

ACRA Non-Discrimination and Anti-Harassment Policy

The American Cultural Resources Association (ACRA) maintains a positive culture of inclusion and respects the dignity of each individual. ACRA opposes all forms of discrimination and harassment based on an individual's race, age, religion, creed, color, ancestry, citizenship, national or ethnic origin, language preference, immigration status, disability, medical condition, military or veteran status, social or socioeconomic status or condition, sex, gender identity or expression, sexual orientation, or any other classification protected by applicable local, state or federal law. This policy applies to individuals with a current affiliation with ACRA, including members, sponsors, and vendors. This policy also applies to attendees, ACRA staff, speakers, exhibitors, or event venue staff at any ACRA-sponsored event.

Section I: Prohibited Behavior at ACRA-Sponsored Events

- (1) ACRA prohibits any form of harassment, sexual or in other forms, as set forth in its Non-Discrimination and Harassment Policy (above). Accordingly, some behaviors are specifically prohibited, whether directed at other attendees, ACRA staff, speakers, exhibitors, or event venue staff. This policy applies to in-person and online conduct at ACRA-sponsored events.
- (2) Unacceptable behavior includes intimidating, harassing, abusive, discriminatory, derogatory or demeaning conduct by any attendees, ACRA staff, speakers, exhibitors, or event venue staff. Discussion of opposing or different viewpoints is appropriate when conducted in a respectful tone and manner that avoids personal attacks.
- (3) ACRA defines harassment to include:
 - a. offensive verbal comments related race, age, religion, creed, color, ancestry, citizenship, national or ethnic origin, language preference, immigration status, disability, medical condition, military or veteran status, social or socioeconomic status or condition, sex, gender identity or expression, sexual orientation, or any other classification protected by applicable local, state or federal law;
 - b. inappropriate use of nudity and/or sexual images in public spaces (including presentation slides);
 - c. intimidation, stalking, or unwelcome following;
 - d. unwelcome photography or recording;
 - e. sustained disruption of talks or other events;
 - f. unwelcome physical contact; and
 - g. sexual harassment.
- (4) Sexual harassment specifically refers to verbal, physical, or visual conduct of a sexual nature that is unwelcome and offensive to the recipient such that it impairs the recipient's ability to fully participate, enjoy, or engage in the ACRA event. Sexual harassment includes, but is not limited to:
 - a. unwelcome sexual flirtations, advances, or propositions;
 - b. unwelcome verbal comments or physical actions of a sexual nature;
 - c. using sexually degrading words to describe an individual;
 - d. unwelcome displays of sexually suggestive objects or pictures;
 - e. sexually explicit jokes; and

- f. unwanted physical contact such as patting, pinching, grabbing, groping, or brushing against another's body.
- (5) Prohibited behavior also includes physical or verbal abuse, intimidation, threats, efforts to annoy others, stalking, pushing, shoving or use of any physical force whatsoever against any person that creates a disturbance that is disruptive or dangerous, or creates reasonable apprehension in a person.
- (6) In assessing whether behavior violates this policy, ACRA will consider both whether the behavior was subjectively unwelcome to the recipient and whether the alleged violator had a reasonable, objective basis to believe the behavior was invited.
- (7) Attendees or other event participants asked to stop any prohibited behavior are expected to comply immediately.
- (8) ACRA reserves the right to remove any participant whose social attentions become unwelcome to another and who persists in such attentions after their unwelcome nature has been communicated.
- (9) ACRA reserves the right to remove an event participant prior to full investigation of the circumstances in order to maintain a safe environment for all attendees.
- (10) ACRA also reserves the right to remove or exclude any participant or attendee who appears to be under the influence of drugs or alcohol and/or who engages in conduct that interferes with the ability of other attendees to participate in and enjoy the conference.

