



BULLYING, HARASSMENT, AND DISCRIMINATION

Policies and Reporting Procedures within the Kingdom and SCA

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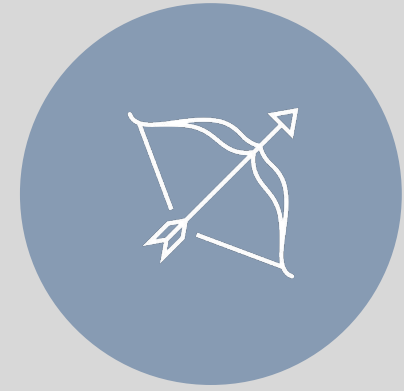
Class Outline



POLICY DEFINITIONS
AND EXAMPLES



LEGAL REPORTING
REQUIREMENTS



SCA REPORTING
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Previous Definition

Where To Go!

Welcome to the Current Middle

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What Can We Help You Find?

The SCA Harassment and Bullying Policy

From the Society Seneschals Handbook:

XXIV. SOCIETY SENESCHAL POLICIES & INTERPRETATIONS

4. Harassment and Bullying

The SCA prohibits harassment and bullying of all individuals and groups.

Harassment and bullying includes, but is not limited to the following:

- ▶ offensive or lewd verbal comments directed to an individual;
- ▶ the display of explicit images (drawn or photographic) depicting an individual in an inappropriate manner;
- ▶ photographing or recording individuals inappropriately to abuse or harass the individual;
- ▶ inappropriate physical contact; unwelcome sexual attention; or retaliation for reporting harassment and/or bullying.

Participants violating these rules are subject to appropriate sanctions. If an individual feels subjected to harassment, bullying or retaliation, they should contact a seneschal, President of the SCA, or the Kingdom's Board Ombudsman. If a participant of the SCA becomes aware that someone is being harassed or bullied, they have a responsibility pursuant to the SCA Code of Conduct to come forward and report this behavior to a seneschal, President of the SCA or Kingdom's Board Ombudsman.

The following statement must be posted at gate/troll at every SCA event in a size large enough for people to see it as they enter our events. This language must likewise be quoted in ALL site handouts at every event a site where a handout is made available.

- ▶ **THE SCA PROHIBITS HARASSMENT AND BULLYING OF ALL INDIVIDUALS AND GROUPS.**
- ▶ Participants engaging in this behavior are subject to appropriate sanctions.
- ▶ If you are subjected to harassment, bullying or retaliation, or if you become aware of anyone being harassed or bullied, contact a seneschal, President of the SCA, or your Kingdom's Board Ombudsman.

Per the Society Seneschal July 17, 2017

Bullying and Harassment Definition

The SCA prohibits bullying and harassment of all individuals and groups. Bullying is systematic and unwelcome behavior which involves the use of influence, threat, intimidation, or coercion to cause hurt or harm to another person or group of people. When the bullying behavior is based on a protected class*, that behavior is defined as harassment.

*race, sex, religion, national origin, gender, sexual orientation, age, or disability

Bullying and Harassment

Overt:

- Verbal abuse, including using racial, homophobic, transphobic, ableist epithets, etc.
- Non-consensual physical contact, violence, or threatening gestures
- Displaying material that is offensive, degrading, or threatening to a protected class
- Consistent demeaning remarks or malicious teasing
- Stalking or predatory behavior

Covert:

- Spreading rumors or innuendo with malicious intent
- Deliberate exclusion, isolation, or alienation of an individual without just cause
- Using rank, title, or office to intimidate others

*Non-inclusive list of examples

Bullying and Harassment is Not



Single episodes of social rejection, dislike, tactlessness, or forgetfulness



Mutual arguments, disagreements, or fights



The termination, mutual or not, of a romantic relationship or friendship



Reasonable constructive feedback or critique



The test for bullying is the reasonableness of the behavior and the impact of that behavior on the recipient.

