

Code of Conduct

1. INTRODUCTION

This Hoff-Barthelson Music School (“School”) Code of Conduct (“Code”) is intended to set out certain basic minimum standards of behavior for all members of the School community, including, without limitations, Trustees, Faculty, Administration, Staff, Students and Parents.

The rules set forth in this Code are only a general guide, and do not constitute a contract or guarantee of continued employment or affiliation with, or attendance at, the School. The School reserves the right to interpret, apply, modify, revoke, suspend, terminate, add to, or change, in whole or in part, at any time, with or without cause and with or without notice, any or all of the rules set forth in this Code.

In all instances, School policy and practice will comply with any applicable federal, state and local laws and this Code will be deemed modified to conform to such laws.

2. EQUAL EMPLOYMENT AND EDUCATIONAL OPPORTUNITY

The School is an equal opportunity employer and educational institution. It is the School's policy that all employment and educational opportunities be decided based on merit, qualifications, and competence, and that all employment and educational decisions be made without regard to applicants', employees', and students' race, color, religion, sex, national origin, age, physical or mental disability, veteran or military status, ancestry, citizenship, marital status, sexual orientation or preference, or any other basis prohibited by applicable law. This policy governs all areas of employment, including, for example, hiring, promotion, assignment, compensation and dismissal, and all areas of the School's educational programs.

All members of the School community are required to conform to this policy. Any member of the School community should report any perceived discrimination to the Executive Director or the Chair of the Board of Trustees of the School.

3. SEXUAL HARASSMENT POLICY

Hoff-Barthelson Music School (the “School”) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the School's commitment to a discrimination-free work environment. Sexual harassment is against the law¹ and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the School. Employees can also file a complaint with a government agency or in court under federal, state or local

¹ While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

antidiscrimination laws. In the event of any conflict or inconsistency with the provisions of this policy and sexual harassment policy previously adopted by the School, the provisions of this policy shall govern.

Policy:

1. The School's policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the School. In the remainder of this document, the term "employees" refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. The School will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of the School who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees² working in the workplace who believe they have been subject to such retaliation should inform a supervisor, manager, or the Executive Director. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject the School to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. The School will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. The School will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. The School will provide all employees a complaint form for employees to report harassment and file complaints.

² A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, "gig" workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

7. Managers and supervisors are **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the Executive Director.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

What Is “Sexual Harassment”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling, name-calling.

Who can be a target of sexual harassment?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

Where can sexual harassment occur?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

Retaliation

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

Reporting Sexual Harassment

Preventing sexual harassment is everyone’s responsibility. The School cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or the Executive Director. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or the Executive Director.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this

complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, **are required** to report such suspected sexual harassment to the Executive Director.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.

Complaint and Investigation of Sexual Harassment

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The School will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Executive Director will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.

- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
 - A list of all documents reviewed, along with a detailed summary of relevant documents;
 - A list of names of those interviewed, along with a detailed summary of their statements;
 - A timeline of events;
 - A summary of prior relevant incidents, reported or unreported; and
 - The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

Legal Protections And External Remedies

Sexual harassment is not only prohibited by the School but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the School, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

State Human Rights Law (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time **within one year** of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, **within three years** of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the School does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: www.dhr.ny.gov.

Contact DHR at (888) 392-3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

Civil Rights Act of 1964

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

Adopted October 9, 2018

Hoff-Barthelson Music School

SEXUAL HARASSMENT COMPLAINT FORM

New York State Labor Law requires all employers to adopt a sexual harassment prevention policy that includes a complaint form to report alleged incidents of sexual harassment.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete this form and submit it to the Executive Director.

If you are more comfortable reporting verbally or in another manner, your employer should complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form.

For additional resources, visit: ny.gov/programs/combating-sexual-harassment-workplace

Hoff-Barthelson's Sexual Harassment Policy is incorporated within our Code of Conduct, which may be accessed via the Faculty Portal at www.hbms.org or upon request from the Finance Office.

