

CAROLINA GOLD PERFORMING ARTS

*Carolina Gold Drum & Bugle Corps
Alchemy Independent Percussion
Legacy Independent Winter Guard
Midas Winds*

Code of Conduct and Ethics

The mission of Carolina Gold Performing Arts, including its various programs (collectively, “Carolina Gold”), is to provide a stimulating and rewarding social experience through music education, competitive performance and community engagement. To fulfill this mission, Carolina Gold is committed to promoting and nurturing an environment that encourages and fosters learning, discipline, diligence, and high-quality performance and treats all individuals with dignity and respect.

Carolina Gold has adopted this Code of Conduct and Ethics (“Code”) to set out basic principles to guide all persons associated with Carolina Gold or who participate in any of its programs and activities, including, without limitation, board members, staff, staff volunteers, instructors, performers, and potential participants (collectively, “participants”). All participants must conduct themselves in accordance with this Code of Conduct and Ethics and seek to avoid even the appearance of impropriety.

Professionalism and Ethical Behavior

Conduct that adheres to this Code exhibits professionalism and ethical behavior at all times. It is characterized by integrity, honesty, compassion, and respect for others and self. Carolina Gold expects all participants to conduct themselves professionally and ethically in all interactions that in any way involve or relate to Carolina Gold. The following behaviors are inconsistent with Carolina Gold’s values and prohibited by this Code, some of which are addressed in more detail in further sections below:

- *Harassment* — Harassment consists of unwelcome verbal, nonverbal or physical conduct of a severe or pervasive nature that embarrasses, intimidates or shows hostility or ridicule towards any participant. Harassing behavior has the purpose or effect of creating an intimidating, hostile, abusive or offensive learning, working or performance environment. It may also threaten the health or safety of Carolina Gold participants. Examples of harassing behavior include, without limitation:
 - Verbal abuse, including demeaning or disrespectful comments, insults, epithets, and defamatory remarks.
 - Bullying.
 - Hazing.
 - Pranks or jokes that are intended to demean or offend or have such effect.
 - Physical or verbal aggression, harm and threats, including through electronic communications and social media.

- *Discrimination* — see below.
- *Sexual Harassment and Misconduct* — see below.
- *Disruptive and Disorderly Conduct* — Disruptive or disorderly conduct means the intentional or reckless infringing upon the rights, privacy, or privileges of any participant or group of participants. This conduct includes disturbing the peace of the Carolina Gold community, whether at competitive events, practices, meetings, gatherings, and all instructional or service-oriented activities that support the performance mission of Carolina Gold.
 - Examples of this conduct include, without limitation, excessive noise, drunkenness, public nuisance, and behaviors that interfere with the normal operations or activities of Carolina Gold.
- *Disrespect for Property* — Disrespecting the property of others includes attempted or actual theft, embezzlement, misappropriation, wrongful possession, or vandalism of any property. It also includes destroying, damaging, littering or vandalizing any property at which events are hosted or participants are housed during events. It further includes trespass, meaning the unauthorized entry to or use of facilities or grounds.
- *Violating Law* — Any violation of federal, state or local law.
- *Possessing Alcohol, Drugs or Weapons* —Illegal possession, distribution, or use of alcohol, controlled substances, weapons, dangerous substances, or related paraphernalia at any Carolina Gold event, activity, function, meeting, or gathering or while representing Carolina Gold.

Participants should be guided by the notion that if they have to question whether an action or comment will violate any provision of this Code, it is best not to take the action or make the comment.

Discrimination

Carolina Gold strives to maintain an environment that fosters mutual respect among participants and promotes harmonious, productive working, learning and performance relationships. Each participant is responsible for creating an atmosphere that is free of discrimination or harassment, sexual or otherwise. Carolina Gold believes that discrimination in any form, including harassment, constitutes misconduct that undermines productivity, creativity and the integrity of the working, learning and performance relationships for both Carolina Gold and all participants.

Discrimination against, or adverse treatment of, an individual based on the individual’s protected status is accordingly inconsistent with Carolina Gold’s values and is prohibited by this Code. Harassment of an individual based on such a status is discriminatory and is similarly prohibited. “Protected status” for purposes of this Code refers to an individual’s race, color, creed, ethnicity, national origin, ancestry, sex (including pregnancy), gender (including failure to conform to stereotypical notions of femininity or masculinity), gender identity or expression, sexual orientation, age, religion, marital status, veteran status, protected genetic information, disability or physical ability, or other legally protected classification. This Code does not, however,

prohibit any lawful and artistically informed casting decisions that are made in good faith.