Participants engaging in bullying/harassment are subject to appropriate sanctions. If an individual believes they have been subjected to or have witnessed harassment, bullying, or retaliation, that person should contact a seneschal, the President of the SCA, or that Kingdom's Board Ombudsman.

Bullying/Harassment in
the SCA

Non-Discrimination Policy

The SCA does not discriminate on the basis of race, color, religion, sex, age, national origin, veteran status, sexual orientation, gender identity, disability, size, or any other basis of discrimination prohibited by law.

Sexual Misconduct Policy

The SCA prohibits all forms of sexual misconduct including, but not limited to, sexual assault, sexual harassment, stalking, and sexual violence. Such conduct violates SCA Core Values and puts the SCA and its participants at risk.

SCA Statement of Core Values

In pursuing its mission, the SCA is committed to excellence in its programs, communications, and activities and to

Act in accordance with the chivalric virtues of honor and service

Value and respect the worth and dignity of all individuals

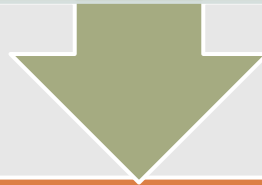
Practice inclusiveness and respect pluralism and diversity

Promote a safe and respectful environment for all SCA events

Act with transparency, fairness, integrity, and honesty

Be a responsible steward of SCA resources

Be committed to maintaining the trust of its members and participants



It is the expectation of the SCA that its members and participants, in all events and activities of the SCA, will conduct themselves in accordance with these tenets.

Consent

- Consent - freely and affirmatively communicated willingness to participate in sexual activity, expressed by clear, unambiguous words.
- Consent is a clear, verbal, voluntary agreement given by someone able to agree to an act.
- Someone may lack the ability to consent, due, for example, to their age, intellectual or other disability, or incapacitation from the use of drugs or alcohol.
- We will always view as unwelcome and nonconsensual any sexual activity between an adult and any person below the legal age of consent.
- Additionally, because consent is a voluntary agreement to engage in sexual activity:
 1. someone who is incapacitated cannot consent;
 2. past consent does not imply future consent;
 3. consent for one act does not imply consent for another;
 4. silence or an absence of resistance does not imply consent;
 5. consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
 6. consent can be withdrawn at any time; and
 7. coercion, force, or threat of either invalidates consent.



Definitions

Sexual Assault - an actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to, acts that constitute sexual assault under state law.

Sexual Harassment - any unwelcome verbal or physical conduct of a sexual nature that is sufficiently severe, persistent or pervasive such that it unreasonably interferes with, limits, or deprives someone of the ability to participate in or benefit from the SCA events and activities. Sexual Harassment includes, but is not limited to, acts that constitute sexual harassment under state law.

Sexual Misconduct - any unwelcome behavior of a sexual nature that is committed without consent and/or by force, intimidation, coercion, or manipulation. Sexual misconduct includes, but is not limited to, exposure of reproductive organs, sexual assault, sexual harassment, stalking, and sexual violence. Sexual misconduct also includes, but is not limited to, acts that constitute sexual misconduct under state law.

Stalking - means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others, or (b) suffer substantial emotional distress. Stalking behavior can include: (i) persistent, unwanted communications to the victim by phone, email, and/or other social media; (ii) repeatedly sending the victim unwanted gifts; (iii) following or waiting for the victim at home, school, work, or elsewhere; and (iv) direct or indirect threat(s) by the stalker to harm themselves, the victim, or the victim's friends and family, or to damage the victim's property. Stalking includes, but is not limited to, acts that constitute stalking under state law.

Legal Reporting Procedures

To maintain the SCA's legal non-profit status, the SCA is also required to report and comply with state and federal regulations regarding reporting.

