

## **SAK Comedy Co. Policy Against Harassment and Misconduct**

SAK Comedy Co. (“SAK”) as an institution -- as well as each of its instructors and staff members -- is committed to maintaining a safe and supportive environment where creativity and collaboration can thrive.

It is the policy of SAK to uphold a performing, working, and educational environment that is free from sexual, racial, ethnic, religious, age-based, disability, sexual orientation, gender identity and/or expression, and other forms of forbidden harassment. Such harassment is expressly prohibited.

No individual should be subjected to any unwelcome conduct that is or should be known to be offensive because of his, her, or their gender, race, age, religion, ethnicity, disability, sexual orientation, gender identity and/or expression, or other protected category.

The SAK Community (“Community”) is here to learn, perform, inspire each other, foster friendships, and better our lives through the art of improvisation. The policy that follows is in full support of these goals and is in keeping with the values necessary to preserve a safe and supportive professional, educational, and creative environment. SAK believes that by exercising respect, communication, common sense, and empathy the Community can create and maintain an environment that prioritizes safety while also creating quality work.

SAK is a private institution and as such performing, taking classes, or participating in any other SAK activity is always at the sole discretion of SAK. SAK is within its rights to revoke, suspend, and/or permanently ban anyone from participating in some or all SAK-related activities, with or without cause.

Current or prior permission to take classes, perform, or enter any SAK location is not a promise or guarantee of future permission. The reinstatement of any permission to participate in any SAK-related activity will be at the sole discretion of SAK.

Where forbidden harassment has occurred by an employee, SAK may take disciplinary, educational, or other corrective action. This may include but is not limited to termination of employment.

Reports of forbidden harassment by non-employees of SAK -- for example, students as well as occasional or regular performers -- may result in disciplinary, educational, or other corrective action. Just as with other forms of misconduct, forbidden harassment may result in expulsion from classes without refund and prohibition from future enrollment, the loss of ability to perform at SAK or SAK-related events, revocation of ability to participate in any and/or all ancillary SAK activities or events, and prohibition of entry to satellite SAK locations.

When alleged harassment is reported, SAK may conduct an investigation, the extent, timing, and scope of such investigation will be at the sole discretion of SAK.

There will be no retaliation against an individual who has complained about or reported alleged forbidden harassment or who has cooperated with any investigation of alleged forbidden harassment regardless of the outcome of the investigation.

SAK may, from time to time, revise this policy at its discretion without notice.

#### I. CONDUCT PROHIBITED BY THE POLICY

For purposes of this Policy, forbidden harassment includes the following:

##### Hostile Environment Harassment.

Hostile environment sexual harassment may occur when there are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Also, non-sexual conduct that is unwelcome and offensive and which is directed at an individual because of the individual's gender may create a hostile environment. Racial, age-based, religious, ethnic, disability, sexual orientation, gender identity and/or expression, and other forbidden forms of harassment may occur when there is conduct which is motivated by or relates to an individual's race, age, religion, ethnicity, disability, sexual orientation, gender identity and/or expression, or other characteristics protected by law or policy. Hostile environment harassment occurs when such conduct is sufficiently severe or pervasive to and does: (i) unreasonably interfere with an individual's work, performance, or ability to learn, or (ii) create an intimidating, hostile, or offensive work, performance or learning environment.

“Quid Pro Quo” Sexual Harassment.

“Quid Pro Quo” sexual harassment may occur when there are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (i) submission to such conduct is an explicit or implicit condition of employment, performance ability, or student advancement, or (ii) submission to or rejection of such conduct is used as the basis for employment, performance, or educational advancement decisions.

All SAK instructors and employees are prohibited from making any offer or promise to any student, performer, employee, or any other person, of any employment, performance opportunity, or educational decision in exchange or anticipation of sexual or other favors. Further, they must refuse any offer or promise of sexual or other favors by any employee, performer, or student in anticipation of or in exchange for some employment, performance opportunity, or educational decision.

#### Performer and Student Harassment

SAK recognizes that as an improv comedy theater and training center the environment is not typical of all work places. The work that we do can sometimes intersect with boundaries/comfort zones or include material or topics that can be mature or graphic in nature. In addition, the atmosphere of the SAK Community is social as well as professional. It is not the intention of SAK to mimic an office environment nor is it the desire of SAK to police the comedic sensibilities or tastes of its performers or students.

Given the nature of performances at SAK and in classes of material that, in some cases, could be considered offensive to some, it is not the policy of SAK to punish individuals or to stifle the creative abilities of performers whose artistic expression may be considered offensive to others. However, if it is determined that the offensive content of the performance was done in an effort to harass a particular individual in a performance or class setting or to express the performer’s hatred and/or intolerance to a protected individual or group, then, at the discretion of SAK, appropriate disciplinary action will occur. If it is determined that an individual performer or group of students or performers is pervasively offensive or harassing in their performances or behavior in class, disciplinary or corrective action will occur.