COMPLAINANT INFORMATION

Name:

Work Address:

Work Phone:

Job Title:

Email:

Select Preferred Communication Method:

Email Phone In person

SUPERVISORY INFORMATION

Immediate Supervisor's Name:

Title:

Work Phone:

Work Address:

COMPLAINT INFORMATION

1. Your complaint of Sexual Harassment is made about:

Name:

Title:

Work Address:

Work Phone:

Relationship to you: Supervisor Subordinate Co-Worker Other

2. Please describe what happened and how it is affecting you and your work. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) sexual harassment occurred:

Is the sexual harassment continuing? Yes No

4. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

The last question is optional, but may help the investigation.

5. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

If you have retained legal counsel and would like us to work with them, please provide their contact information.

Signature: _____ Date: _____

4. OTHER FORMS OF HARASSMENT POLICY

The School also does not tolerate unlawful harassment in the workplace or at any other location where the School sponsored activities occur, where the harassment is based on a person's actual or perceived race, color, religion, creed, sex, sexual orientation, national origin, age, ancestry, ethnicity, disability, citizenship, alienage, marital status, partnership status, familial status, military or veteran status, genetic information, predisposing genetic characteristic, status as a victim of domestic violence, stalking and sex offenses, or any other status protected by federal, state or local law. The purpose of this policy is to ensure that the School is free from all forms of harassment in the workplace, since such behavior has a negative impact on both the employee and the School and is unlawful. If you believe that you or another faculty member, staff, student or another member of the School community is being harassed by a supervisor, employee, student, vendor, or other third party with whom you interact as a part of your job, you are directed to bring the matter to the School's attention immediately in the manner set forth below.

Harassment is any conduct that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. Examples include vulgar or offensive conversation or jokes; unwelcome comments about an employee's physical characteristics, religious beliefs, ethnic background, medical condition, or disability; slurs, threats, or other similar verbal, non-verbal or physical conduct directed toward a person, which is sufficiently severe or pervasive to create an unprofessional and hostile working environment.

All School personnel have a duty to report any instances of harassment, whether the harassment is directed toward you or another employee. If you feel that you have been subjected to harassment, or if you witness conduct that you believe is harassment, report the matter immediately to your immediate supervisor. If you are not sure to whom you should speak about an issue of harassment, or if you have not received a satisfactory response within five (5) business days after reporting any incident of what you perceive to be harassment, immediately contact the Executive Director, who will ensure that an investigation is immediately conducted. Every report of perceived harassment will be fully investigated in a fair and objective manner with sensitivity to the rights of both the accuser and the accused, and corrective action will be taken where appropriate.

Any faculty or staff member who violates this policy will be subject to disciplinary action, up to and including termination of employment. It is against the School's policy to retaliate against an employee for filing a harassment complaint or for cooperating in an investigation of a harassment complaint; such retaliation is also grounds for disciplinary action up to and including termination.

Information resulting from complaints filed under this procedure will be kept confidential by the School's management to the extent possible.

5. DRUG AND ALCOHOL ABUSE

The School is committed to maintaining a safe, healthy and productive place for employees to work and students to learn. As a result, the School strictly prohibits the use of any illegal drug, or the abuse of alcohol or any legal drug by employees or students. An employee or

student participating in School activities while under the influence of any drug or alcohol may pose a serious health and safety risk to himself or herself and to others, and may also interfere with productive and efficient School operations.

Therefore, employees and students are required to report to School free from the influence of any drug or alcohol. In addition, the manufacture, distribution, dispensation, possession, sale, or use of any illegal drug or alcohol, or the misuse of any legal drug in the work place, in School vehicles, or while engaged in School activities off our premises is strictly prohibited. Any employee or student violating this policy is subject to appropriate disciplinary action, up to and including dismissal or expulsion. In addition, and depending on the circumstances, other action, including notification to appropriate law enforcement agencies, may be taken with respect to any employee or student violating this policy.

It is the responsibility of each employee or student to seek assistance before any drug or alcohol problem leads to disciplinary action. Subsequent enrollment in or use of a drug assistance program after an employee or student is determined to have violated this policy will not necessarily lessen disciplinary action already imposed or otherwise impact our determination as to appropriate disciplinary action.