- *Per Corpora: Sanctions and administrative actions should be proportionate and appropriate. Major sanctions, such as a ban on attendance or participation, should not be a substitute for appropriate administrative or legal action.*
- *Offenses against contemporary civil or criminal law should be dealt with through the appropriate legal system. This does not preclude the SCA from taking other appropriate actions.*



For the purpose of this class, we will discuss which items of Bullying, Harassment and Discrimination needs to also be reported to the appropriate legal system, and how this varies from state to state.

Physical Abuse of a Minor	Sexual Abuse of a Minor <small>*Special note regarding minor to minor perpetration/reporting</small>	Emotional / Psychological Abuse of a minor	Child Neglect	Abuse / Exploitation of the Elderly or Disabled	Sexual Assault Rape, Fondling, Incest, Statutory Rape
Aggravated Assault and / or Murder	Hate Crime	Stalking	Domestic Violence	Dating Violence	Robbery v. Burglary

Required Reporting at the Legal Level

Your SCA status can be affected by mundane legal issues

- King of the East expulsion after felony murder charge
- Government Record of being a convicted sex offender

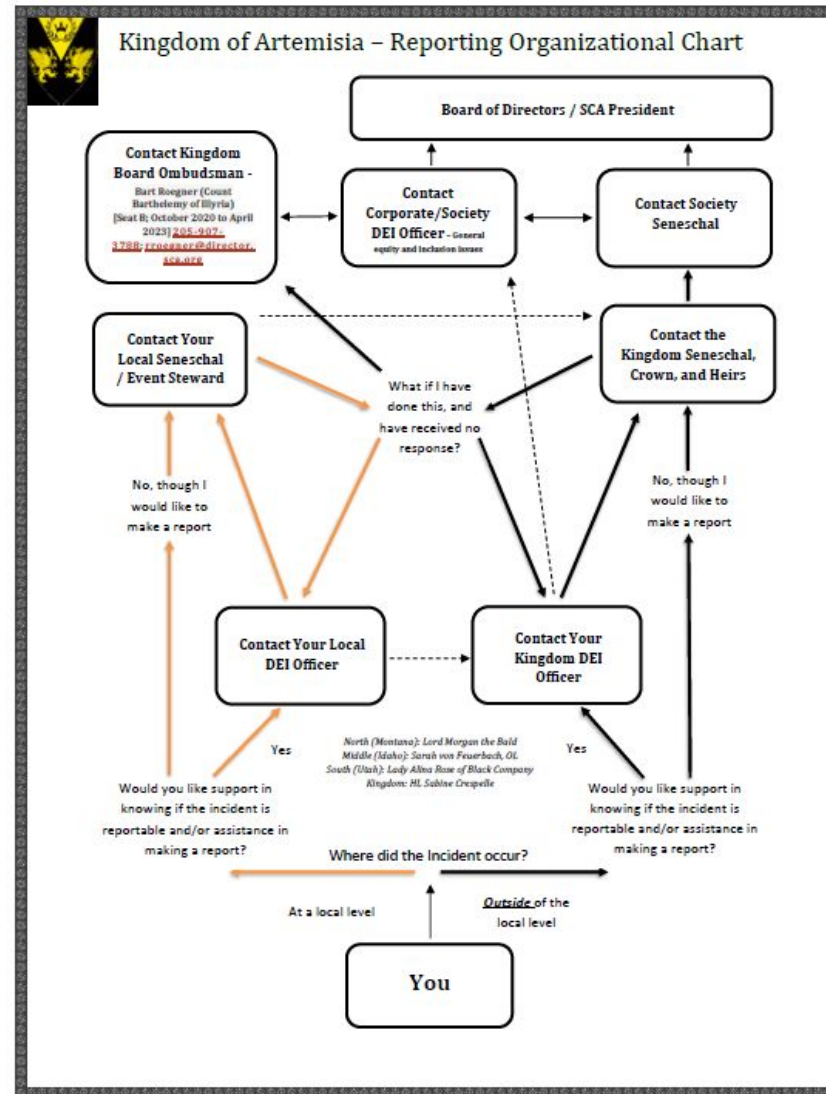
With serious offenses (those discussed previously), contact your Kingdom Seneschal, local authorities, and other reporting agencies (CPS, APS, etc.)