Sexual Harassment and Misconduct

With respect to sexual harassment, Carolina Gold prohibits unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct or communication of a sexual or otherwise offensive nature, when:

- Submission to such conduct is explicitly or implicitly made or threatened to be made a term or condition of any individual's participation;
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's participation; or
- Such conduct has the purpose or effect of substantially interfering with an individual's participation or performance or creating an intimidating, hostile, humiliating or offensive work, learning or performing environment.

The following behaviors and conduct are prohibited by this Code. This list is not exhaustive and should be used as a guideline only.

Lewd, off-color, or sexually oriented comments or jokes; grabbing, groping, kissing, or fondling; jokes, sarcasm, slurs or innuendo about sex; intimidation; violating another's personal space; catcall or wolf whistling; foul or obscene language; leering, staring, or stalking; sexually suggestive or lewd t-shirts, posters, calendars, photographs, graffiti, cartoons, or websites; wearing sexually suggestive or provocative clothing, unwanted or offensive letters or poems; sitting or gesturing sexually; harassing or offensive email, voice mail or text messages; sexually oriented or explicit remarks, including written or spoken reference to sexual conduct, gossip about one's sex life, body, sexual activities, deficiencies or prowess; questions about one's sex life or experiences; repeated requests for dates; requests for sexual favors in return for performance or other rewards; threats if sexual favors are not provided; sexual assault or rape; sexual assault or battery.

A finding of harassment requires that the complained-of behavior be unwelcome. Consent is a critical factor in determining whether sexual harassment or assault has occurred. Consent requires a freely voluntary and affirmative act or statement by each participant; consent is not passive or to be presumed. Consent may be withdrawn at any time for any reason.

Non-Fraternization

Carolina Gold recognizes that learning and performing environments, shared passions, and activities of a special interest such as artistic performance and expression often spark productive, natural, positive and healthy interpersonal relationships among Carolina Gold participants. Carolina Gold appreciates that participants frequently develop

deep and lasting personal bonds that are mutually meaningful. Carolina Gold does not wish to restrict or prohibit the development of positive and constructive relationships among its participants. Nevertheless, when individuals involved in a consensual romantic or sexual relationship are in positions of unequal power, authority or status, there is the potential for conflicts of interest, favoritism and exploitation. The power inequities in these relationships can be significant, creating inherent and unavoidable risk.

To ensure the integrity of Carolina Gold’s educational and performance-driven mission and environment, Carolina Gold strictly prohibits romantic or sexual relationships and sexual activity of any nature, consensual or not, between “staff persons in authority” and any other participants, regardless of their ages. “Staff persons in authority” means board members and all staff members, including volunteers, who have actual or perceived authority or influence over participants, or who serve in roles with supervisory or evaluative responsibilities over participants, including by providing instruction, chaperoning, or overseeing the health or safety of participants. This prohibition extends for the duration of a participant’s involvement in Carolina Gold-related activities.

Sexual Activity with Underage Participants

Carolina Gold’s environment brings together talented performers, some of whom are under 18 years of age. All Carolina Gold participants are expected to take special care to ensure the health, safety, and security of the younger and potentially more vulnerable participants. For that reason, any sexual contact between a participant who is 18 or older and a participant under the age of 18 is strictly prohibited regardless of any applicable law or circumstances.

Social Media

Carolina Gold recognizes that Internet-provided social media is a highly popular and effective tool for sharing ideas and exchanging information. Carolina Gold also seeks, however, to ensure that social media usage serves its need to maintain its brand identity and integrity while minimizing actual or potential legal risks. Carolina Gold also recognizes that its participants may be involved in online communities as communication, learning, and networking tools. Carolina Gold therefore has established the following rules and guidelines for communicating information about itself or its participants via social media.

“Social media” is defined broadly to include online platforms that facilitate activities such as professional or social networking, posting commentary or opinions, and sharing pictures, audio, video, or other content. “Social media” includes personal websites and all types of online communities, such as, for example, Facebook, LinkedIn, Yelp, YouTube, Twitter, Instagram, blogs, message boards, and chat rooms.

