

CONDUCT CODE AND POLICIES

Background Check Policy

As an organization, A+ Education and Performing Arts may require applicants and staff members, volunteers and board members to satisfactorily complete a background check. A+ Education and Performing Arts will consider your job duties, among other factors, in determining what constitutes satisfactory completion of the background check. All information obtained as a result of a background check will be used solely for employment purposes.

When a background check is required, you must complete A+ Education and Performing Arts' authorization form. Falsification or omission of information may result in denial of employment or discipline, up to and including termination. All background check information will be kept confidential. A+ Education and Performing Arts complies with all applicable federal, state, and local laws regarding background checks.

Anti-Discrimination Policy

A+ Education and Performing Arts strictly prohibits and does not tolerate discrimination against employees, applicants, or any other covered persons because of race, color, religion, creed, nationality, national origin or ancestry, ethnicity, sex, gender, age (except to the extent of and in accordance with A+ Education and Performing Arts membership rules and policies), physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, sexual orientation, affectional orientation, marital status, civil union status, and domestic partnership status, atypical hereditary cellular or blood trait (AHCBT), or any other characteristic protected under applicable federal, state, or local law. All of A+ Education and Performing Arts' board, staff, administration and representatives are prohibited from engaging in unlawful discrimination.

A+ Education and Performing Arts complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, the New Jersey Law Against Discrimination, and all applicable state or local law. Consistent with those requirements, A+ Education and Performing Arts will reasonably accommodate qualified individuals with a disability if such accommodation would allow the individual to perform the essential functions of the job or program participation, unless doing so would create an undue hardship. If you believe you need an accommodation, please make a request under A+ Education and Performing Arts. A+ Education and Performing Arts will also, where appropriate, provide reasonable accommodations for an employee's religious beliefs or practices.

Possession and/or Use of Drugs

As an organization, A+ Education and Performing Arts does not tolerate the use or possession of any drugs by any employee, volunteer or marching member while at any A+ Education and

Performing Arts function. This includes practices, shows, tour, or anytime that members are together as participants in A+ Education and Performing Arts.

Possession and/or Use of Alcohol

As an organization, A+ Education and Performing Arts does not tolerate the use or possession of any alcohol by any employee, volunteer or marching member while at any A+ Education and Performing Arts function. This includes practices, shows, tour, or anytime that members are together as participants in any function of any A+ program.

Anti-Harassment Policy

A+ Education and Performing Arts strictly prohibits and does not tolerate unlawful harassment against staff, members, administrators, volunteers, board members or any other covered persons because of race, religion, creed, national origin, ancestry, sex, gender, age, physical or mental disability, citizenship, genetic information, past, current or prospective service in the uniformed services, or any other characteristic protected under applicable federal, state, or local law.

Sexual Harassment

A+ Education and Performing Arts has adopted the EEOC's definition of sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of sexual nature are considered to be sexual harassment when:

- Submission to such conduct is made either directly or indirectly a term or condition of employment or participation;
- Submission to or rejection of such conduct is used as the basis for employment or participation decisions which affect an employee, volunteer or student;
- Such conduct has the purpose or the effect of unreasonably interfering with an employee's, volunteers or student's routine performance or creating an intimidating, hostile or offensive working environment.

The following are some examples of conduct which may be considered sexual harassment and, therefore, are prohibited by this policy;

- Repeated, unwelcome and offensive sexual flirtations, advances or propositions;
- Continued or repeated verbal abuse of sexual nature;
- Continued or repeated graphic verbal commentaries about a person's body;
- Display of sexually suggestive objects or pictures;
- Continued or repeated suggestive sexual comments or remarks
- Continued or repeated insults, humor, or jokes about a person's sex or traits relating to sex;
- Continued or repeated touching, pinching or brushing a person's body.

This list is illustrative only, and not exhaustive. No form of sexual harassment will be tolerated. Harassment is prohibited both on any A+ Education and Performing Arts controlled or managed premises and at events.

Sexual harassment does not refer to occasional socially acceptable compliments. It refers to

behavior that is unwelcome, personally offensive or sufficiently severe or repeated that it alters the conditions of employment and creates an abusive working environment. A+ Education and Performing Arts does tolerate sexual harassment in any form.

Bullying /Other Types of Harassment

A+ Education and Performing Arts' anti-harassment policy applies equally to harassment based on an employee's race, religion, creed, national origin, ancestry, age, physical or mental disability, citizenship, genetic information, past, present or prospective service in the uniformed services, or any other characteristic protected under applicable federal, state, or local law.

Such harassment includes harassment that is:

- Verbal (for example, epithets, derogatory statements, slurs, derogatory comments or jokes).
- Physical (for example, assault or inappropriate physical contact).
- Visual (for example, displaying derogatory posters, cartoons, drawings or making derogatory gestures).
- Online (for example, derogatory statements or sexually suggestive postings in any social media platform including Facebook, Twitter, Instagram, Snapchat, etc.).