With less egregious, though still concerning issues regarding Bullying, Harassment, and Discrimination, follow the Reporting Organization Chart

SCA Reporting

Reporting Organizational Chart

- The DEI Office is a support, advocacy, education, and empowerment office
- Not an investigative office
- Making the DEI Office aware of a potential report ensures follow-through, as well as possible victim resources.
- Items handled at a Local v. Kingdom v. Society level



Options for Recompense



A personal apology (email)



A personal apology that can be put in the Sage and advertised



Get creative, within reason



Needs Consideration of Royalty (Potential Review of BOD):



Partial Banishment to the end of a reign for their Majesties,



Banishment and continuation for their Highnesses reign,



A Sanction to Society for expulsion.

Sanctions/Banishments

- The Board of Directors of the SCA reserves the right to sanction any individual or group of individuals in the SCA regardless of membership status, title or position. The Board reserves the sole right to modify or waive these policies as it deems necessary. The Board has the final authority on all sanctions.
- No person shall be subjected to a continuance of a Sanction for more than two consecutive Reigns under the circumstances that prompted the original Crown to act.
- Kingdom Sanction
 - Banishment from the Royal Presence
 - Exile from the Kingdom – BOD Review
 - Temporary Removal from Participation in Society – BOD Review, lasts until BOD makes final decision
 - Serious transgressions of SCA rules which include violation of the Governing Documents or other rules of the SCA; Theft, misappropriation, or deliberate misuse of SCA funds or property; Situations in which an individual is under criminal investigation by a modern law enforcement agency, or is considered to be a risk to the SCA or its participants due to conviction of a dangerous felony or violation of a civil law or court order, which could put the SCA or its participants at risk; Behavior which could put the SCA or its participants at risk or fear of imminent harm; Actions that endanger public health and safety.
- Society Sanctions
 - Emergency Temporary Removal from Participation – BOD Reviews and makes final decision.
 - Can result in Sanction being lifted or a Revocation of Membership, Denial of Participation, etc.
- An Appeals Process also exists – see Sanctions Manual

Your voice is important

Innocent until proven guilty

Evidence is helpful

Making a report can open the door

Apply wisdom regarding recompense

We don't know what we don't know

Ask for help or resources

Helpful Hints

An Tir's Bullying and Harassment Policy

- Library of An Tir
 - https://antirsc.sharepoint.com/sites/library/Documents/Forms/AllItems.aspx?id=%2Fsites%2Flibrary%2FDocuments%2FSeneschal%20Public%20Web%20Documents%2FLaws%2FBullyingandHarassmentPolicy%2Epdf&parent=%2Fsites%2Flibrary%2FDocuments%2FSeneschal%20Public%20Web%20Documents%2FLaws&p=true&originalPath=aHR0cHM6Ly9hbWJyYXJ5S5zaGFyZXBvaW50LmNvbS86Yjovcy9saWJyYXJ5S5L0VhODhCcEdqUIBCSnVrWTMtbHhoZ3p3QnQwY1R2VmpLOGUyQTVEUjZLZGgwY0E_cnRpbWU9Z0dabmxGNVOyRWc
- Includes:
 - Inappropriate Behaviors
 - Illegal Behaviors
 - Allegation Process
 - Formal Complaint Form

Contact Info for the DEI/EDI Office

- Corporate/Society DEI Officer:
 - Jessica Van Hattem (Astridr “Zahra” Ymirsdottir), equity@sca.org
- An Tir’s EDI Council
 - <https://www.antir.org/our-people/council-of-equity-diversity-and-inclusion/>
 - The EDI Council consists of 9-10 general members, a chair, and the Kingdom EDI Officer (a deputy to the Kingdom Seneschal)
 - Kingdom EDI Officer - Duchess Sha'ya
Kjartanskona: edi@antir.org