- Social media activity by participants is covered by all Carolina Gold policies and guidelines, including those set forth in this Code.

- Participants should not post content on social media that violates Carolina Gold’s policies against discrimination or harassment, or that is threatening or abusive. Participants should maintain the confidentiality and privacy of others. Posts and communications should be respectful, professional and courteous.
- No participant should represent that Carolina Gold has authorized him or her to speak on behalf of Carolina Gold or that Carolina Gold has approved his or her message, unless the participant has received prior written permission from the applicable program or unit director to do so. If a participant does not receive written authorization to speak on behalf of Carolina Gold, the participant is strongly encouraged to state explicitly, clearly, and in a prominent place on the site that views expressed are the participant’s own and not those of Carolina Gold or of any person or organization affiliated or doing business with Carolina Gold.
- Participants may not illegally disparage Carolina Gold, its activities, or other participants.
- Participants should not display or post video or other images of, or material about, any Carolina Gold participant that is libelous, defamatory, proprietary, harassing, bullying, discriminatory, retaliatory, or that can create a hostile environment. Conduct that would not be permissible at Carolina Gold activities is not permissible between or among participants online, even if done outside of Carolina Gold activities on personal devices or home computers.
- Participants should be honest about their identity.
- Participants may not use the logo, name marks or images of Carolina Gold on a personal site without prior written permission from the applicable program or unit director.
- Participants should be aware that they might be held legally liable for commentary or images on their own sites and in their own posts and communications deemed to be proprietary, defamatory, libelous or obscene.

Reporting

If any participant experiences or witnesses a violation of any provision of this Code, he or she should promptly report the incident to any member of the board of directors of Carolina Gold. The report may be made anonymously. The individual receiving the information will take the necessary steps to initiate an investigation of the claim. Carolina Gold will conduct its investigation in as confidential a manner as possible and expects all participants to cooperate in the investigation. In certain circumstances and to the extent permitted by law, Carolina Gold may direct participants to keep a complaint and any related investigation confidential or as confidential as possible to further the goals of applicable laws. Carolina Gold will endeavor to keep the identity of the reporting participant confidential to the fullest extent practicable, limiting disclosure to those with a “need to know.”

Participants should be aware that if Carolina Gold concludes that a complaint lacks credibility due to the inability to obtain additional information from an anonymous source and Carolina Gold is otherwise unable to confirm the claims made, Carolina Gold may decline to take action in response. Participants seeking anonymity should also be

aware that their identity might be discovered during an investigation of the complaint because of the information provided by the participant.

If Carolina Gold determines that a participant has committed a violation of any provision or policy in this Code, appropriate disciplinary action will be taken against the offending participant, up to and including termination of the participant's association with Carolina Gold.

Some instances of misconduct may also constitute criminal conduct. In such instances, victims of misconduct and anyone who reasonably suspects or knows of misconduct are also encouraged to file a report with the appropriate law enforcement authorities and, if requested, Carolina Gold will assist the victim in doing so.

Protection Against Retaliation

Carolina Gold prohibits any form of retaliation against any participant for filing a bona fide complaint under this Code, for assisting or cooperating in a complaint investigation, or for filing, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing conducted by a governmental enforcement agency. Participants should report suspected retaliation to any member of the board of directors. Carolina Gold will conduct its investigation and a determination will be communicated to the reporting participant as soon as practical. If a complaint of retaliation is substantiated, appropriate disciplinary action will be taken, up to and including termination of the retaliating individual's association with Carolina Gold. If, however, after investigating any complaint of a violation of this Code, Carolina Gold determines that a participant knowingly made a false claim of violation, including of discrimination, harassment or retaliation, or provided false information regarding the complaint, prompt and effective disciplinary action will be taken against the individual who filed the complaint or who gave the false information.

Mandatory Reporting of Child Abuse and Neglect

Participants should be aware that under North Carolina law, any person or institution who has cause to suspect that any juvenile (i.e., individual under the age of 18) is abused, neglected or dependent (meaning the juvenile has no parent, guardian or custodian or the parent, guardian or custodian is unable to provide for the juvenile's care or supervision), or has died as a result of maltreatment, must report the case of that juvenile to the director of the Department of Social Services in the county where the juvenile resides or is found. Persons making reports in good faith cannot be held liable. Participants having questions about this requirement should contact any member of the board of directors.