This list is illustrative only, and not exhaustive. No form of harassment will be tolerated. Harassment is prohibited both on any A+ Education and Performing Arts controlled or managed premises and at events.

Staff Relationships

As an organization, A+ Education and Performing Arts recognizes the importance of a proper environment in which all of our members may grow and mature. To maintain this professional, educational environment, A+ Education and Performing Arts will not allow relationships between instructional staff, support staff, or administration and any member of the organization. If any instructional staff, support staff or administration member is involved in a relationship with a member, that staff member will be removed from A+ Education and Performing Arts immediately.

Hazing

Hazing is defined as any action or situation which includes any mental or physical requirement, request or obligation placed upon any person (pledge, new member, associate member, member, affiliate, guest) which could cause discomfort, pain, fright, disgrace, injury or which is personally degrading or which violates any federal, state, local statute or University policy. Any activity described in this definition upon which the initiation, or admission into, or affiliation with, or continued membership in an organization is directly or indirectly conditional, shall be presumed to be "forced" activity.

Sex Abuse Prevention Policy

A+ Education and Performing Arts prohibits and does not tolerate sexual abuse or misconduct in the workplace or during any organization-related activity. A+ Education and Performing Arts provides procedures for staff, volunteers, board members, members or any other victims of sexual abuse or misconduct to report such acts. Those reasonably suspected or believed to have

committed sexual abuse or misconduct will be appropriately disciplined, up to and including termination of employment or membership, as well as criminally prosecuted. No staff, volunteers, board members, members or other person, regardless of his or her title or position has the authority to commit or allow sexual abuse or misconduct.

The following definitions or examples of sexual abuse, misconduct or harassment, may apply to any and/or all of the following persons – staff, members, board members, volunteers or other third-parties.

Sexual abuse or misconduct may include, but is not limited to:

- Child sexual abuse – any sexual activity, involvement or attempt of sexual contact with a person who is a minor (under 18 years old) where consent is not or cannot be given.
- Sexual activity with another who is legally incompetent or otherwise unable to give consent.
- Physical assaults or violence, such as rape, sexual battery, abuse, molestation or any attempt to commit such acts.
- Unwanted and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, massaging someone's neck or shoulders and/or pulling against another's body or clothes.
- Material such as pornographic or sexually explicit images, posters, calendars or objects.
- Unwelcome and inappropriate sexual activities, advances, comments, innuendoes, bullying, jokes, gestures, electronic communications or messages (e.g. email, text, social media, voicemail), exploitation, exposure, leering, stalking or invasion of sexual privacy.
- A sexually hostile environment characterized as comments or conduct that unreasonably interferes with one's work performance or ability to do the job or creates an intimidating, hostile or offensive environment.
- Direct or implied threats that submission to sexual advances will be a condition of employment or affiliation with the organization.

Immediately report suspected sexual abuse or misconduct. It is not required to directly confront the person who is the source of the report, question or complaint. A+ Education and Performing Arts will take every reasonable measure to ensure that those named in complaint of misconduct, or are too closely associated with those involved in the complaint, will not be part of the investigative process.

Anti-Retaliation Policy

As an organization, A+ Education and Performing Arts strictly prohibits and does not tolerate unlawful retaliation against any person (board member, employee, pledge, new member, associate member, member, affiliate). All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation, or other form of retaliation for participating in any activity protected by law.

This policy is not intended to restrict communications or actions protected or required by state or federal law.

Reporting Procedures

If you are subjected to any conduct that you believe violates this Conduct Code and Policies, you must promptly speak to, write, or otherwise contact a member of the A+ Education and Performing Arts instructional staff, support staff, administration or a member of the , ideally within ten (10) days after the offending conduct. If you have not received a satisfactory response within 5 (days) after making your complaint, please refer your complaint to a member of the A+ Education and Performing Arts board. These individuals will ensure that an investigation is conducted in a timely fashion. A+ Education and Performing Arts will take every reasonable measure to ensure that those named in complaint of misconduct, or those that are too closely associated with those involved in the complaint, will not be part of the investigative process.

Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. A+ Education and Performing Arts will directly and thoroughly investigate the facts and circumstances of all perceived retaliation and will take prompt corrective action, if appropriate.

Additionally, any staff member, support staff, volunteer, board member or administrator who observes retaliatory conduct must report the conduct to a member of the A+ Education and Performing Arts board so that an investigation can be made and corrective action taken, if appropriate.

Disciplinary Action

Any person, regardless of position or title, whom the A+ Education and Performing Arts determines has engaged in retaliation in violation of this policy, will be subject to discipline. Such disciplinary action may include reprimand, suspension or termination from the program. Where appropriate, criminal charges may be filed. In such cases, the Executive Director shall inform the Board of Directors as soon as possible.

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