

Foothills Conservatory for the Performing Arts

Conflict of Interest Policy

The purpose of this conflict of interest policy is to protect Foothills Conservatory for the Performing Arts (FCPA) interest when it is contemplating entering into a transaction or arrangement that might benefit the interest of a board member, committee chair or co-chair, or volunteer, and could result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit organizations.

No board member, committee chair or co-chair, or any member of his/her family should accept any gift, entertainment, service, loan, or promise of future benefits from any person who either personally or whose employees might benefit or appear to benefit from such board member or committee chair or co-chair's connection with FCPA, unless the facts of such benefit, gift, service, or loan are disclosed in good faith and are authorized by the board. Board members and committee chairs or co-chairs are expected to work out for themselves the most gracious method of declining gifts, entertainment, and benefits that do not meet his standard.

No board member or committee chair or co-chair should perform, for any personal gain, services to any FCPA supplier of goods or services, as employee, consultant, or in any other capacity which promises compensation for any kind, unless the fact of such transaction or contracts are disclosed in good faith, and the board or committee chair or co-chair authorizes such a transaction. No board member or committee chair or co-chair or any member of his/her family should have any beneficial interest in, or substantial obligation to any FCPA supplier of goods or services or any other organization that is engaged in doing business with or serving FCPA unless it has been determined by the board, on the basis of full disclosure of facts, that such interest does not rise to a conflict of interest.

This policy statement is not intended to apply to gifts and/or similar entertainment of nominal value that clearly are in the keeping with good business ethics and do not obligate the recipient.

Directors, committee chairs or co-chairs, and/or volunteers should freely and voluntarily disclose any financial interest that he/she may have or disclose known financial interest of other directors, committee chair or co-chairs, and/or volunteers may have to FCPA President.

Any matter of question or interpretation that arises relating to this policy should be referred to the FCPA President for decision and/or referral to the Board of Directors for decision where appropriate.

Non-discrimination Policy

Foothills Conservatory for the Performing Arts (FCPA) is committed to an environment in which all individuals are treated with respect and dignity.

FCPA does not and shall not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status, in any of its activities or operations. These activities include, but are not limited to, the appointment to and termination of its Board of Directors, hiring or firing of staff, selection of volunteers and vendors, and provision of services. FCPA is committed to providing an inclusive and welcoming environment for all clients, volunteers, subcontractors, and vendors void of all forms of unlawful discrimination or harassment, including but not limited to sexual harassment.

FCPA Safe Community Policy

Policy Statement: Foothills Conservatory for the Performing Arts (FCPA) has zero tolerance of child abuse. It is the policy of FCPA to diligently protect Youth by providing safe spaces for dance education and performing experiences, and to minimize risks to individuals and the organization. This policy is communicated and applies to staff, the Board of Directors, dancers, volunteers, and contractors. Questions about interpreting this policy should be directed to Foothills Conservatory for the Performing Arts' Executive Board of Directors or Artistic Director.

Policy Summary: The following areas are covered by this policy:

- 1)Fraternization
- 2)Appropriate Touching
- 3)Prohibited Language and Communications
- 4)Social Media
- 5)Child Abuse/Neglect -Mandatory Reporting
- 6)Non-retaliation
- 7)Disciplinary Action

Definitions: For purposes of all areas of FCPA's Policy and any related policies, the following definitions apply:

Adult: any person 18 years of age or older who is a dancer, Board member, employee, independent contractor, or volunteer at FCPA.

Youth: any person 17 years of age or younger, involved in FCPA programming, who is a student, dancer, volunteer, intern, or employee, whether on-site or off-site. Individuals are considered a "Youth" at FCPA throughout a particular program or production in which they are involved, even if they turn age 18 during the course of the program or production participation or are an 18-year-old high school student.

Private Space: All non-public spaces including office space, dressing room, bathroom, rehearsal room and classroom.

Public Space: any common space, accessible to the general public or to those granted security access to the facilities including lobbies, theaters and hallways.

Rule of 3: FCPA practices safe Adult to Youth ratios with a "Rule of 3", meaning no Adult will be one-on-one with Youth in Private Space. For the purposes of this Rule of 3, any Youth who starts the program or production at age 17 will be considered a Youth even if the individual turns 18 during their participation in the program or production.

1) Fraternalization

Safe Ratios / Rule of 3: FCPA practices safe Adult to Youth ratios with a 'Rule of 3', meaning no Adult will be one-on-one with Youth in Private Space. Specific guidelines with respect to fraternization include, without limitation:

Adults must comply with the Rule of 3. However, should Adults need to work one-on-one with Youth (beginning of class while waiting for other students, end of class before student is picked up, during class for discussion, instruction, or coaching), the door to any Private Space will remain fully open providing access to Public Space and to other personnel in the building.

