

# MICHIGAN COLOR GUARD CIRCUIT

## CODE OF CONDUCT

The Michigan Color Guard Circuit (MCGC) provides an avenue for young people to achieve the extraordinary through performance and competition. MCGC values every participant, staff, volunteer, and fan as a unique individual with inherent dignity regardless of race, gender, creed, sexual orientation, origin, or cultural background. MCGC is also committed to fostering positive and safe learning, performing, and working environments for all.

All MCGC Personnel including, but not limited to, the President, Vice President of Color Guard, Vice President of Percussion and Winds, Secretary, Treasurer, WGI Representative, MCGC Representative, Percussion and Winds Representative, Past President, Contest Coordinator, and Judge Coordinator will be subject to undergo a background check. After elected or hired, MCGC will follow the WGI protocol for background checks, utilizing the National Center for Safety Initiatives using guidelines from the National Council of Youth Sports. These background checks will screen convictions and pending dispositions for felonies, crimes involving force or threat of force against a person, crimes of a sexual nature (including sex offender registrants), crimes involving controlled substances, crimes involving cruelty to animals, and crimes involving harm to a minor. Based on the circumstances considered, the decision to apply disciplinary action or dismissal can be at the discretion of the President, Vice President of Color Guard and Vice President of Percussion and Winds.

It is important for all members of our community to know how to address concerns that may be contrary to this commitment. MCGC has set expectations for the conduct and compliance for everyone associated with any MCGC-sanctioned event. See below for the: **MCGC Participating Groups Code of Conduct** and the **MCGC Personnel Code of Conduct**.

Anyone who receives information of any kind that misconduct related to participant protection has occurred that is connected in any way to individuals or activities associated with any MCGC-sanctioned event or activity must report the matter immediately to MCGC management and the management of all Participating Groups with which the affected individual(s) are associated. See our **Participant Protection Reporting Policy** below.

Concerns of noncompliance should first be brought to the leadership of the organization(s) involved. The organization(s) is expected to promptly investigate the concerns and address them. In addition, MCGC is also available to help an individual connect with the right person of the organization involved to ensure the concern is considered and promptly addresses. See [www.mcgc.net](http://www.mcgc.net) for the **Participant Protection Reporting Form**.

---

# MICHIGAN COLOR GUARD CIRCUIT CODE OF CONDUCT FOR PARTICIPATING GROUPS

MCGC feels it is essential to enforce a Code of Conduct for groups participating in any MCGC sanctioned event. If employees, independent contractors, and volunteers are expected to adhere to a professional code of conduct, then it is appropriate that this standard be expected from participating groups as well.

Definitions:

**Participant:** A person who is performing with a participating group.

**Staff:** A person who is engaged by a participating group in an instructional or administrative capacity.

**Volunteer:** A person who gives of their time freely to a participating group as a chaperone or provides support in any capacity.

All groups participating in any MCGC sanctioned event must accept and act under the policies and procedures outlined within this Code of Conduct.

MCGC will not tolerate conduct that impacts negatively on the organization or the experience of our performers. All participants, staff, and volunteers should consider themselves as ambassadors of MCGC. All parties are expected to not only uphold these policies, but also help remind others of them when necessary.

Further, MCGC reserves the right to discipline, discharge, or suspend participants, staff, or volunteers who engage in, or are alleged to have engaged in, unlawful activity at an MCGC sanctioned event to the extent consistent with applicable law.

## ALCOHOL & CONTROLLED SUBSTANCES

MCGC participants have the right to participate in an environment free of alcohol and controlled substances. MCGC participants are not to possess, distribute, or be under the influence of alcohol or controlled substances including, but not limited to, narcotics, inhalants, marijuana or other dangerous drugs. It is unlawful to bring alcohol and controlled substances onto any school grounds or arena facilities.

## SEXUAL MISCONDUCT

MCGC strictly prohibits all conduct which could pose a threat to the safety of participants of an MCGC sanctioned event. If a participating group receives information of any kind (oral or written, "informal" or "formal") suggesting that misconduct has occurred that is connected in any way to individuals or activities associated with a participating group, and if the suggested misconduct meets any of the following criteria, that participating group shall inform MCGC of the information in writing immediately:

- Any misconduct of a sexual nature or potentially classifiable as a sex offense under applicable law, including without limitation so-called "victimless" activities such as prostitution, pornography, and indecent exposure.
- Any misconduct in which actual or suggested sexual relations is an element.
- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation, or gender expression.
- Any conduct involving harm to a minor.

