

# New Columbia Swing

## Guidelines for Responding to Code of Conduct Violations

This Version: September 2018

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## Introduction

All individuals who register or attend our dances, classes, and events are required to agree to and abide by our Code of Conduct. Similarly, all staff members, board members, and owners of our organization are required to abide by the same code. The purpose of this document is to provide a rubric for how Code of Conduct violations are to be addressed once they are reported or recognized.

This document provides a set of guidelines, not a set of hard and fast rules. Conduct issues are often complex and highly context-dependent, so it would be difficult to make highly detailed policies that cover every possible situation. Additionally, some types of conduct issues require

an immediate response and the judgment of the staff person at hand, for which certain formal mechanisms could provide an undue burden. This document should not be construed to limit that authority when it is necessary or appropriate. Rather, the goal of the policies outlined is to ensure that all staff members and organizers are empowered to ensure that conduct issues are addressed fully, and in keeping with the basic principles of the organization.

## Definitions

- **Organization activities** include any dances, classes, or public events that are hosted by New Columbia Swing or in which New Columbia Swing is an active partner with another organization who hosts. Non-public meetings sponsored by the organization (such as staff meetings) are also organization activities, as are public and non-public communications that occur on organization-sponsored media (e.g. our Facebook page and Slack workspace), or pertain primarily to other organizational activities. And, organization activities may include events that are not formally sponsored by New Columbia Swing or any organization if those activities are promoted by the organization or through its official channels (e.g. open invites to bars, etc.).
- **Other community activities** include any other dances, classes, public or private events that are hosted by other swing dance-related organizations in the DC, Baltimore, and Richmond areas. Other community activities may also include these types of events when they occur outside of the DC/Baltimore/Richmond area when those activities are affiliated with other swing dance-related organizations with which members of the community have substantial contact. And, it includes activities that may be sponsored by no organization, but whose attendance consists substantially of members of the community and whose primary purpose of those members is swing-dance related (e.g. private house dance parties or groups of attendees at a live music performance with dancing).
- **Members of the community** include anyone who registers for and/or attends one of our organization activities, as defined above. It also includes any of the organization's staff members, board members, or owners. Individuals who do not attend our organization activities, but who attend, organize, staff, or own organizations that sponsor other community activities are also considered to be members of the community.
- **Community activities** includes our organization activities, as well as any other community activities. This is also the set of activities in which we expect members of the community to abide by our Code of Conduct, and the primary scope of activities that we will take into consideration in deciding when to take action.
- **Safety committee** means the committee of staff that is empowered by the board to address all conduct reports and actions in response to those reports except as specified

below. If such a committee has not been formed, then the full board of the organization serves as the safety committee.

## Principles of the organization

- All members of the community deserve to participate in community activities in an environment that is free from harassment, coercion, bigotry, discrimination, bullying, and physical harm.
- A foundational goal of this organization is to minimize occurrences of harassment or violence in our community, and to build a culture of safety and respect among members of the community.
- Through its actions, our organization and our staff must make it clear that we take safety and freedom from harassment seriously, and that we will take accusations of harassment or other improper behavior seriously.
- It is important that we act with coherence as an organization when responding to complaints, so that all parties involved can have confidence that the issue was addressed expeditiously, fairly, and with proper authority.
- Although we treat our Code of Conduct as the primary guiding document for what constitutes harassment or other unacceptable behavior, the owners and board members of New Columbia Swing have the authority to take action in response to any other kind of activities that we believe will lead to an unhealthy or unsafe environment for our other patrons.
- In cases of immediate danger or egregious offense, the organization may act to ban individuals permanently without warning. However, in accordance with our desire to build a culture of safety and respect that extends beyond our own activities and throughout the broader community, we may also choose to take a variety of other actions, including formal warnings, informal discussions, or monitoring.
- All accusers have the right to an explanation of the actions that are being taken and/or the process that is being followed in response to their accusations. We will also attempt to seek the approval of accusers before taking action, unless it is determined that the individual poses an immediate threat to the wellbeing of other community members, or if such approval would unduly impede the need for immediate action.
- Except in cases where immediate public safety may be at stake, or where required by law, New Columbia Swing aims to protect the confidentiality of accusers wherever possible. This includes minimizing disclosure of accusers' names among the staff of the organization, unless the accused has explicitly consented to such disclosure.
- Beyond our own enforcement actions, additional features of the culture of safety and respect that we wish to foster include:
  - Encouraging dancers to consider it their own responsibility not to make others feel unsafe or uncomfortable.
  - Empowering dancers to uphold their own personal boundaries and to feel supported in taking action when their boundaries are violated – whether that

means reporting to an organizer, telling a friend, or talking to the perpetrator themselves.

