

Civil Behavior & Proper Sexual Conduct Policy and Procedure

Experience Corps (EC) is committed to providing working and learning environments that promote proper and peaceful civil behaviors.

EC environments will be free of all forms of abuse, assault, harassment, and coercive conduct, including sexual misconduct. Experience Corps does not tolerate behaviors that may discriminate against others or those that may represent as sexual misconduct of any type. Improper behavior and/or sexually abusive behavior within the learning community will be considered harmful to both the learning environment and the sense of trust we build amongst our peers, volunteer members, children, other older adults, and EC partnerships.

All EC employees and volunteer members have an obligation to act responsibly in the realm of civil behavior and sexual conduct. This behavior and conduct will include accepting personal responsibility for choices made about alcohol and drug consumption that can lead to behavior which violates another person's safety or well-being. Additionally, all EC employees and volunteer members have the responsibility to recognize and/or to challenge any improper behaviors or sexual misconduct. The purpose of this policy and associated procedures is to encourage all parties to take responsibility for individual behavior, to hold others accountable for peaceful civil behavior and proper sexual conduct, to ensure compliance with applicable state and federal regulations, and to fairly discipline and sanction behavior that is inconsistent with EC policies.

The information that follows is designed to provide a clear understanding of expectations and outcomes of both EC employees and volunteer members with regard to peaceful civil behavior and proper sexual conduct.

Definitions

Peaceful, Civil Behavior

Appropriate peaceful, civil behavior entails demonstrating loyalty to the organization and its mission, showing respect for management and subordinates alike, and promoting fairness and tolerance within the organization. Examples of other behavior includes:

- Taking a proactive approach to problems and encouraging others to be effective problem solvers
- Being discreet and concerned about protecting the privacy of fellow employees, peers, volunteer members, children, other EC partnerships, and proprietary information
- Maintaining confidentiality at all times
- Projecting a positive, can-do attitude that welcomes challenges

Sexual Misconduct

Sexual misconduct encompasses a range of behavior used to obtain sexual gratification against another's will or at the expense of another. Sexual misconduct includes sexual harassment, sexual assault, and any conduct of a sexual nature that is without consent, or has the effect of threatening or intimidating the person against whom such conduct is directed. State laws vary on defining acts which constitute sexual misconduct. Generally sexual misconduct can involve any of the following acts:

- Intentional touching without consent;
- Exposing his or her genitals under circumstances likely to cause affront or alarm;

- Having sexual contact in the presence of a third person or persons under circumstances likely to cause affront or alarm;
- Having sexual intercourse or deviant sexual intercourse in a public place in the presence of a third person;
- Soliciting or requesting another person to engage in sexual conduct under circumstances in which an individual(s) knows that one's requests or solicitation is likely to cause affront or alarm;
- Forcing a victim to touch, directly or through clothing, another person's genitals, breast, groin, thighs or buttocks;
- Vaginal or anal intercourse;
- Fellatio or cunnilingus;
- Sexual penetration with any object.

Child Abuse

Child sex abuse is a form of child abuse in which an adult or older adolescent uses a child for sexual stimulation. The offense of child sex abuse takes various forms like asking or pressuring a child to engage in sexual activities, indecent exposure of the genitals to a child, displaying pornography to a child, actual sexual contact against a child, physical contact with the child's genitals, viewing of the child's genitalia without physical contact, or using a child to produce child pornography.

The result of such abuse to a child is depression, post-traumatic stress disorder, anxiety, propensity to further victimization in adulthood, and physical injury.

Child sexual abuse includes a variety of sexual offenses like:

- Sexual assault;
- Sexual exploitation; and
- Sexual grooming.

Sexual Harassment

Sexual harassment is verbal or physical conduct of a sexual nature where (1) submission to such conduct is made a condition of employment or learning; (2) submission to or rejection of such conduct is used as the basis for employment or learning decisions; or (3) such conduct creates a hostile work or student learning environment. This may include, but is not limited to: making unsolicited and unwelcome written, verbal, physical and/or visual contact with sexual overtones; posting sexually explicit materials in the workplace, on school property, other learning environment or through a technology-based media, making unwelcome sexual advances; making reprisals, threats of reprisal, or implied threats of reprisal following a rejection of a sexual advance; engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the employment or learning conditions and/or environment of another; and offering favors of any type or benefit in exchange for sexual favors.