Participating groups shall maintain effective internal policies and procedures for the protection and safety of its participants, staff, and volunteers, including without limitation the ability of any individual to report suspected misconduct to the leadership of the participating group without reprisal. Participating groups shall conduct an effective internal investigation, report the matter to

the appropriate external authorities as may be necessary, and take appropriate and effective remedial action under the circumstances.

Anyone found to have participated in misconduct that threatens the safety of a participant will be disciplined as MCGC finds appropriate (see Disciplinary Action), up to and including a permanent ban from association with any MCGC-sanctioned event in any capacity.

## **HARASSMENT**

Behavior that may be considered inappropriate or may be deemed as harassment is not allowed. Harassment refers to a full spectrum of offensive behavior. When the term is used in a legal sense, it refers to actions that can be found to be threatening or disturbing, and beyond those that are sanctioned by society. Conduct that creates a hostile environment is prohibited. Such conduct may include:

- Any harassing behavior about, in whole or in part, an individual's sex, gender, sexual orientation or gender expression
- Repeated unwanted sexual flirtations, advances, or propositions
- Verbal abuse of a sexual nature
- Situation-inappropriate verbal comments about an individual's body
- Sexually degrading words used to describe an individual
- Unwanted physical contact
- Cyber-bullying or social media abuse
- Any other behavior that is not socially acceptable in a professional environment

Any participant, staff or volunteer who is found after an appropriate investigation to have harassed another participant, staff, employee, contractor, volunteer, or customer of MCGC will be subject to appropriate disciplinary actions, which may include suspension.

## **ANTI-RETALIATION AND WHISTLEBLOWER POLICY**

In an effort to protect all interested parties and address our commitment to integrity and ethical behavior, MCGC will not tolerate any retaliation against anyone who makes a good faith report, or threatens to make a good faith report, regarding MCGC, another organization, or an individual, whose suspected violation of the law or other violation endangers the health or safety of a participant, any personnel of MCGC, a participating group, or the general public. It is expected that a reported organization or individual will react with maturity and receive a report as a message that a behavior is, or is perceived as, inappropriate, and that behavior should be altered.

## **GENERAL CONDUCT**

Our reputation depends on the conduct of all parties involved in MCGC. Good manners, courtesy, and common sense are generally all that are required to ensure appropriate conduct and behavior. Conduct or language that could be perceived by a reasonable person as being rude, inappropriate, abusive, disorderly, derogatory, immoral, or threatening will not be tolerated.

Undue or unfair pressure applied to MCGC judges or staff through inappropriate behavior places the competitive experience at risk. Examples include, but are not limited to, participants or staff of a group verbally abusing MCGC personnel, the inappropriate conduct of any participants or staff on the contest floor, or inordinate or unauthorized communication to judges or the Chief Judge.

Disruptive or rude behavior from participants, staff, or volunteers of one group toward another will not be tolerated.

The use of overt gestures or actions to display displeasure with the results of a contest will not be tolerated under any circumstances. Examples include the throwing of equipment or items of uniform, the use of abusive, profane, or obscene language, the destruction of any property

including personal uniforms or equipment, the physical assault or threat of assault to any person or persons, or other non-military-like conduct.

The exchange of personal congratulations between participants is encouraged.

MCGC discourages independent units from utilizing membership composed of any high school students who were previously enrolled in a school with an active program and have not yet graduated without prior written consent from the scholastic unit director and the performers' parents or guardians.

During the course of a season, units are discouraged from utilizing membership composed of any person who has already committed to another unit without prior consent from both unit directors. A season shall be considered to begin with Field Day.

Anyone found to have participated in misconduct will be disciplined as MCGC finds appropriate, up to and including loss of the privilege that has been violated. For example, staff could lose all critique privileges with judges, barred from contest floor or venue, or loss of the right to use the warm-up venue.

### **SOCIAL NETWORKING**

MCGC respects the right to use social networking sites and does not wish to discourage from self-publishing or self-expression. Nevertheless, we expect all involved in MCGC to follow applicable guidelines and policies. All persons using social media should be clear that their posts are their own and are not on behalf of MCGC.

Our policies prohibit the use of social media to post or display comments that are vulgar, obscene, threatening, intimidating, harassing, or hostile on account of race, color, religion, national origin, age, sex, sexual orientation, veteran status, marital status, physical or mental disability, or any other basis or characteristic protected by applicable law on platforms controlled by MCGC.

### **DISCIPLINARY ACTION**

Individual participants, staff, or volunteers who are found to be in violation of this Code of Conduct will be subject to further investigation as conducted by the MCGC Administration. Based on the circumstances considered, the decision to apply disciplinary action or dismissal can be at the discretion of the President, Vice President of Color Guard and Vice President of Percussion and Winds.