- Encouraging dancers and organizers to stand up for the values of tolerance and safety, and to help keep our scene free of harassment and abuse.
- Ensuring that any would-be harassers know that they will not be permitted to harass, abuse or harm other dancers in our scene.

## Who should conduct issues be reported to?

- **All owners, board members, and staff members in public-facing positions** (such as instructors and regular registration desk staff) are expected to be able and willing to take reports of conduct issues in accordance with the guidelines below. They are all expected to familiarize themselves with the Code of Conduct as well as with the basic details of this document.
- If *any* staff member is approached by an individual wishing to report a conduct violation, and they feel that they are not adequately equipped to handle that report, then they are expected to immediately find another staff member who is able and willing to take the report. Preference should be given to staff members who are on the Safety Committee of the organization, so that incidental disclosure of the identity of accusers is kept to a minimum.
- Event staff members who do not have an ongoing relationship with the organization (such as guest instructors or guest DJs) are expected to immediately refer any request to make a report to a staff member who is able and willing to take the report.
- If, in the course of conversation, you receive a complaint about another person that you believe may be intended to be a report of misconduct, please ask that person if they would like to make a formal report, or if they would like any action taken in response. While it is important that staff members remain able to converse freely with their friends and other members of the community, it is also vitally important that reporters are aware when and whether their statements enter our formal process.

## What to do when you receive a report of harassment

1. Make sure no one is in immediate danger. If someone is in immediate danger, call police and/or take other immediate action to get everyone safe.
  - a. In an emergency please call 911, or specifically identify someone to call 911 if you are unable to.
  - b. Other numbers that may be immediately useful:
    - i. MPD Sexual Assault Unit Number: (202) 727-3700
    - ii. DC Rape Crisis Center Hotline: (202) 333-RAPE (7273)
    - iii. Youth and Family Services Division (for victims under 18): (202) 576-6768
    - iv. Hate Crimes Hotline: (202) 727-0500

2. Get details of the incident(s) from the reporter. Remember to remain as non-biased and neutral as possible, reducing the amount of judgement, surprise, etc. from your expression. Provide validation of their experience and remind them the report will be confidential and only shared with their approval (see next step below). This is especially important if someone is a first-time reporter or has experienced a traumatic event. If you do not feel comfortable in the position as they are reporting an experience to you, gently pause them and reassure that you will seek out someone else, with their permission, who can then provide the best support at that time. You can ask them to write down what happened, or write down what you were told as soon as you can. This information should be kept confidential and shared only with the safety committee, or with the board if no such committee is established. Reports can be anonymous if necessary.

Information to include:

- a. What happened
  - b. Who was involved
  - c. When and where did it happen
  - d. Other relevant context
  - e. Person's expectations and wishes regarding confidentiality and what should happen next, if any (see below)
3. Communicate to the person bringing up the issue that we take their complaint seriously, and that we will respect their confidentiality. Clarify what level of confidentiality they are comfortable with. This means:
    - a. Are they okay or not okay with the safety committee knowing all details of the incident?
    - b. Are they okay or not okay with all details of the accusation being revealed to the person they are making the complaint against?
    - c. Are they okay or not okay with their identity being revealed to the person they are making the complaint against?
    - d. Are they comfortable with the safety committee knowing their identity or would they prefer their report be anonymous to these individuals?
    - e. Are they okay or not okay with information about this incident being shared with other organizations?

Remember, identifying information about accusers should never be disclosed beyond the safety committee unless explicit consent has been obtained or such disclosure is legally required.

4. Find out what kind of actions or resolutions the person bringing the complaint would like to see. (That doesn't mean we will be able to take the actions they prefer, but it is valuable to know.) Give them some idea of what the process will be - even if that just means, "The board/safety committee will talk about this to figure out what to do and get back to you." Include timeline information

5. Communicate the incident to the Safety Committee, who will add it to the Incident Log. The Incident Log is a private Google doc that is shared among the safety committee to track complaints so that we will be aware of patterns of inappropriate behavior.
6. The Safety Committee will decide on appropriate action, if any. For some incidents the full committee and/or Board may need to convene to decide what to do.
7. After we have responded to the situation, follow up with the person who made the complaint and let them know what organizers and/or the committee did or will do (if anything) to address the issue. Ask if this seems adequate. Additionally, ask them if anything has changed related to the incident, their situation, their level of comfort in class/at the dance, etc.  
(To minimize disclosure, if you are the individual who took the report, then you are considered the designated point of contact for the individual who made the complaint with regard to that action. This remains in effect unless they consent to have someone else take this responsibility, or unless they reach out to another staff member about the issue, in which case you may share responsibility or designate one of you as the point of contact going forward.)