Adults may not offer and/or give rides to Youth at any time, for any reason. However, in certain limited circumstances where FCPA-sanctioned professional activities require it and where parent authorization is provided, an Adult may provide a ride to a Youth.

Adults may not host or accept invitations to parties hosted by Youth or their family, unless the entire cast or class is invited and the Youth's parent/guardian is present.

We recognize that Adults may have relationships with a Youth's family outside of FCPA (whether familial or otherwise) and section b and c do not apply to those relationships and applies only to FCPA related rides or parties.

Adults are prohibited from “dating” Youth or otherwise having outside personal contact with Youth, or encouraging an emotional and/or sexual relationship with a Youth who is in any way affiliated with the studio or its programs. State laws prohibit sexual contact or sexual intercourse with anyone under the age of 16. Consent of a minor is irrelevant in the eyes of the law. This includes improper touching; one must be aware that even a casual gesture may cause emotional injury, particularly to a child.

2) Appropriate Touching

In order to help employees, contractors, Board members, and volunteers of FCPA with providing a safe environment for all Youth FCPA participants, FCPA provides the following guidelines in regard to appropriate touching.

Hugs and other forms of appropriate physical affection between FCPA staff, independent contractors, Board members and volunteers are important and generally suitable in our environment of expressing oneself where the adults involved consent thereto.

However, such physical touching should be appropriate in nature and closely monitored in relation to FCPA’s Youth, with any physical touching being appropriate to the situation, needs and/or age of the Youth. For example, it may be appropriate for a 4 year old to sit on the lap of an adult, but it is generally never appropriate for a teenager to do the same.

Any and all touching should be initiated by the Youth and should be an appropriate response to their need for comforting, encouragement, or affection. It should not be based upon the adult’s emotional needs.

Any such appropriate touching should only occur in the presence of other staff, volunteers or independent contractors as it is much less likely that touching will be inappropriate or misconstrued as such when two adults are present and the touching is open to observation.

A Youth’s preference not to be touched should be respected at all times and no adult should ever force touching or affection upon a reluctant Youth.

When touching a Youth, it is generally appropriate to touch the hand, shoulder or upper back. However, it is never appropriate to touch a child on any areas that would normally be covered by a bathing suit or that would otherwise be deemed objectionable for any reason.

Staff, volunteers and independent contractors must promptly report to the Executive Director or Artistic Director any inappropriate behavior or touching by other adults.

Touching is considered appropriate if necessary to protect a Youth from accident or injury or as required by nature of business (such as costuming, etc.).

3) Prohibited Language and Communications

Adults and Youth are expected to comport themselves with respectful behavior and to use age appropriate language at all times. Sharing of inappropriate language, images, materials and content is prohibited.

4) Social Media and Electronic Communication

Adults are not permitted to be “friends” with or to follow Youth on any social media platforms, to send email and/or text messages, conduct phone calls, photograph or post images of Youth outside of formal communication relevant to the business of FCPA. Where pre-existing relationships exist between an Adult and a Youth related to social media or other electronic communication, the Adult will notify in writing the Executive Director or Artistic Director.

5) Child Abuse/Neglect- Mandatory Reporting

South Carolina law requires that certain professionals (including Educational professionals) report suspected cases of child abuse or neglect, because they have unique opportunities to observe and interact with children. While the law does not specifically mention non-profit arts organizations like FCPA, it does encourage all persons to report.

To report suspected child abuse or neglect, contact the SCDSS 24-hour, toll-free hotline at 1-888-CARE4US or 1-888-227- 3487. This hotline is available 24 hours a day, 7 days a week. Intake staff will assist the person making the report and assess the information provided to determine if an investigation is necessary. Contact 911 immediately if the situation is a life-threatening emergency. An emergency is a situation where a child appears to face an immediate risk of abuse or neglect that could result in death or serious harm. In addition, the reporter should notify one of the following as soon as possible: a Member of the Executive Board of Directors or the Artistic Director.

6) Non-retaliation

FCPA strictly prohibits retaliation against any person of any form in response to reports made in good faith under this policy, including retaliation against the reporter, the child with respect to whom the report was made, or anyone involved in a related investigation. Individuals who are found to have engaged in retaliation will be subject to discipline up to and including termination of employment. If there are any questions or concerns about retaliation please contact the Executive Director.

7) Disciplinary Action

Interaction with Youth that violates FCPA policies will result in discipline, up to and including termination, as well as reporting of the incident to relevant authorities as required by law.