Section II: Grievance Procedure for ACRA Meetings & Events

- (1) **Initiating Grievance Procedures:** Any participant in an ACRA meeting or event, or ACRA-sponsored event, who believes that they have been the victim of harassment as defined above (the Complainant) may bring the matter to the attention of any member of the Executive Committee. The Executive Committee members will then inform the Executive Director, who Promptly after the Executive Director is informed of the matter, the Executive Director may initiate any steps they deem appropriate to affect an informal resolution of the matter acceptable to both parties.
- (2) **Executive Committee:** The Executive Committee consists of the President, President-Elect, Past President, Treasurer, Vice President of Membership, Vice President of Government Relations, and Executive Director). The Executive Director shall serve as the investigating party.
- (3) **Formal Complaint:** If the participant decides to proceed with a formal complaint, the participant should submit a written statement to the Executive Director ("Complaint"). The Complaint should include the name of the accused, the name of the ACRA event where the alleged harassment occurred, dates, and relevant facts. Complaints will be investigated fully regardless of the amount of time that has lapsed between the incident and formal disclosure by the Complainant.
- (4) **Notification of Complaint:** The Executive Director shall inform the alleged offender of the allegation, protecting the Complainant's identity to the extent possible and if the Complainant requests that his/her identity be kept confidential. The Complaint shall be given to both parties. Every effort should be made to protect the Complainant from retaliatory action by those named in the complaint.
- (5) **Conflicts of Interest:** Members of the Executive Committee will meet to discuss the Complaint. If any member of the Executive Committee has a conflict of interest, that person shall be

excluded from the investigation. Conflicts of interest include but are not limited to: being the subject of the Complaint, employment by the same company of the subject of the Complaint, and family relationship to any parties of the Complaint.

- (6) **Investigation:** The parties to the dispute should be invited to provide information to the Executive Committee and to confront any adverse information provided by others. Each party is permitted to speak on their own behalf, submit information, and provide the names of witnesses to the Committee. The Executive Committee may conduct its own informal inquiry, question witnesses, and gather whatever information it deems necessary to assist it in reaching a determination as to the merits of the allegations.
- (7) **Confidentiality:** Cases involving sexual harassment are particularly sensitive and demand special attention to issues of confidentiality. Dissemination of information relating to the case should be limited, in order that the privacy of all individuals involved is safeguarded as fully as possible. Every effort shall be made to maintain confidentiality throughout the process, but total confidentiality cannot be guaranteed because an effective investigation cannot be conducted without revealing certain information to the alleged wrongdoer(s) and potential witnesses. However, to the extent possible, the Executive Committee shall share information about the allegations only with individuals whose participation is necessary to complete an investigation. The Executive Committee will protect the privacy of both the Complainant and persons accused in every way possible, including keeping records relating to such complaints confidential, during the process of the complaint and thereafter.
- (8) **Conclusion:** If the Executive Committee concludes that on the basis of the investigation insufficient evidence of harassment exists to warrant any action, the Executive Committee may close the investigation and so notify the Complainant and alleged offender in writing. If the Executive Committee concludes on the basis of the investigation that harassment has occurred, the following disciplinary actions may be taken to stop the harassment, acknowledge its effects on the victim, and ensure that the harassment does not recur:
 - a. Letter of reprimand to the offender;
 - b. Training and education regarding harassment and appropriate and inappropriate behaviors with documentation to the Executive Committee that this training has been completed. Failure to comply may result in the rescinding of membership;
 - c. Ban on future attendance at ACRA meetings and events for the offender; and
 - d. Termination and/or rescinding of membership for a duration deemed appropriate by the committee.

Once such a determination has been reached, the Executive Committee should communicate it in writing to both parties and to the Executive Director. A summary of the basis for the determination should be provided to either party upon request. The decision of the Executive Committee is final.

- (9) **Retaliation:** ACRA will not tolerate retaliation, coercion, intimidation, interference, discrimination, or harassment of or against any ACRA sponsored event participant for making a good-faith complaint of harassment or for providing information related to such a complaint. Retaliatory action of any kind taken against a Complainant under this procedure is prohibited and will be the basis for a separate complaint subject to disciplinary action by the Executive Committee.