## Timeline

These are guidelines and not guarantees. We recognize that different investigations or categories of problematic behavior may take different amounts of time.

1. The conversation with a complainant, or submitting a complaint online, starts the timeline.
2. Action may be taken immediately
3. Reporting to the Safety Committee will happen by the person who takes the report within 48 hours.
4. The Safety Committee will reply to the complainant (through the person who took the report if appropriate), if necessary, within the following 7 days, acknowledging receipt and logging of the complaint, and explaining that they will follow up with the reporter upon further discussion.
5. The Safety Committee will convene to discuss within 30 days of receiving the report. Upon discussion, the Safety Committee will communicate next steps to complainant (through the person who took the report if appropriate) if needed.

## Potential Responses to Violations

Different situations will call for different responses. Here are some possible responses. Organizers should use discretion and take the action that best suits the situation and supports our goals stated above.

Possible responses that do not require the full safety committee to convene:

For these responses, the **organizer who receives the complaint and/or the organizer in charge of that event may use their discretion to decide what to do**. They may also confer individually with other safety committee members or board members to decide.

All actions that could affect the confidentiality/identity of the reporter should be taken into consideration and you should obtain permission from the reporter before proceeding with those actions.

Response A: Note the incident in the complaint log, let the safety committee know about the incident, do nothing else.

Details: Possibly follow up with the reporter at a later time to inquire if anything has changed

Response B: Note the incident in the log, let safety committee know, and talk to/give a warning to the perpetrator. (or alternatively, support the reporter in having this conversation with the perpetrator if they would like to).

Details: Explain what the complaint was, why it is unacceptable, and let them know that they need to change this behavior or risk escalating consequences. An example of language to use is: "When you [*a concrete, observable behavior*] the effect is other people feel/witness [*the feeling, reaction, specific feedback we've received*]." You can also mention that this incident will be logged if you feel that is appropriate.

Response C: Note the incident, talk to the perpetrator, and ask them to leave that event, with the understanding that they may come to future events if they commit to changing their behavior. (Might be relevant for someone being drunk at a dance, for example.) Let the safety committee and the full board know what happened.

Possible responses that do require the full safety committee to convene:

For any of the following responses, any of the following responses, organizers/individual's receiving the report should not act unilaterally. **Instead, the full safety committee should be convened, and as many committee members as possible should attend this meeting.** This meeting can take place either as part of a regularly scheduled committee/board meeting, or in cases where urgency is of essence, it may take place electronically. In all circumstances, this meeting should be held within one month of the committee's initial notification of the report.

At the meeting the committee will discuss the situation and vote by ballot to decide what to do. Only those present for discussion may vote. In general, decisions will be made by majority rule (i.e., >50%). For more serious consequences, the threshold of agreement is higher than 50%, and the board members and owners may also need to hold a vote (see below). In all cases abstentions are allowed, but they have the same effect as if the abstainer had voted with the prevailing option.

If the accuser has requested that the individual be temporarily or permanently banned from organization activities, or if it the opinion of the individual who received the report that a ban should be considered, then the individual should be suspended from all organization activities until the convening of the committee meeting, pending the committee's decision. During that time, the individual should be refunded for any classes or events who which they have already paid (through the duration of the suspension only). If you have the permission of the individual who reported the incident and it is relevant to this situation, contact the accused person to inform them of this process being in motion and their temporary suspension.

If the accused is a regular staff member, instructor, board member, or owner of the organization, then additional groups beyond the safety committee are required to vote before any of these actions may be taken. See "Situations that require the board and/or owners to convene" below.

For any of the following responses, the person whom the complaint is against should be given an opportunity to talk to one or more committee members before a final decision is made so that a) they can understand what the problem is, and b) they can have an opportunity to respond to the complaint. Additionally, note that the committee also has the option to simply issue a warning, with or without a more explicit statement about what will happen if the individual is found to have violated our policies again.

*Note: We will give people accused of harassment/violence/abuse a chance to respond to complaints against them. But we also recognize that false accusations of violence and harassment are very rare, and because of that, our default assumption is that people who bring complaints of abuse and/or harassment are telling the truth.*



- **Restricted responsibility:** Some aspect of the perpetrator’s role at dances is restricted but they are still permitted to attend (eg, cannot teach anymore, for instance. This would probably mostly come up with regard to teachers or volunteers, but there might be other situations).
  - This option requires a “yes” vote from at least 50% of the committee members who are at the meeting and cast a vote (i.e., who don’t abstain).
  
- **Partial ban** from some New Columbia Swing events but not others.
  - Requires a “yes” vote from 75% of the committee members who are at the meeting and cast a vote (i.e., don’t abstain).
  - For this option a minimum of 75% of committee members must be present at the meeting.
  