6. ETHICS AND CONFLICT OF INTEREST

It is essential to the School's mission that all decisions affecting education and School business be made, and appear to have been made, solely on merit. Accordingly, employees and Trustees have a duty to the School to be free from the influence of any conflicting interest when they represent the School. Employees and Trustees are expected to deal with students, employees, suppliers, contractors and all others doing business with the School on the sole basis of what is in the best interest of the School, without favor or preference based on personal considerations or inappropriate or undisclosed financial transactions or relationships. The activities and relationships of close relatives, including spouses, parents, and children will be considered the same as those of each employee and Trustee in determining whether conflicts exist.

No employee or Trustee may seek or accept, directly or indirectly, any payment, loan, service, excessive gift or entertainment from any student or family member or representative of a student, or from any individual or the representative of any business concern doing or seeking to do business with the School, that might tend to influence the decision of the employee or Trustee with respect to the School.

No student or family member or representative of any student may offer or provide, directly or indirectly, any payment, loan, service, excessive gift or entertainment, to any School employee or Trustee in order to or that might tend to influence any decision of the employee or Trustee with respect to the student.

7. CONFIDENTIAL INFORMATION

As result of the nature of the School's business operations and the nature of your position with the School, you may come into contact with, have access to and learn various forms of Confidential Information, which are the property of the School. Such Confidential Information includes: (i) financial and business information, such as information with respect to costs, fees, revenue, enrollment, markets, mailing lists, strategies and plans for future

business, new business, or other development, potential acquisitions or divestitures, and new marketing ideas; (ii) School-owned product, and licensing information, such as software, computer models, and research and development projects; and (iii) licensing or marketing information, such as the terms of licensing deals, marketing plans and procedures, product plans, procurement and pricing practices and policies, manuals, and marketing strategies.

Because this Confidential Information may be sensitive or may have substantial value to the School, you must exercise the highest degree of care not to disclose any such information, even inadvertently (for example, through conversations in elevators or restaurants), to any unauthorized person in or outside of the School. Accordingly, as a condition of access to Confidential Information, and in compliance with our Confidential Information Policy and in accordance with federal and state law, all employees (including independent contractors) must agree to use Confidential Information only as needed to perform duties as required by employees. This means, among other things, that:

- employees will not in any way divulge, copy, release, sell, loan, revise, alter or destroy Confidential Information except as properly authorized within the scope of each position.
- employees will not allow unauthorized persons to obtain or access Confidential Information.
- employees will safeguard and will not disclose access codes or any other authorization that an employee has access to. Employees accept responsibility for all activities undertaken in using their access codes and other authorizations.
- employees will report to their supervisor any suspicion or knowledge that they have of Confidential Information that has been misused or disclosed without management's authorization. Employees understand that reports made in good faith about suspect activities will be held in confidence to the extent permitted by law, including the name of the individual reporting the activities.
- at the termination of employment, employees must surrender to their supervisor: access codes, keys and any records/documents in their possession.

The School considers any breach of confidentiality to be an extremely serious infraction. Employees understand that failure to comply with this policy may also result in the loss of privileges to access Confidential Information and disciplinary action, up to and including termination, as well as legal liability.

8. SOCIAL MEDIA POLICY

This policy establishes a set of rules and guidelines for any activity and participation in "social media" by all School "users." These rules are intended to be adaptable to the changes in technology and norms of online communication and behavior, and may be amended by the School at any time, for any reason, without notice to users.

For purposes of this policy:

- The term “social media” applies to any web-based and mobile technologies, in use now or developed in the future, that enable individuals or entities to disseminate or receive information, communicate, or otherwise interact, and includes, without limitation, email, texting, messaging, social networking, blogging, micro-blogging, bulletin boards, and so on, through providers such as Facebook, LinkedIn, MySpace, Twitter, YouTube or others.
- The term “users” refers to employees (including independent contractors)

Exercise Responsibility Online

You are personally responsible for any of your social media activity conducted with a School email address or on a School website or page, and/or which can be traced back to a School domain, and/or which uses the School’s Information Systems and/or which expressly or implicitly identifies you as an employee of the School.

