



CAIN CENTER FOR THE ARTS

PROGRAMS, ACTIVITIES & SERVICES

DISCRIMINATION-HARASSMENT POLICY

PURPOSE AND INTENT

Cain Center for the Arts is committed to maintaining a positive and respectful environment for all program participants and spectators. This document establishes a policy for prohibiting discrimination and/or harassment based on age, sex, race, color, creed, religion, sexual orientation, political affiliation or national origin and provides a mechanism for reporting and investigation of any allegations of discrimination or harassment by program participants and taking appropriate disciplinary action if inappropriate behavior is confirmed.

POLICY STATEMENT

Cain Center for the Arts does not discriminate against any person based on age, sex, race, color, creed, religion, sexual orientation, political affiliation or national origin in the operation, conduct, or administration of community recreation programs or its facilities. Third parties who receive a contract, permit, or similar use authorization from Cain Center for the Arts to operate, conduct, administer or offer a class/program, activity or service are also prohibited from discriminating based on age, sex, race, color, creed, religion, sexual orientation, political affiliation or national origin.

DEFINITIONS

- **Discrimination:** Bias or prejudice resulting in denial of opportunity, or unfair treatment of, or making a distinction in favor of or against a program participant based on age, sex, race, color, creed, religion, sexual orientation, political affiliation or national origin which are irrelevant to a person's competence or suitability.
- **Harassment:** Persistently criticizing, disturbing, irritating, maligning, or tormenting a person with respect to their age, sex, race, color, creed, religion, sexual orientation, political affiliation or national origin. Sexual harassment is defined as unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome and offensive verbal or physical conduct.
- **Class/Program:** Any class/program, event or activity that is in any way operated, conducted, administered or supported by Cain Center for the Arts for participants, spectators or user groups.
- **Facilities:** Any property owned by the Town of Cornelius and operated by Cain Center for the Arts for the purposes of teaching classes and programs that are offered.
- **CCA:** Refers to Cain Center for the Arts
- **Town:** Refers to the Town of Cornelius.

POLICIES

1. Programs administered Cain Center for the Arts will be operated in a manner that promotes equal opportunities for all participants.
2. Compliance with this policy will be added as a requirement in all contracts, lease or use agreements administered by CCA. All agreements with third parties and permit applications to organize community programs for youth or adults will contain language that prohibits the third party from discriminating against any person based on age, sex, race, color, creed, religion, sexual orientation, political affiliation or national origin in the operation, conduct, or administration of these Programs.
3. On an annual basis, CCA will discuss with third parties the status of their Programs related to the administration of this policy.
4. CCA will not issue a contract, permit, or similar authorization for use of any facilities to a third party that discriminates against any person based on age, sex, race, color, creed, religion, sexual orientation, political affiliation or national origin in the operation, conduct or administration of a CCA program.
5. This policy will also be posted on CCA publications, website and facility use permit applications, along with the name, office address and office telephone number of any CCA employee responsible for carrying out compliance with this policy.

POLICY ADMINISTRATION AND CONTACT INFORMATION

The person responsible for administering this policy shall be the Executive Director of Cain Center for the Arts or his/her designee. Any person who feels he or she has been the victim of discriminatory treatment or harassment in violation of this policy, or who has questions or concerns about violations, should contact the Executive Director at:

Cain Center for the Arts
P.O. Box 1443
Cornelius, NC 2831
(980) 689-3101

The Development Associate shall ensure that the name, office address and office telephone number of the Executive Director, or any employee responsible for carrying out compliance with this policy is published and disseminated in accordance with the provisions of this policy.

GRIEVANCE PROCEDURES

Any person who feels he or she has been the victim of discriminatory treatment or harassment in violation of this policy must submit a written grievance, using Cain Center for the Arts' Grievance Form, to the Executive Director within seven (7) calendar days of its occurrence or within seven (7) calendar days of the time the participant learns of its occurrence.

The grievance form must be signed by the grievant, and include the following:

1. Name of person submitting grievance
2. Name of person on whose behalf the grievance is submitted (only if on behalf of a minor under age of 18)
3. Grievant contact information including mailing address, day and evening phone numbers and email address
4. Current date

5. Date(s) and location(s) associated with the grievance
6. Grievance description including the name and contact information of the person and/or organization related to the grievance
7. Names and contact information of all persons thought to be witnesses or otherwise having relevant knowledge
8. Actions taken to date, if any, by the grievant to resolve the grievance
9. Specific relief that the grievant expects to gain through use of this procedure

REVIEW PROCESS

The Executive Director, or his/her designee, will review the completed grievance form within thirty (30) calendar days of submittal. During the review process, the status of the contractor, user group or third party service provider will be reviewed in accordance with the grievance filed.

At the discretion of the Executive Director, or his/her designee, certain allegations may warrant an immediate administrative suspension while the review process is ongoing or possibly termination for cause.

A written response will be sent to the grievant unless the grievance is resolved to the satisfaction of the grievant during the initial review period.

The described process is not intended to limit actions that are necessary by the Executive Director, his/her designee or CCA staff.

APPEALS PROCEDURES

No administrative appeal will be allowed while any grievance is under review. Once the Executive Director, or his/her designee, has concluded the review of any grievance and submitted his/her written response, the grievant may submit an appeal as follows:

If the alleged conduct is of such a nature that the Executive Director, or his/her designee, issues a suspension to the contractor, user group, or other third-party services provider OR if the alleged conduct is of such a nature that the Executive Director issues a termination for cause to the contractor, user group, or third-party services provider, then the contractor, user group or third-party service provider may issue an appeal either verbally or in writing to the Executive Director within seven (7) days of the issuance of suspension or termination of services notice.

The Executive Director will then have fifteen (15) days to review the appeal and render his/her decision in writing. There will be no appeal from this decision.

RETALIATION

Cain Center for the Arts will not tolerate any retaliation or reprisal in any way against anyone who has complained about or resisted discrimination, harassment or sexual harassment. This includes falsely denying, lying about or otherwise attempting to cover up such retaliation or reprisal conduct. Any instances of alleged retaliation will be promptly investigated.