The type of action taken depends on the facts and circumstances surrounding a situation. Please note that the corrective action may vary, or steps skipped, depending on the circumstance. It's important to note that the type of action applied, as well as any prior notice of action, is at MCGC's sole discretion.

If determined by investigation that a group's management has recklessly or continually put participants, staff, or volunteers in unsafe situations or ignored flagrant violations of this Code of Conduct, termination of the group's participation in MCGC may be considered.

The policies of this Code of Conduct should provide all participants, staff, and volunteers with an understanding of what is considered appropriate or inappropriate behavior. While all possible circumstances are impossible to delineate, those participating with MCGC should not take any chance with the spirit and intent of these guidelines.

---

# MICHIGAN COLOR GUARD CIRCUIT

## CODE OF CONDUCT FOR MCGC PERSONNEL

All employees, contractors and Board Members of MCGC must accept and act in accordance with the policies and procedures outlined within this Code of Conduct.

### Definitions:

**Employee:** A person who is hired for a wage, salary, fee, or payment to perform work for MCGC on a regular basis. Examples include, but are not limited to, the Judge Coordinator and Contest Coordinator.

**Independent Contractor:** A person who provides seasonal services in exchange for a fee. Independent contractors are offered assignments for work. These assignments can be refused.

**Board Member:** A person who has been successfully nominated and elected to a position within the MCGC Board of Directors.

By the acceptance of employment or assignments, all employees, contractors, and Board Members agree to abide by this Code of Conduct. A failure to adhere to these standards may subject the employee, contractor, or Board Member to termination or suspension of employment or revocation of any and all remaining assignments. MCGC also reserves the right to remove said employee or contractor from future work with MCGC.

MCGC will not tolerate conduct that impacts negatively on the organization, either in terms of employee or contractor individual work performance, workplace safety, or the business interests and corporate image of MCGC. All employees, contractors, and Board Members must consider themselves ambassadors of MCGC, and, as such, are expected not only to uphold all policies, but also to help remind others of them when necessary.

Further, MCGC reserves the right to discipline, discharge, or suspend any employee, contractor, or Board Member who engages in or is alleged to have engaged in unlawful activity outside the workplace to the extent consistent with applicable law.

### ALCOHOL

The employee, contractor, or Board Member agrees to refrain from consuming alcohol while “at work” with MCGC. “At work” includes the time period from the beginning of the day to the close of competition, until such time as his/her responsibilities are completed for the day. Violators may receive disciplinary actions, including dismissal or suspension.

It is unlawful to bring alcohol onto any school grounds and most arena facilities. Violation of these laws could result in immediate dismissal or suspension.

Any employee, contractor, or Board Member driving an MCGC vehicle or transporting MCGC personnel in vehicles must refrain from consuming any alcoholic beverages before or during operation of vehicles.

### DRUGS

The employee, contractor, or Board Member agrees not to pursue, continue, or engage in the use of, or be under the influence of, illegal or recreational drugs, or prescription medications or substances that may affect his/her ability to function or cause him/her to be impaired while “at work” with MCGC. “At work” includes the time period from the beginning of the day to the close of competition, until such time as his/her responsibilities are completed for the day. Violators may receive disciplinary actions, including dismissal and referral to law enforcement for violations of the law.

## **SEXUAL MISCONDUCT**

MCGC strictly prohibits all conduct that could pose a threat to the safety of participants, employees, independent contractors, or volunteers. This policy sets forth MCGC's expectation that all individuals associated with MCGC-sanctioned events shall report the following kinds of misconduct without exception:

- Any misconduct of a sexual nature or potentially classifiable as a sex offense under applicable law, including, without limitation, so-called "victimless" activities such as prostitution, pornography, and indecent exposure.
- Any misconduct in which actual or suggested sexual relations is an element.
- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation, or gender expression.
- Any conduct involving harm to a minor.

Anyone found to have participated in misconduct that threatens the safety of a participant, employee, independent contractor, or volunteer will be disciplined as MCGC finds appropriate, up to and including a permanent ban from association with any MCGC sanctioned event in any capacity.

## **HARASSMENT**

Behavior that may be considered inappropriate or may be deemed as harassment is not allowed. Harassment refers to a wide spectrum of offensive behavior. When the term is used in a legal sense, it refers to behaviors that can be found to be threatening or disturbing, and beyond those that are sanctioned by society. Conduct that creates a hostile environment is prohibited. Such conduct may include:

- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation or gender expression.
- Repeated unwanted sexual flirtations, advances, or propositions
- Verbal abuse of a sexual nature
- Verbal comments about an individual's body
- Sexually degrading words used to describe an individual
- Unwanted physical contact
- Cyber-bullying or social media abuse
- Any other behavior that is not socially acceptable in a professional environment

Any employee, contractor, Board Member or volunteer who is found after an appropriate investigation to have harassed another employee, contractor, Board Member, volunteer, performer, or customer of MCGC will be subject to appropriate disciplinary actions, including dismissal or suspension.