Policy

Experience Corps employees and volunteer members are prohibited from engaging in any form of sexual abuse, sexual exploitation, immoral sexual conduct, sexual harassment, or child abuse including, but not limited, to the information provided above. Training is provided to employees and volunteers to assist in identifying and reporting instances of sexual abuse, sexual exploitation, immoral sexual conduct, sexual harassment, or child abuse. Experience Corps maintains a zero-tolerance policy in this

regard and offenders are subject to disciplinary action up to and including permanent dismissal and reporting to appropriate authorities.

Complaint Procedure

If you believe that you are victim to or in witness of sexual abuse, sexual exploitation, immoral sexual conduct or sexual abuse of a child, or sexual harassment, you are required to provide a written complaint to your Program Director and the Affiliate/Branch Relations office as soon as possible following any incident that you believe is a violation of this policy. If the EC program director is involved in the complaint, you may submit your complaint to the National affiliate or branch relations office only. Your complaint should include the dates and details of the incident(s), the names of the individuals involved, and the names of any witnesses. Experience Corps will promptly undertake an internal investigation of the notification. Experience Corps will first notify appropriate authorities immediately if an adult-child accusation has been reported. All employees and volunteers will be expected to cooperate with the internal investigation. Once the internal investigation is completed, Experience Corps will determine whether sexual abuse, sexual exploitation, immoral sexual conduct or sexual abuse of a child, or sexual harassment has occurred, and Experience Corps will take effective remedial action commensurate with the severity of the offense and in cooperation with appropriate authorities. Appropriate action will also be taken to deter any future violations of this policy. Whatever action is taken against the employee or volunteer who violated this policy will be made known to Experience Corps employees and volunteers according to the security of employment or learning environment and as may be required by law. All Experience Corps employee or volunteer member who suspects or has knowledge of an incident of sexual abuse, sexual exploitation, immoral sexual conduct or sexual abuse of a child, or that sexual harassment has occurred shall comply with any applicable reporting and/or other requirements of federal, state and/or local laws.

Should a parent, student, teacher, principal, or other school district staff member wish to file a complaint, they may do so following the Complaint Procedure. If the complaint is found to involve school district personnel, Experience Corps reserves the right to enter into mediation with the school and the involved parties.

Retaliation

Experience Corps prohibits retaliation against any employee or volunteer member who rejects, protests, or complains about sexual abuse, sexual exploitation, immoral sexual conduct or sexual abuse of a child, or sexual harassment of any type. The Complaint Procedure above is available for employees and volunteer members to report all types of sexual abuse, sexual exploitation, immoral sexual conduct or sexual abuse of a child, or sexual harassment so that Experience Corps can obtain knowledge of the event and take action as it determines to be appropriate. An employee or volunteer member who believes that he or she has been a victim of or in witness of sexual abuse, sexual exploitation, immoral sexual conduct or sexual abuse of a child, or sexual harassment in violation of this policy or law shall follow the compliant policy outlined above and promptly file a written complaint with a their immediate EC supervisor and through the EC National hotline. Every complaint of improper behavior, child abuse, sexual abuse, sexual exploitation, immoral sexual conduct or sexual abuse of a child, or sexual harassment will be thoroughly investigated without bias or premature judgment.

Such an investigation will include but will not be limited to interviews with the complaining employee or volunteer member, student, the subject of the complaint, co-workers, former employees or volunteer

members, school-district or school personnel, or parents, and other individuals who may have knowledge of the situation. The investigation may also include a review of files and other tangible evidence as appropriate. Appropriate disciplinary action will be taken in cases where the complaint is determined to have merit.

Administration

All inquiries, complaints, and investigations are treated confidentially. Information will be revealed strictly on a need to know basis. Information contained in a formal complaint will be kept confidential. The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of child abuse, sexual abuse, sexual exploitation, immoral sexual conduct, sexual abuse, or sexual harassment under state or federal law.

Contact Information

Affiliate/Branch Relations Office
AARP Experience Corps
601 E Street, NW
Washington, DC 20049
Phone: 202.434.6400
Email: experiencecorps@aarp.org