Furthermore, if it is determined that behavior was not intended to harass but has nevertheless caused discomfort, fear, or other feelings of harassment in members of the class, community or audience, this behavior (at the time it is identified to leadership of SAK) will be pointed out to the performer or performers responsible. If the identified behavior is not remedied, corrective action will occur.

## Student Misconduct Policy

Students are required to arrive on time to class and stay for the entire class period. Disturbances such as tardiness, cell phone use, inappropriate comments, creating an unsafe or hostile environment, and other disrespectful or discourteous behavior will not be tolerated. Disruptive students may be subject to corrective action based on the discretion of the instructor and/or SAK including verbal reprimanding or expulsion without refund.

SAK believes the best way to avoid situations that may be construed as harassment is for all SAK staff, performers, and students to treat each other in a respectful and professional manner. SAK may, in the future, offer insights or guidelines on creating an environment of civility, but ultimately, respect is at the core of this philosophy.

## II. RESPONSIBILITIES

SAK's policy prohibits harassment by SAK staff, performers, faculty, and students against any person, as well as harassment directed towards SAK patrons, contractors, consultants, suppliers, vendors, visitors, and other non-employees or non-SAK-affiliated individuals, when such conduct occurs on SAK's premises as a part of SAK performances, rehearsals, classes or SAK related events at other locations in connection with SAK activities, performances, or classes conducted by SAK at these locations.

SAK will make reasonable efforts to see that the actions of its teachers, directors, employees, and staff are free from forbidden harassment. SAK will, at its sole discretion, take appropriate corrective action when it learns of such forbidden harassment.

All levels of SAK management, employees, directors, and teachers will:

Reject any offer or promise of sexual or other favors made by any employee, volunteer, performer, or student in anticipation of or in exchange for some employment, performance, or educational decision and at the same time advise such employee, volunteer, performer or student that such an exchange violates SAK policy and will not be tolerated.

Avoid forbidden harassment, including the appearance of such harassment, by refraining from actions, language, and jokes which could reasonably be anticipated to offend an employee, volunteer, performer or student.

Report to SAK management, in accordance with the procedures set forth below, any forbidden harassment that they observe, that is made known to them by others, or that they reasonably suspect has occurred.

Assure SAK personnel, volunteers, performers, and students that all forms of harassment are expressly prohibited, that SAK will investigate reported and suspected occurrences of forbidden harassment, and that SAK will take appropriate corrective action when forbidden harassment is found to have occurred.

In addition, teachers will refrain from dating their current students, unless they were in a relationship before the class began.

#### Consensual Relationships and Dating

The nature of the work we do encourages connection, collaboration, and community. Relationships have grown from the social connections made at SAK. The following policy is not intended to prevent the development of mature adult relationships; however, it is within SAK's jurisdiction to prohibit certain specific relationships through this policy.

SAK has a strong commitment to creating an educational environment that serves students by providing a safe place to study and grow. In support of this, it is the policy of SAK that all instructors are prohibited from dating or having any sexual relationship with students currently enrolled in courses they're instructing.

With regard to dating or engaging in any sexual relationship between any SAK instructor and any student who is not currently enrolled in that instructor's class, instructors are discouraged from engaging in any such relationship. Any instructor who engages in a physical relationship with a current student not enrolled in his or her class, must disclose the relationship to the School Director at the earliest practicable time. If they neglect to do so they may be subject to disciplinary action including termination. SAK also reserves the right -- even if the instructor properly and promptly makes all required disclosures -- to take disciplinary action at its discretion. This organization expects its instructors, coached, and directors to demonstrate mature judgment, ethical and honest behavior, and to represent SAK as a role model in the classroom, on stage, and in social situations throughout the larger community.

### III. NOTIFICATION PROCEDURES

#### Making Complaints

##### Students and Performers:

Any student or performer (including musicians, tech, and hosts) who feels that he or she is being or has been subjected to forbidden harassment or who knows of or suspects the occurrence of forbidden harassment may report or otherwise notify their instructor, their show's director, their immediate manager or the Operations Director. If for any reason a reporting student or performer does not feel comfortable notifying one of these individuals, he or she may notify SAK's Artistic Director. If for any reason a reporting student or performer does not feel comfortable notifying the Artistic Director, he or she may notify or The Executive Director of SAK. Any of these individuals will accept and document any complaints of harassment.