If from your post in a blog or elsewhere in social media it is clear you are a School employee, or if you mention the School, or it is reasonably clear you are referring to the School or a position taken by the School, and also express a political opinion or an opinion regarding the School’s positions or actions, the post must specifically note that the opinion expressed is your personal opinion and not necessarily the School’s position.

Follow Existing Policies and Terms of Use

Observe and follow (i) existing School policy and agreements (such as our Faculty or Staff Handbook), (ii) the policies of the particular online/social networking venue, and (iii) applicable law. This means that you are prohibited from using social media to post or display comments about co-workers or supervisors or the School which violate the School’s policies against discrimination, harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic.

Most websites, including Facebook and others, have rules concerning the use and activity conducted on their sites. These are sometimes referred to a “Terms of Use.” You must follow the established terms and conditions of use that have been established by the venue and not do anything that would violate those rules.

Do not post any information or conduct any online activity that may violate applicable local, state or federal laws or regulations. Any conduct which under the law is impermissible if expressed in any other form or forum is impermissible if expressed through social media.

It is inappropriate to use or disclose the School’s Confidential Information (as defined above) in any form of social media. All School rules regarding School confidential or proprietary information and personal information, apply in full to social media, such as blogs or social networking sites. For example, any information that cannot be disclosed through a conversation, a note, a letter or an email also cannot be disclosed in a blog. Sharing this type of information, even unintentionally, can potentially result in harm to the individual, harm to the School’s business, and ultimately you and/or School being sued by an individual, other businesses or the government.

Before posting any online material, ensure that the material is not maliciously false.

Use Your True Identity

When participating in any social media, be completely transparent and disclose your true identity for your personal protection. Additionally, when commenting on or promoting any School product or service on any form of social media, you must clearly and conspicuously disclose your relationship with the School to the members and readers of that social media.

Manage Your Expectation of Privacy

Consistent with the School's policies, the School may access and monitor its Information Systems and obtain the communications within the systems, including email, Internet usage, and the like, with or without notice to users of the system, in the ordinary course of business when we deem it appropriate to do so. As such, when using such systems, you should have no expectation of privacy with regard to time, frequency, content or other aspect of your use, including the websites you visit and other Internet/Intranet activity. The reasons the School accesses and monitors these systems include, but are not limited to: maintaining the system; preventing or investigating allegations of system abuse or misuse; assuring compliance with software copyright laws; and complying with legal and regulatory requirements.

Interact On Your Time

The School respects the right of any employee to participate in social media, such as maintaining a blog or participating in online forums. However, to protect the School's interests and to oversee employees' focus on their job duties, employees must avoid excessive use of social media during work time or at any time with the School equipment or property, unless doing so is expressly permitted by the School.

9. WHISTLEBLOWER POLICY

Hoff-Barthelson Music School is committed to providing the best possible working conditions for its employees and is committed to addressing any concerns promptly and sensitively. Employees, Trustees and volunteers are encouraged to report either orally or in writing to the Executive Director any concerns about possible fraud or unethical business conduct or violations of law or School policies. The Executive Director will promptly take steps to investigate such reports, and shall report to the Legal Committee on the implementation of this policy including the general type and resolution of whistleblower complaints. If the employee, Trustee or volunteer is not comfortable addressing concerns to the Executive Director, he or she may do so anonymously and/or may contact the then current Chair of the Board of Trustees. The Chair can be reached by delivering to the Business Office a confidential envelope to his or her attention. The School will take steps to preserve the confidentiality of reported information to the extent possible. No employee or other person will be penalized for voicing a good faith complaint in a reasonable, business-like manner. The Executive Director or Chair shall forward any such reports to the Chair of the Legal Committee of the Corporation.

10. SAFETY AND SECURITY

Like other responsible institutions, the School considers the safety and security of our employees, students, and others doing business with us, and of our School itself, to be of paramount concern. This is especially true for us because of the nature of our institution.

