- Sexual or romantic relationships between staff/volunteers and minor participants are prohibited.
- Establishing a new sexual or romantic relationship between staff/volunteers and adult participants while working with the same group is strongly discouraged. Additionally, establishing a new sexual or romantic relationship between any party where there is or a perceived power imbalance is strongly discouraged.
- Fraternization between participants and minor participants is strongly discouraged.
- Already-existing relationships between staff and participants are not encouraged but are not forbidden. These relationships must be managed to address potential conflicts or power imbalances.
- Any relationship that puts any party at risk of harm is prohibited.

General Conduct Policy

The experience of each party and the reputation of Winter Sky Independent depends on the conduct of all parties involved. Good manners, basic decency, and common sense are generally all that is required to ensure appropriate conduct and behavior. Engaging in conduct or using language that could be perceived as rude, inappropriate, abusive, disorderly, derogatory, immoral, or threatening will not be tolerated. Violations of this policy include, but are not limited to:

- Applying undue and unfair pressure to another party, especially if one party has authority over another.
- Verbally abusing any other party.
- Inappropriate conduct on the contest floor, rehearsal sites, or event venues.
- Disruptive or rude behavior anywhere, anytime during a group activity.
- Affiliates of the group, such as parents or spectators, engaging in inappropriate conduct directed at any party on the contest floor, rehearsal sites, or event venues.

Harassment Policy

All parties must maintain a safe, respectful, and inclusive environment. Harassment means repeated or severe conduct that causes fear, humiliation, or annoyance and reflects discriminatory bias to establish dominance, superiority, or power over an individual or group based on age, race, ethnicity, gender, orientation, culture, religion, national origin, mental or physical disability. Harassment also refers to conduct that creates a hostile environment. A hostile environment exists when the conduct is severe or pervasive enough to interfere with, limit, or deprive any individual of the opportunity to participate in any program or activity. Harassment may occur in person or virtually through any social or electronic medium.

Harassment does not include occasional instances of rude or mean-spirited language, conduct arising from a conflict or struggle between persons with incompatible views or positions, or professionally accepted coaching methods of skill enhancement, physical conditioning, team building, appropriate discipline, or improved participant performance.

Hazing Policy

Hazing means any conduct that subjects another person to anything that may endanger, abuse, humiliate, degrade, or intimidate them as a condition of joining or being socially accepted by a group, team, or organization. Consent by the person subjected to hazing is not a defense, regardless of their perceived willingness to cooperate or participate.

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Hostile Rehearsal Environment Policy

The rehearsal space is where groups develop creative routines and foster teamwork. A rehearsal environment is defined as periods when the group is practicing under the direct supervision of an authority figure or coordinator. It is a violation of this Code for any party to engage in severe or pervasive conduct that hampers a party's ability to participate meaningfully in the rehearsal environment. Rehearsal environments should remain educational both in the planning and commentary provided to any party. When rehearsal techniques and feedback are no longer educational, a hostile rehearsal environment could be created. Conduct prohibited by this Code, such as harassment, hazing, and bullying, is also prohibited in the rehearsal environment. Additionally, violations of this policy include:

- Creating a rehearsal environment intended to make any party excessively afraid, nervous, or anxious regardless of intention. This does not include professionally accepted coaching methods.
- Withholding educational information to achieve skills safely
- Attacking the personal character of participants rather than aspects of their performance.
- Rehearsing for extended timeframes while withholding, recommending against, or denying adequate hydration, nutrition, medical attention, or sleep.

Sexual Misconduct

Sexual misconduct of any kind will not be tolerated. Offenses include sexual or gender-related harassment, nonconsensual sexual contact, exposing a minor to sexual content/imagery, and sexual exploitation.

- **Sexual or Gender-related Harassment:** Unwelcome sexual advances, requests for sexual favors, unwanted and continued sexual flirtations, and propositions. It also includes sexually degrading words and other conduct of a sexual nature.
- **Nonconsensual Sexual Contact:** Engaging in sexual contact without consent.
- **Exposing a Minor to Sexual Content/Imagery:** Intentionally exposing a minor to sexually explicit imagery.
- **Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another for one's own advantage.

Reporting Instances of Sexual Misconduct

If any party receives information suggesting sexual misconduct has occurred, they must report it to WGI immediately. Groups and Circuit Partners should report allegations of sexual misconduct to law enforcement. They must maintain effective policies and procedures for the protection and safety of all parties, including the ability to report suspected sexual misconduct without retaliation.

If any party learns of or suspects child abuse, including sexual misconduct, they must immediately report it to law enforcement, WGI, and comply with other applicable reporting requirements. Reporting to WGI alone is not sufficient.

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Social Networking Policy

Winter Sky Independent values the freedom of expression on social networking sites and does not wish to discourage self-publishing or self-expression. However, we expect all parties involved in any capacity in with the group to follow the applicable guidelines and policies. It is important to understand that any posts made on social media are personal and do not represent Winter Sky Independent. Our policy prohibits the use of social media to post or display comments that are vulgar, obscene, threatening, intimidating, harassing, or hostile on account of any protected characteristic under applicable law on platforms controlled by Winter Sky Independent.

Weapons Policy

To ensure a safe environment for everyone, Winter Sky Independent strictly prohibits the wearing, carrying, storing, or possession of firearms or other dangerous weapons at any of our events or event venues. Anyone found violating this policy will be immediately removed and barred from future events. Additionally, if the sponsoring circuit finds that the violator is a participant, staff member, or volunteer affiliated with a participating group, that group will be disqualified and asked to leave the venue.

Code of Conduct Acknowledgement

I have reviewed this Code of Conduct and understand the expectations set forth by the policy and should any of these policies be violated I will be held accountable.

(Participant Name)

(Participant Signature)

(Guardian Name, if participant is a minor)

(Guardian Signature, if participant is a minor)

(Date of Signature)