

# Sexual Harassment and Bullying Prevention Policy

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## **Purpose:**

The Sacramento Gay Men's Chorus (SGMC) is committed to providing an environment that is safe and welcoming, and free from all forms of conduct that can be considered discriminatory, intimidating, or disruptive to Chorus functions, including behavior defined as sexual harassment or bullying.

## **General Policy:**

During SGMC functions, Chorus singing members, non-singing members, volunteers, employees, vendors, contractors, and Board members (all of which are included hereafter in the term "members") shall maintain safe, enjoyable and welcoming spaces by showing respect in their actions and words. Outside of SGMC functions, members shall interact with each other in ways that will preserve a safe, enjoyable, and welcoming space at SGMC functions. When making public statements about SGMC, members shall express themselves in ways that represent the organization as a safe, enjoyable, and welcoming space.

SGMC recognizes that the culture of LGBTQIA+ people includes awareness and acceptance of sexual expression, gender identity, and social and political activism that is different than traditional "heteronormative" culture. Thus, during interactions between SGMC members, or when engaging the public on behalf of SGMC, topics of conversation, humor, and expressions of camaraderie may include sexual and political overtones that reflect the culture, rather than being an attempt to harass or bully someone.

SGMC expects that members will interact with each other, but only to the degree that all parties in an interaction are comfortable. During SGMC functions, members support each other musically, and participate in conversation, expressions of friendship, joking, physical touch, and other signs of camaraderie. Outside of SGMC functions, SGMC neither promotes nor limits interactions between members, but will intervene in the context of a chorus function if those interactions affect the environment of a SGMC function. When interacting with each other, SGMC members shall avoid conduct that is defined, below, as sexual harassment or bullying.

## **Sexual Harassment**

SGMC defines Sexual Harassment as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature, that leads to the recipient of the harassment feeling dissatisfied, embarrassed, insulted, frightened, offended, or violated.

The key to the definition of harassment is how the recipient of the behavior feels. Therefore, when a person engaging in certain behavior learns that the behavior is perceived as sexual harassment by someone, then the person engaging in the behavior has the obligation to stop.

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Sexual harassment may occur between people of the same-sex, or different-sex. The behavior can be in person, through messages or texts, through SGMC communication platforms, through social media, or through dating apps. This applies whether the behavior occurs during SGMC functions, or outside of SGMC functions. Sexual harassment can occur between peers, or between someone in the Chorus who holds a position of authority and someone who is subordinate to that person's authority.

Sexual harassment includes so many forms of behavior that no list could contain every possible example. Categories of harassment include any kind of non-consensual touching; promising special favors in exchange for intimacy; sexually suggestive gestures, looks, comments, or emojis; showing pornographic pictures or cartoons; telling dirty jokes or using degrading terms; making comments about someone's body; calling someone by an unwelcome nickname; repeating invitations for a date after someone declines; repeated attempts to develop a friendship after the other individual makes it clear they do not want to pursue a friendship; or flat-out propositioning someone to have sex.

## **Bullying**

SGMC defines bullying as behavior, either direct or indirect, and not of a sexual nature, that nonetheless makes the recipient feel hurt, insulted, frightened, or offended.

As with sexual harassment, the key to the definition of bullying is whether the recipient of the behavior feels bullied, and not the intention of the person engaging in the behavior. All members have a responsibility to avoid bullying. All members have an obligation to stop engaging in a behavior if they learn that a member feels bullied by the behavior.

Bullying can be physical, verbal or the result of something posted on social media. One person can bully another, and two or more people can, together, bully another. Bullying can occur in one instance or be repeated over time. Bullying can occur during a SGMC function, and bullying can occur outside of SGMC functions, if behaving in some way leads to disruption of the environment of a SGMC function.

Bullying can involve many types of behavior. Bullying includes insults, teasing, humiliation; using a person as the butt of jokes; making misleading or abusive or offensive remarks; or intentionally interrupting someone. Bullying can include online behaviors such as doxing, gaslighting, catfishing, and trolling. Bullying can involve physical conduct like pushing, shoving, kicking, poking, tripping, assault, or threatening to harm another person or their property. Bullying can involve threatening gestures or glances that can cause another person to feel threatened. Bullying also includes spreading rumors or gossip. Bullying can involve purposefully excluding a person from chorus-related functions. Bullying includes expressing prejudice, or discriminating against someone, on the basis of their gender, gender-identity, sexual orientation, race, color, national origin, ethnicity, age, religion, faith, beliefs, disability, cognitive conditions, socio-economic status, behavioral health recovery, or other characteristics.