## **ANTI-RETALIATION AND WHISTLEBLOWER POLICY**

In an effort to protect all interested parties and address our commitment to integrity and ethical behavior, MCGC will not tolerate any retaliation against anyone who makes a good faith report, or threatens to make a good faith report, regarding MCGC, another organization, or an individual, whose suspected violation of the law or other violation endangers the health or safety of a participant, employee, independent contractor, volunteer, Board Member, or the general public.

## **GENERAL CONDUCT**

Our reputation depends on the conduct of all employees, contractors, and Board Members. All those employed or engaged by MCGC must play a part in maintaining that reputation to the highest ethical standards. Good manners, courtesy, and common sense are generally all that are required to ensure appropriate conduct and behavior. Conduct or language that could be perceived by a reasonable person as being rude, inappropriate, abusive, disorderly, derogatory, immoral, or threatening will not be tolerated.

## **CONFLICTS OF INTEREST (AFFILIATIONS)**

As a person employed or engaged by MCGC, you are expected to work in the best interests of the organization, as a disinterested and reasonable observer might view that interest in that circumstance, at all times. Impartiality and the perception of impartiality are critical to our success.

A conflict of interest exists when you take any action that is contrary to or interferes with the impartiality or the perception of impartiality of MCGC's mission. A conflict of interest may be real, potential, or perceived. Accordingly, you must avoid or disclose any conflicts between the best interests of the organization and your own personal interests or personal relationships.

A conflict of interest also exists whenever a person employed or engaged by MCGC may personally benefit, directly or indirectly, financially or otherwise, from their position in the organization.

You must disclose all actual and potential conflicts of interest promptly. It is your responsibility to comply with this requirement each time you become aware of a new conflict of interest or if any initial disclosure no longer accurately reflects the nature of the conflict of interest. In most cases, disclosure may be all that is required. If MCGC determines that an actual conflict of interest exists, the administration will determine what additional actions are required by you to remedy that conflict and will instruct you accordingly.

It is impossible to describe every potential conflict of interest. The vast majority of conflicts of interest will deal with adjudication but could also exist in other situations. However, to assist you in understanding and complying with this policy, an illustrative, but not all-inclusive, list of actual conflicts of interest follows:

- You personally are a designer, instructor, manager, or administrator of a group competing at MCGC events.
- You have a family member, spouse, or significant other employed or engaged with a group competing at MCGC events.
- You receive compensation from a school music department or organization that sponsors a competing group (i.e. an individual who teaches music in the school when the music department sponsors a group)
- You have given an in-person consultation to a group in the current year. Online consultations sanctioned by MCGC are allowed.
- You display a group's insignia while at a MCGC event.
- You operate a business venture, or are doing business for, or being retained by, a third party for services that conflict with MCGC. Employees, contractors, and volunteers may not use the intellectual property of MCGC (ex. logo, judging systems, proprietary and non-public training materials) for personal financial benefit.

## **SOCIAL NETWORKING**

MCGC respects the right of employees, contractors, Board Members and volunteers to use social networking sites on their own time and does not wish to discourage from self-publishing or self-expression. Nevertheless, we expect those employed or engaged by MCGC to follow applicable guidelines and policies.

Blogging or other forms of social media or technology include, but are not limited to:

- Video or wiki postings,
- Sites such as Facebook, YouTube, and Twitter,

- Chat rooms, personal blogs, or other similar forms of online journals, diaries, or personal newsletters not affiliated with MCGC.

Unless specifically instructed, persons engaged by MCGC are not authorized to speak on behalf of the organization.

Our policies prohibit the use of social media to post or display comments that are vulgar, obscene, threatening, intimidating, harassing, or hostile on account of race, color, religion, national origin, age, sex, sexual orientation, veteran status, marital status, physical or mental disability, or any other basis or characteristic protected by applicable law.

When posting to any web site, assume that many people, including coworkers, fans, supporters, performers, parents, school administrators, customers and potential customers, and the media are reading your comments. All parties should be aware of your association with MCGC in online media streams. Use common sense, professional judgment, and caution.

Bloggers and commentators are personally responsible for their commentary on blogs and social networking sites. Bloggers and commentators can be held personally liable for commentary that is considered defamatory, obscene, proprietary, or libelous.