Accordingly, the School may establish, maintain and periodically modify any procedures concerning security.

Security protocols and procedures may, at times, include searches or examinations by the School (whether by manual, electronic, or other means) of employees, students, or visitors to our premises, or of packages, articles of clothing, or other items brought onto or removed from our premises. Full cooperation by all members of the School community with any search or examination requested by the School, and with any other School initiated security activity, is mandatory. Property which any person wishes not to expose to search or examination should not be brought onto School premises.

All employees and Trustees, without exception, are required to become and remain familiar with all applicable security protocols and procedures, to comply with them in full at all times, and to insist that all persons having business with us do so as well.

Any question that any member of the School community has at any time regarding any security concern or issue should be brought at once to the attention of the Executive Director or Chair of the Board of Trustees of the School.

Deviations from security protocols, no matter how small or inadvertent, may jeopardize someone's physical safety or the security of our employees and students, and is cause for disciplinary action up to and including dismissal or expulsion. Any violation of safety guidelines observed by any member of the School community should be reported promptly to the Executive Director or Chair of the Board of Trustees of the School.

Safety and security are everyone's concern.

11. SOLICITATION AND DISTRIBUTION

In order to avoid unnecessary interference with your work, solicitation by one employee of another person is prohibited while either is on working time. "Work Time" is all time when an employee is required or expected to be engaged in work tasks, but does not include times such as meal breaks. Solicitation by non-employees at work is prohibited at all times. Distribution or posting of literature is similarly prohibited on working time and at all times in work areas.

Trespassing, soliciting or distributing literature by non-employees on our premises is prohibited at all times.

12. ATTENDANCE AND PUNCTUALITY

Regular attendance and punctuality are essential elements of job performance and study. Employees or students who cannot be counted upon to come to work or study regularly interfere with the efficient operation of the School and are an unfair burden on other members of the School community. Therefore, excessive or habitual absence or lateness will result in discipline, up to and including dismissal or expulsion.

13. PERSONAL APPEARANCE

Appropriate attire while on School premises is an important part of the School's image, and contributes to an atmosphere conducive to work and study. Accordingly, all members of the School community should always maintain a neat and appropriate appearance when on School premises or business.

14. SMOKING

Smoking is not permitted on the School premises.

15. PERSONAL USE OF OFFICE SUPPLIES OR EQUIPMENT OR SCHOOL ELECTRONIC SYSTEMS

Personal use of the School's office supplies or equipment or the School's e-mail, voicemail system or Internet is prohibited and may result in discipline.

16. STANDARDS OF CONDUCT

It is critical to the School's mission that all members of the School community work together for the good of the whole and to foster and maintain an atmosphere conducive to work and study. In this regard, it is essential that all members of the School community act in a manner that is respectful of every other member of the community and is courteous to visitors to the School and the public.

The need to maintain an appropriate educational environment necessitates that the School take disciplinary action (which may include dismissal or expulsion) against any member of the School community for failing, in the School's sole judgment, to adhere to the following standards of conduct.

While it would be impossible to list all of the types of conduct that could result in disciplinary action, the following list is intended to provide some examples and is not intended to be an all-inclusive list. Disciplinary actions up to and including dismissal or expulsion may result from the following:

- A. Violations of this Code of Conduct;
- B. Theft of any School property or the property of any employee or student;
- C. Misusing, damaging, or destroying any property of the School or of any employee or student;
- D. Reporting to work or study under the influence of alcohol or drugs not taken under the direction of a licensed physician, or use of alcohol or drugs on School premises;
- E. Excessive absence or tardiness;
- F. Accepting, offering, or providing remuneration in violation of ethics and conflict of interest guidelines;
- G. Failure to abide by rules, including security protocols, prescribed by the School;
- H. Violations of the School's anti-harassment and/or anti-discrimination policies;
- I. Assault, threats to assault, or menacing of other members of the School community.

The School reserves the right to take whatever action it deems to be in the best interest of the School, its employees and students in any given situation.

June 1999
Revised 2002
Further Revised July 2012
Further Revised June 2015
Further Revised October 2018
Further Revised February 2019