Bullying can be more subtle than the examples in the previous paragraph. A person can bully someone with unnecessary criticism about a singing member's performance, or how any member contributes to SGMC. Bullying can include making public reprimands, or accusing someone of errors that cannot be documented, or taking credit for another person's ideas.

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## **Reporting Suspected Sexual Harassment or Bullying:**

A member who experiences, or who witnesses, behavior that seems to be sexual harassment or bullying, should take action in response to the behavior.

The first thing a member can do is ask the person to stop their behavior. If that does not work, or if a member is uncomfortable attempting that, then the member can report their concern to SGMC leadership.

Members can report their concerns to the Membership Committee Ombudsperson. However, members can also report their concerns to the Executive Director, or to any Board Member, all whose contact information is available on Chorus Connection.

After a member makes a report of sexual harassment or bullying, the person who received the report will bring the report to the attention of the SGMC Board. If needed, the SGMC Board will assign two people to investigate the matter. Those two people will discuss the situation with the person(s) who made the report, to get a clear idea of their point of view. They will also talk with the person(s) accused of sexual harassment or bullying to allow them a fair opportunity to respond and explain. Once the review is completed, the Board will inform the person(s) who made the report of the outcome. Usually, but not always, the Board will complete the review within 30 days after the member makes the report.

If the Board determines that sexual harassment or bullying occurred, then Chorus leadership will discipline the person(s) who engaged in the sexually harassing or bullying behavior. The appropriate level of discipline will be determined by considering all circumstances surrounding the harassment or bullying. Discipline can include ordering the offending member to stop the behavior, arranging rehearsals or seating charts to make sure that the offending and reporting members are separated, denying the offending member opportunities or privileges, suspending a singing member for a show, or completely terminating a person's relationship from the Chorus, temporarily or permanently. In extreme matters, such as if the report uncovers evidence of someone having committed a felony, California law requires SGMC to contact police or other authorities and cooperate with a legal investigation.

If the Board determines that sexual harassment or bullying did not occur, then the Chorus leadership will speak with the person(s) who made the report. The purpose of that conversation will be to determine what might be done to address the member's feelings that they had experienced or witnessed sexual harassment or bullying. Actions can include reassuring the member and explaining why the behavior was not determined to be sexual harassment or bullying, arranging a monitored conversation between the reporting member and the member who engaged in the concerning behavior, or arranging seating charts to respect the sensitivities of the member.

If the Board determines that sexual harassment or bullying occurred by an employee of the Chorus, paid contractor of the Chorus, or Board member of the Chorus, then the Board shall respond with discipline appropriate to the professional misconduct, up to and including termination of employment or contract, or removal from the Board.

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## **Confidentiality**

Subject to the requirement in the next paragraph, SGMC will make all reasonable efforts to protect the confidentiality of the member(s) who report suspected sexual harassment or bullying, and the member(s) who engaged in the reported behavior. While the SGMC Board reviews the report of sexual harassment or bullying, the Board will not disclose the names of the members who made the report, or the names of the members who were accused, and will also ask those members to not disclose the details of the report or interviews. However, SGMC cannot guarantee complete confidentiality. It is possible that other members will be able to determine that a review is likely to occur, or is occurring, and who are the people who made the report or were accused of sexual harassment or bullying.

Additionally, applicable laws and legal process may require SGMC to disclose the name(s) and details of a report to police or other authorities. This may happen in the event that the report involves the commission of a felony, or if California law requires a member of SGMC leadership to make a report under mandatory reporting requirements.

## **Retaliation Prohibited**

Members will not face retaliation for having made a report of suspected sexual harassment or bullying.

SGMC does not allow retaliation against anyone who either reports or is accused of sexual harassment or bullying. The member making the report, and the person who engaged in the concerning behavior, as well as all other parties to a complaint or report are prohibited from harassing or intimidating anyone in connection with a charge of sexual harassment or bullying. SGMC will investigate reports of retaliation, which can include making threats, spreading gossip, lying, or making statements about the report or the investigation, intimidation, threats of reprisal, interference, restraint, or penalty. An investigation into retaliation will proceed similarly to an investigation into sexual harassment or bullying, as described, above. If SGMC determines that someone retaliated against a member who reported sexual harassment or bullying, or a member who was accused, then appropriate action will be taken to eliminate the conduct and discipline the person who retaliated.

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**Commitment:**

**I have read the above policy. I agree to participate in Sacramento Gay Men’s Chorus functions, and represent SGMC to the public, without engaging in sexual harassment or bullying. I will abide by this policy from this day on, whenever I participate as a SGMC singing member, non-singing member, volunteer, employee, or Board member, or until such time as this policy is revised.**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date