

Dance BKS (Bachata Kizomba Salsa) Calgary Code of Conduct

I. INTRODUCTION

- Dance BKS (Bachata Kizomba Salsa) Calgary is committed to providing an environment which promotes Bachata, Kizomba, and Salsa dance in both social and formal settings. We are equally committed to ensuring these settings are safe and comfortable for all participants. This would apply to all interactions and communication regarding to Dance BKS Calgary Events, including but not limited to:
 - BKS Classes and Workshops
 - BKS Socials and BKS events, and
 - Arrivals and departures from the dances and workshops.
 - Registration
- This Code of Conduct applies to the dancers that attend the Dance BKS Calgary classes and BKS Socials as well as employees and volunteers. It applies to harassment that may occur during all meetings, classes, workshops and events, as well as any communications pertaining to the Organization.
- *Harassment* is a form of discrimination that is prohibited by human rights legislation in Canada. In its most extreme forms, harassment can be an offense under Canada's Criminal Code.

II. DEFINITION OF HARASSMENT

- **Harassment** is defined as conduct, comment, or display, by a person which is insulting, intimidating, humiliating, offensive or physically harmful. Types of behavior which constitute harassment include, but are not limited to:
 - i. unwelcome jokes, innuendo or teasing about a person's looks, body, attire, age, race, religion, sex or sexual orientation
 - ii. condescending, patronizing, threatening or punishing actions which undermine self-esteem or diminish participation
 - iii. inappropriate actions which cause awkwardness or embarrassment, negatively affect participation, or endanger a person's safety
 - iv. unwanted or unnecessary physical contact including touching, patting or pinching
 - v. unwelcome repeated flirtation, sexual advances, requests or invitations which have been previously rebuked
 - vi. any form of physical assault
 - vii. any sexual offence including sexual assault.
 - viii. unwanted or threatening communications, including but not limited to verbal, written, email, or text

III. DEFINITION OF CONSENT

- **Consent** is defined in Canada's Criminal Code in s. 273.1(1), as the voluntary agreement to engage in the sexual activity in question. The law focuses on what the person was actually thinking and feeling at the time of the sexual activity. Sexual touching is only lawful if the

person affirmatively communicated their consent, whether through words or conduct. Silence or passivity does not equal consent.

The Criminal Code also says there is NO consent when:

- Someone says or does something that shows they are not consenting to an activity
- Someone says or does something to show they are not agreeing to continue an activity that has already started
- someone is incapable of consenting to the activity, because, for example, they are unconscious
- the consent is a result of a someone abusing a position of trust, power or authority
- someone consents on someone else's behalf.

A person cannot say they mistakenly believed a person was consenting if:

- that belief is based on their own intoxication; or
- they were reckless about whether the person was consenting or;
- they chose to ignore things that would tell them there was a lack of consent; or
- they didn't take proper steps to check if there was consent.

The responsibility for ensuring there is consent is on the person who is initiating or pursuing the sexual activity. When someone has said no to sexual contact, the other person cannot rely on the fact that time has passed or the fact that the individual has not said no again to assume that consent now exists.

No one can legally consent in advance to sexual activity in the future when they will be unconscious. No one can legally consent to activity where they will suffer bodily harm, such as activity that will cause serious bruises, stitches or broken bones.

The bottom line regarding the law of consent is that only YES means YES!

III. CONFIDENTIALITY

- Dance BKS Calgary recognizes the sensitive and serious nature of harassment and abuse and will strive to keep all matters relating to a complaint confidential. To this effect, any public disclosure of harassment incidents will not contain the names of the individuals involved.
- To protect victims, we may choose to refrain from immediate action, or to ask for consent from victims before taking action. Where there is doubt or conflicting reports, we will seek out professional counsel. *We reserve the right to refuse service without stating names or specific incidences where victim protection is a reasonable concern.*

IV. PROCEDURE FOR ADDRESSING A COMPLAINT

- A person who experiences harassment is encouraged to make it known that the behavior is unwelcome, offensive and contrary to this Code of Conduct.

1. Communicating a Concern

- First, address the perpetrator and request the behavior change or stop, if the concerned person feels safe in doing so. This may occur verbally, email, Messenger, Instagram, whatsapp or in letter form. In this case the individual is requested to file a copy of the letter or cc the email with the Organizers of the Dance BKS Calgary Socials.

- If personally confronting the perpetrator is not possible, or if after such an attempt fails and the behavior continues, the concerned person may seek the support of a Dance BKS Calgary organizer.

2. Assisted Resolution

- In such cases where communicating does not resolve the matter, the concerned person should approach an organizer for assistance.
 - A. It is the role of the Organizers to locate and assist the concerned person with the completion of the reporting form, which can be obtained from the organizers of the event
 - B. The Organizers will assist the two parties in the resolution of the problem. If, in the opinion of the organizer, such a resolution is not possible the complaint will be dealt with through the fact-finding procedure.

3. Fact-finding Procedure

- The purpose of the fact-finding procedure is to set out the basic facts of the complaint so that the Organizers can determine its best approach for handling the complaint.
 1. *The Dance BKS Calgary Organizers shall gather the facts surrounding the incident by speaking directly with the victim and the person against whom the victim is made (the perpetrator). Any witnesses who might have relevant facts or observations about the incident may be contacted.*
 2. *In addition to providing information, the Perpetrator shall have the opportunity to provide a written statement if he or she wishes.*
- The results of the fact gathering process shall be summarized in a written report including recommendations. The report shall contain:
 1. *a summary of the relevant facts;*
 2. *a determination as to whether the acts complained of constitute harassment or abuse as defined in this policy;*
 3. *recommendations to resolve the complaint; and where applicable*
 4. *recommendations to avoid similar occurrences.*
- Upon completion of the fact-gathering stage, the summary report, including the complainant's and respondent's statements, shall be given to the Organizers. If, in the opinion of the Organizers, this complaint should be investigated by an outside body.

V. RANGE OF SANCTIONS

- Harassment and abuse are unacceptable behaviors which breach the expected standard of conduct within an organization. When an incidence of harassment or abuse which contravenes the Dance BKS Calgary standard of behavior has been identified, a sanction is appropriate. The sanction to be imposed shall be determined and overseen or executed by the Organizers as appropriate.
- The following principles will apply:
 - *The severity of the penalty must be appropriate for the seriousness of the infraction.*

- *For less severe infractions, we will meet the perpetrator and give a warning as necessary*
- *Penalties will be applied consistently in all cases of similar offenses.*
- In deciding sanctions, the Organizer's may consider, but are not limited to, the following options, depending on the nature and severity of the harassment or abuse:
 - *Removal from the Dance BKS Calgary Events.*
 - *Temporary or permanent ban of the individual committing the offense.*
 - *Possible involvement of the Calgary Police Service and assisting them in their investigation when needed.*
 - *Other sanctions deemed appropriate by the Organizers upon recommendations from an outside body.*