Guidelines for using personal social media:

- MCGC staff and judges should never comment on an individual group's anticipated or actual performance or anything of a competitive nature, however positive. Such postings create openings for questions from anyone reading the post. Comments that seem innocent can be easily misconstrued.
- MCGC staff and judges should change personal settings on Facebook to allow review and approval of any post visible to the public. Use caution on "liking" any post regarding any individual group or MCGC.
- MCGC staff and judges are prohibited from promoting any participating group with which they are affiliated so not to present the appearance of intended influence.
- MCGC staff and judges should refrain from posting or liking any pictures or comments that imply favoritism towards any one group or instructor.
- MCGC staff and judges should use caution in posting or "tagging" photos or videos of any unit on your personal social media streams.

It is important to remember that anything posted on the Internet is permanent. Although a post can be "taken down", it may well exist somewhere for years to come and often reach large numbers of people quickly. If misinterpreted or open to misinterpretation, such postings can do incalculable damage to the reputation of individuals, organizations, and MCGC.

MCGC will use these guidelines to determine whether an employee or contractor has been appropriate in their public online behavior with respect to their MCGC-related responsibilities. Those employees and contractors associated with MCGC must represent appropriate conduct for a competitive, scholastic-based activity. Violation of these guidelines can lead to disciplinary action including suspension and/or termination.

### **DISCIPLINARY ACTION**

Employees, contractors, Board Members and volunteers who are found to be in violation of this Code of Conduct will be subject to further investigation as conducted by the MCGC Administration. Based on the circumstances considered, the decision to apply disciplinary action or dismissal can be at the discretion of the President, Vice President of Color Guard and Vice President of Percussion and Winds.

The type of action taken depends on the facts and circumstances surrounding each situation. Please note that corrective action may vary, or steps skipped, depending on the circumstance. It

is important to note that the type of action applied to an employee, contractor, or volunteer, as well as any prior notice of action, is at MCGC's sole discretion.

The policies of this Code of Conduct should provide any and all employees, contractors, and volunteers with an understanding of what is considered appropriate or inappropriate behavior. While all possible circumstances are impossible to delineate, those engaged with MCGC should not take any chance with the spirit and intent of these guidelines.

---

## **MICHIGAN COLOR GUARD CIRCUIT PARTICIPANT PROTECTION REPORTING POLICY**

MCGC strictly prohibits all conduct which could pose a threat to the safety of participants in MCGC-sanctioned events. This policy sets forth MCGC's expectation that all individuals associated with MCGC-sanctioned events shall report certain kinds of misconduct without exception.

**WHO IS COVERED BY THIS POLICY?** Everyone associated with any MCGC-sanctioned event is covered by this policy, including without limitation all Participating Group personnel, MCGC personnel, Contest Judges, Event Administrators/, coordinators, volunteers, and performers.

**WHAT IS EXPECTED UNDER THIS POLICY?** Anyone who receives information of any kind (oral or written, "informal" or "formal") suggesting that misconduct related to participant safety has occurred that is connected in any way to individuals or activities associated with any MCGC-sanctioned event or activity must report the matter immediately to MCGC management and the management of all Participating Groups with which the affected individual(s) are associated. A report to an appropriate law enforcement agency may also be appropriate and is always available, in the discretion of the person who receives information regarding potential misconduct. Misconduct related to participant safety that is covered by this policy includes:

- Any misconduct of a sexual nature or potentially classifiable as a sex offense under applicable law, including with limitation so-called "victimless" activities such as prostitution, pornography, and indecent exposure.
- Any misconduct in which actual or suggested sexual relations is an element;
- Any harassing conduct pertaining to, in whole or in part, an individual's sex, gender, sexual orientation, or gender expression; and
- Any conduct involving harm to a minor.

**WHAT ACTION WILL BE TAKEN?** Upon receiving a report of any such misconduct, MCGC and the Participating Group shall conduct an effective internal investigation, report the matter to the appropriate law enforcement authorities as may be necessary, and take appropriate and effective remedial action under the circumstances.

Anyone found to have participated in misconduct that threatens the safety of a participant will be disciplined as MCGC finds appropriate, up to and including a permanent ban from association with any MCGC-sanctioned event in any capacity. MCGC will not retaliate against anyone for reporting suspected misconduct or for participating in any investigation or inquiry, and MCGC will not tolerate retaliation by any person or entity associated with any MCGC-sanctioned event.

**HOW CAN REPORTS BE MADE?** A report can be made via MCGC's website using the online **Participant Protection Reporting Form**.

---