- **Full, time-limited ban** from all New Columbia Swing events. For example, someone could be banned but given the opportunity to ask to return after one year, having taking steps to address their problematic behavior.
  - Requires a “yes” vote from 75% of the committee members who are at the meeting and cast a vote (i.e., don’t abstain).
  - A minimum of 75% of committee members must be present.
  
- **Full and permanent ban** from all New Columbia Swing events, and notifying other community organizations of our decision to help protect the broader community.
  - Requires a “yes” vote from 75% of the committee members who are at the meeting and cast a vote (i.e., don’t abstain).
  - At least 75% of all current committee members must be present.

The committee may decide to take other responses than the ones listed here based on the specifics of the situation. Again, committee members and organizers should look to the goals listed above to help guide their decisions.

### Situations that require the board and/or owners to convene:

The following situation require the board and/or the owners of New Columbia Swing to convene in order to take action. In the interest of minimizing disclosure, the individual who takes the report should directly disclose their information to the board if any of these situations apply. The board and/or owners may ask the safety committee or a trained professional to review the situation and/or provide a recommendation, but these actions are at the discretion of those groups.

Unless otherwise specified, all vote and attendance thresholds for actions taken are as stated above. If the accused is a member of a group that is intended to vote, then their vote and attendance do not count toward any required attendance. And, the remaining board members

and/or owners may request the opportunity for formal discussion time in which the accused party is not present. However, board members and owners should be permitted to respond to any complaints before any action against them is taken.

If the board and/or owners are required to convene, then this meeting should happen within one month of the notification that such action is necessary.

- **Any reports of conduct violations that occurred at other community events (defined above), but did not occur at organization events:** The board of the organization is required to convene and vote. If they were notified of the incident by another organization, then they are required to notify that organization of any action they have taken after voting has occurred.
- **Any reports of conduct violations in which a regular staff member or instructor is accused:** The board of the organization is required to convene and vote.
- **Any reports of conduct violations in which a board member is accused:** *Both* the board of the organization and the owners of the organization are required to vote. A simple majority (>50%) of *each* group is required to permanently remove a board member. A majority vote of owners requires a yes vote by a numerical majority of owners (not weighted by share ownership). 100% of the remaining board members of the organization are required to participate in the vote, as are 75% of the owners of the organization. Additional actions (such as permanent expulsion from events) may be taken in addition to removal from the board.
- **Any reports of conduct violations in which an owner is accused:** *Both* the board of the organization and the owners of the organization are required to vote. A simple majority (>50%) of *each* group is required to permanently remove an owner. A majority vote of owners requires a yes vote by a numerical majority of owners (not weighted by share ownership). 100% of the remaining owners are required to participate in the vote, as are 75% of the board members of the organization. Additional actions (such as permanent expulsion from events) may be taken in addition to removal of ownership.

## Guidelines for removal of an owner

Because New Columbia Swing is an LLC, owners who are removed by vote from the organization must legally have their shares purchased by another owner. However, it is important for the perception of a community-focused organization that owners are not seen to be benefiting financially in spite of their actions. Therefore, owners agree to the following guidelines for valuation in the event that they are removed of ownership. These guidelines do not apply for other voluntary transfers of ownership.

- All owners made an initial purchase of ownership at a share price. If an owner's ownership is terminated (by a vote of the owners and the board) because of a violation of the Code of Conduct, then they agree to sell their shares at a price that is no greater than the share price at which those shares were purchased, even if this value is less than the otherwise agreed upon share price of the organization.
- In the event that the value of the organization's liquid assets is less than the share price paid by the owner multiplied by the number of shares, the price paid to the owner per share in exchange for their ownership shall be the value of the liquid assets of the organization divided by the number of shares.

## Additional Resources

Start by Believing: <http://www.startbybelieving.org>

*Start by Believing* is a public awareness campaign uniquely focused on the public response to sexual assault. Because a friend or family member is typically the first person a victim confides in after an assault, each individual's personal reaction is the first step in a long path toward justice and healing. Knowing how to respond is critical—a negative response can worsen the trauma and foster an environment where perpetrators face zero consequences for their crimes.

Seek then Speak: <https://www.seekthenspeak.org>

Seek Then Speak is a digital aid that helps you gather information, make decisions, and take action. It's available on your desktop, mobile phone, even a landline. By guiding you through a series of questions, you can figure out what options are right for you. You can get in touch with victim services, who can help you through this process, and you can even start reporting to authorities, if you choose to.

## Licensing

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*It is adopted from the policies of [Boston Lindy Hop](#), who in turn adopted it from the [Harassment Response Guidelines](#) distributed by [RDU Blues](#). It has been modified to apply specifically to the organization of New Columbia Swing.*