##### Employees:

Any SAK employee who feels that he or she is being or has been subjected to forbidden harassment or who knows of or suspects the occurrence of forbidden harassment may report or otherwise notify their immediate manager. If an employee does not feel comfortable notifying their immediate manager he or she may notify the Operations Director. If for any reason a reporting student or performer does not feel comfortable notifying one of these individuals, he or she may notify SAK's Artistic Director. If for any reason a reporting student or performer does not feel comfortable notifying the Artistic Director, he or she may notify or The Executive Director of SAK. Any of these individuals will accept and document any complaints of harassment.

##### Other Personnel:

In addition, all house managers, directors and teachers have an affirmative duty to report promptly to one of the senior staff members (Chris Dinger – [chrisdinger@sak.com](mailto:chrisdinger@sak.com); John Hunter – [johnh@sak.com](mailto:johnh@sak.com); Emily Fontano – [emily@sakcomedylab.com](mailto:emily@sakcomedylab.com) ) any forbidden harassment that they observe, that is made known to them by others, or that they reasonably suspect has occurred.

##### Investigation

SAK takes allegations of misconduct very seriously and as such all reported occurrences of forbidden harassment will be investigated. The timing, scope, and extent of any investigation SAK chooses to conduct will be determined at the sole discretion of SAK on a case-by-case basis. Any investigation may be informed by the seriousness of the allegation, the urgency of the situation, and the resources available, or any other relevant information.

SAK will designate an individual (Investigator) who will be responsible for conducting the investigation of the reported incidents of harassment. The individual who makes the report or is the target of the alleged harassment (Complainant) will be contacted by the Investigator and assured that all forms of forbidden harassment are expressly prohibited, that SAK will conduct a confidential investigation, and that SAK will take appropriate corrective action if forbidden harassment is found to have occurred.

Any investigation will be conducted to protect, as much as practicable, the privacy of all persons concerned. SAK expects staff, house managers, directors, performers, teachers, and students who are contacted in connection with an investigation to cooperate fully.

Reasonably necessary interim measures may be taken at SAK's discretion while awaiting the outcome of any investigation. These measures may include but are not limited to the separation of the Complainant and the alleged offender, suspension from SAK activities for the alleged offender, or temporary leave for the Complainant and will take into consideration the Complainant's wishes, the seriousness of the allegation, the background of the situation, and any other relevant information.

#### Special Note On Reported Criminal Activity

If any SAK-affiliated person(s) is accused by anyone of criminal activity that in the opinion of SAK appears to be at a level beyond the scope of harassment as described above and in the opinion of the Theater places in doubt the safety of its students, performers, faculty, staff, coaches, directors, teachers, vendors or patrons, then the accused will be immediately and without investigation removed from all SAK-related activities until such time as SAK is satisfied that the accusations are and were unfounded. Such a determination will be at the sole discretion of SAK.

This revocation of SAK privileges will not be influenced by the failure of the complainant to involve law enforcement or the failure of law enforcement authorities to investigate, charge, or convict the violator with a crime. Should the accused individual(s) appear at any SAK-related activities or venues following this removal, they will be considered to be a trespasser on SAK property and SAK will not hesitate to call law enforcement authorities to remove the accused from SAK property.

The reinstatement of the accused to any participate in any SAK-related activity or appear at any SAK-related venue will be at the sole discretion of SAK.

## RESOLUTION AND OUTCOME OF INVESTIGATION

Following an investigation, SAK will take appropriate action based on the following outcomes:

### No Violation.

In the event that the investigation discloses insufficient grounds or basis to substantiate a violation of this Policy, all necessary parties will be so advised.

### Violation.

In the event that the investigation discloses a violation of this Policy, SAK will communicate its findings to both the Complainant and the alleged offender. Based upon the totality of the circumstances, appropriate disciplinary, educational, and/or other corrective action, up to and including termination, removal of an individual from a volunteer position, removal of an individual from a supervisory, managerial or directorial position at SAK, removal of an individual from a cast, removal of an individual from a teaching position, removal of an individual from a class without refund or compensation, or the revocation of a performer's ability to perform at or attend performances at SAK or at a SAK-related event will then be taken. The scope and detail of the action taken will be determined at the sole discretion of SAK.

In the event an investigation of a reported or suspected occurrence of forbidden harassment reveals that any person has lodged a knowingly false or frivolous complaint, fabricated facts, or failed to tell the truth, SAK may take appropriate disciplinary and/or other corrective action.

## IV. NO RETALIATION

No individual who reports or complains about forbidden harassment or who assists SAK in its investigation will be subjected to retaliation by SAK or any of its employees, instructors, students, performers, community members, or other SAK-related personnel. Anyone who feels that he or she has been the victim of, or threatened with retaliation should immediately inform one of the individuals identified above for the purposes of receiving reports of complaints. Any employee, instructor, student, performer, community member, or other SAK-related personnel who retaliates against a person who reports or complains or who assists the Theater with an investigation shall be deemed to have violated this misconduct policy and to have engaged in forbidden harassment.