

All-City Band Society

Safe Programming Policy

June 2023

1. Introduction/Objective

The All-City Band Society is committed to creating a safe, meaningful screening process to protect its staff, members, and the public.

- a) The All-City Band Society acknowledges its responsibility to protect the best interests and wellbeing of its members, with particular attention towards vulnerable individuals. To meet this responsibility the Society shall formulate and implement a membership management system that provides an appropriate standard of risk management.
- b) The Board of Directors must comply with all legislative and legal requirements when screening volunteers including the Personal Information Protection Electronic Documents Act (PIPEDA), and the Human Rights Act.

2. Zero-Tolerance Statement

The All-City Band Society maintains a zero-tolerance policy for physical or sexual violence of any kind against children or adults by staff, band members, or any person affiliated with the organization. Anyone who is alleged to have committed offences of this nature will be subject to immediate suspension from the All-City Band Society pending investigation.

3. Definitions:

- **Adult:** Any individual who is 19 or more years of age.
- **Affiliate:** Any individual not defined as a band member (i.e., volunteers, visiting educators) who, in some capacity, is involved with the All-City Band Society.

- **Band Member:** All All-City Band participants and the parent(s)/ guardian(s) of student participants who participate in the regular activities of at least one of the following musical groups: All-City Bands (Junior or Senior Concert and Jazz Bands) and FH Collins & Porter Creek Secondary Beginning Bands.
- **Board of Directors:** An executive committee which jointly oversees the All-City Band Society activities.
- **Child:** Any individual who is 18 or fewer years of age.
- **Director:** A member of the All-City Band Society Board of Directors (also known as: board member, director of the board, etc.,).
- **Music Director:** The individual(s) responsible for selecting repertoire, facilitating rehearsals, setting ensemble performance goals, assessing performance of individual musicians, and providing mentorship. Most often in the employ of the Yukon Department of Education (also known as: conductor, band director, etc.,).
- **Sexual Offence/Violence:** Refers to offences of a sexual nature defined by the Criminal Code of Canada.
- **Violent Offence/Physical Violence:** Refers to offences of a violent nature defined by the Criminal Code of Canada.
- **Vulnerable Sector Check:** A report that is requested from and prepared by a law enforcement agency which determines the possible existence of a criminal record and/or sexual offence conviction.
- **Volunteer:** Any person who is not a director, band member, or employee, who freely provides or offers to provide a service.
- **Vulnerable Person:** Any individual who, based upon their age, disability, or other circumstance are dependent on others, or for whom the risk of harm by a person of authority or trust is higher than the general population.

4. Screening and Vulnerable Sector Criminal Records Checks

- All adult band members, directors, affiliates and volunteers with direct access to youth members must submit a vulnerable sector criminal records check to the Band Production Coordinator or music director(s) within 30 days of joining the band or Board of Directors.

- Vulnerable sector criminal records check cannot be older than two years, e.g., checks received in September 2022 must be dated to June 2021 or later to be current to the end of the academic year, June 2023.
- Any adult individual seeking employment with the All-City Band Society must submit a vulnerable sector criminal record check to the All-City Band Society Production Coordinator prior to entering into the employ of the Society.
- If, due to processing times or extenuating circumstances, the prospective band member, director, or volunteer is unable to supply a vulnerable sector criminal records check, they may provide evidence of their application to do so within that time frame and may request an extension from the Board of Directors of no more than 30 days.
- No individual member of the Board of Directors, nor any staff in the employ of the All-City Band Society may exempt any band member, staff, director or volunteer from the screening requirements outlined above.
- Failure to adhere to these policies will result in the immediate suspension of any band member, director, or volunteer from any All-City Band activities until the requirements have been met.
- Failure of prospective adult employees of the All-City Band Society to provide a recent vulnerable sector background check will result in the immediate withdrawal of any offer of employment.

5. Criteria for Consideration and Right to Appeal

- If any prospective or current affiliate submits a vulnerable sector background check that indicates a criminal history of sexual violence, they will be barred from participating in any band activities.
- Individuals whose records indicate other criminal offences (i.e., theft, minor assault charges, etc.,) may be allowed to participate in band activities at the discretion of the Board of Directors if;
 - a) the offence occurred two or more years prior to the submission date; OR
 - b) the Board deems that the nature of the offence is not relevant to this policy; OR

- c) the Board deems that the offence does not indicate that the individual poses a threat to members of the band. (i.e., unlawful gambling, administrative law)
- Crimes of a non-physical or non-sexually violent nature including those related to spreading hateful propaganda, uttering threats, hate speech, etc., will be given equal weight as physically or sexually violent crimes.
- If any prospective band member, affiliate, director or volunteer has been charged with allegations of physical or sexual violence and suspended [see above section 2. Zero Tolerance Statement] from the All-City Band Society, they may, in the event of being acquitted, or being found not guilty, appeal their suspension once.
- That member must make known their intention to appeal in writing to the Band Production Coordinator.
- Once accepted by the Board of Directors, the appellant may conduct their appeal in-person or by providing a written statement.

6. Confidentiality of Records

All records, including vulnerable sector background checks will be filed securely and kept in confidence in compliance with all Territorial and Federal regulations and legislation. The All-City Band Society may not, under any circumstance, release this information unless compelled to do so by law.

7. Reporting

All-City Band staff and band members have a duty to report any reasonable suspicions, allegations or incidents of physical and/or sexual violence. Staff and band members are not trained to deal with situations of abuse or to decide if abuse has occurred and should record the details as accurately as possible and immediately report to Family and Children's Services if involving a minor, or directly to the RCMP if involving an adult.

8. Communication

In the interest of accountability and transparency, the All-City Band Society will make every reasonable effort to inform band members, parents, volunteers, staff, and directors of any occurrence of physical or sexual violence committed by any band member, volunteer, employee or director.

9. Limitations

Any and all provisions set forth within this policy are to be interpreted within the context of the established law. If any provision is found to be in conflict with any law, regulation or court ruling, it shall immediately be considered null and void.

10. Authorization

The Board of Directors hereby enacts this policy and authorizes the enforcement thereof by majority vote and indicated by their signatures below.