



Misconduct Policies & Procedures

Made Up Theatre LLC strives to create a safe and supportive environment for all members of our community, which includes, but is not limited to, owners, performers, instructors, volunteers, and students. All community members should be able to work, learn, and thrive, free from misconduct, harassment (which includes stalking, sexual harassment, and sexual assault) and discrimination. All community members are held to the same standards and are required to adhere to these policies and procedures.

No member of our community should be made to feel uncomfortable or excluded because of his or her race, gender, gender identity, sexual orientation, religious beliefs, nationality, age, or disability. Keep in mind that your actions outside the Made Up Theatre LLC, as well as within, can hurt specific community members and can also impact the community as a whole.

Community members are encouraged to express themselves in a creative and intelligent manner, without fear of censorship or judgment, as long as that expression does not fall under the following definitions of misconduct, harassment, and sexual harassment.

Community members are encouraged to report incidents of misconduct, harassment (which includes stalking, sexual harassment, and sexual assault), and discrimination. All reports are taken seriously and will be investigated.

Most of the time, disagreements, complaints, or conflicts within the community can be solved by discussing them with leaders at Made Up Theatre LLC, including your instructor or Made Up Theatre LLC owners (Bobby August, Ben Stephens, and/or Sean Taylor). We can not address disagreements, complaints, or conflicts if we are not aware of them.

DO NOT take matters into your own hands. If you have a complaint about, or conflict with a student, performer, volunteer, instructor, owner, or customer, do not confront them. Please contact Conduct Overseer Sean Taylor (sean@madeuptheatre.com) so the conflict can be resolved.

MISCONDUCT

Misconduct refers to any of the follow actions or activities:

- Actions that endanger the life or safety of another person
- Engaging in criminal conduct
- Acts of violence or threats of violence against any member of the community, on or off Made Up Theatre LLC property
- Threatening, intimidating, or coercing community members
- Causing the destruction or damage of Made Up Theatre LLC property or the property of community members
- Theft of Made Up Theatre LLC property or property of community members
- Unauthorized use of Made Up Theatre LLC intellectual or real property
- Being intoxicated in class, during performances, or while working or volunteering
- Any form of retaliation against a complainant or witness for filing a complaint, and/or for assisting or participating in an investigation, proceeding, or hearing

HARASSMENT

Harassment is verbal or physical conduct, including written, spoken or visual material that denigrates or shows hostility or aversion toward an individual because of his/her race, sex, color, religion, creed, gender, national origin, age, handicap, disability, citizenship, sexual orientation, veteran, or marital status, or that of his/her relatives, friends or associates, and that:

- Creates an intimidating, hostile or offensive working, educational, or performance environment
- Adversely affects an individual's employment, educational, or performance opportunities

Harassment includes sexual harassment and stalking (as defined below); however, harassment can take many forms, and is not necessarily sexual in nature. The following could be considered harassment and therefore constitutes prohibited conduct:

- Offensive comments, jokes, innuendoes, and other derogatory statements that are hurtful towards an above named protected category. This could include downloading, copying, storing, creating, transmitting or distributing any pornographic, offensive, defamatory, obscene or discriminatory information.
- Visual conduct, such as derogatory and/or sexually-oriented material defined towards an individual, including posters, photography, cartoons, drawings or gestures, and including those accessed or sent via e-mail, social network, or other physical and/or digital means
- Any conduct that creates an intimidating, hostile, or offensive environment

- Retaliation for having reasonably, and in good faith, reported or threatened to report harassment

STALKING

Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves repeated and continued harassment made against the expressed wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include:

- Pursuing or following
- Non-consensual (unwanted) communication or contact, including face-to-face, telephone calls, voice messages, electronic messages, text messages, written letters, social media messages, etc.
- Sending unwanted gifts (such as flowers)
- Trespassing, property damage
- Surveillance or other types of observation including invasion of online privacy

SEXUAL ASSAULT

Is defined as any non-consensual, intentional physical contact of a sexual nature, such as unwelcome physical contact with a person's genitals, buttocks, or breasts. Sexual assault occurs when the act is committed by a) physical force, violence, threat, or intimidation, b) ignoring the objections of another person, c) causing another's intoxication or impairment through the use of alcohol or other drugs, and/or d) taking advantage of another person's incapacitation, helplessness, or other inability to consent.

EXAMPLES OF MISCONDUCT

The following list attempts to provide some simple examples of misconduct to illustrate severity and the category the behavior falls into.

Misconduct:

- Pulling out an actual folding knife in character during a scene
- Throwing a chair against a wall
- Forcing your way into another person's car or cab when leaving a rehearsal, a show, or after socializing after those events

Harassment:

- Repeated reference to a performers actual race regardless of the race of their character
- Writing sketches and providing situations referencing faculty or actual students(non-public figures) in a derogatory or insulting manner
- Retaliation for filing of a formal complaint

Stalking:

- Following someone else home from class, rehearsal audition or a show

Sexual Harassment:

- Pressure for a date or a romantic or intimate relationship
- Unnecessary and unwelcome references to various parts of the body
- Belittling remarks about a person's gender or belittling remarks about a person's sexual orientation based in gender-stereotyping
- Obscene gestures of a sexual or gender-based nature
- Unwelcome touching, kissing, hugging, or massaging

Sexual Assault

- Non-consensual, intentional physical contact of a sexual nature

REPORTING INCIDENTS OF MISCONDUCT

Made Up Theatre LLC encourages any member of the community to report misconduct to the Made Up Theatre LLC owners so appropriate steps to prevent conduct from escalating and/or to eliminate harassing conduct.

Complainants should report misconduct to the owners of Made Up Theatre LLC (listed below). All owners are required to act on reports of alleged misconduct.

The owners of Made Up Theatre LLC will investigate all reports of alleged misconduct against any community member of the Made Up Theatre LLC. This includes, but is not limited to, students, performers, volunteers, instructors, and customers. Community members can contact any members of the committee to start the process of filing a formal complaint.

Bobby August	bobby@madeuptheatre.com	(510) 896-5203
Ben Stephens	ben@madeuptheatre.com	(408) 476-3710
Sean Taylor	sean@madeuptheatre.com	(510) 789-8023

REPORTING PROCEDURES

- After a complainant has reported the alleged misconduct, all owners of Made Up Theatre LLC will be notified.
- The complainant is required to submit a formal complaint in writing.
 - Complainants report should be specific and truthful. Please include specific allegations, dates, details of the incident or incidents, names of the individuals involved, the names of any witnesses, and any other evidence in support of your claims.
- The owners of Made Up Theatre LLC will begin to investigate the allegations.

INVESTIGATION PROCEDURES

- All owners of Made Up Theatre LLC will read the complainant's written statement.
- The owners will follow up with the complainant once a written statement has been received to clarify allegations and recommend support services.
- The respondent will be notified that a complaint has been filed, and he/she will have the opportunity to submit a written statement. Respondent's statement should be specific and truthful. Please respond to each of the complainant's specific allegations dates, details of the incident or incidents, names of the individuals involved, the names of any witnesses and any other evidence in support of your claims.
- All owners will read the respondent's written statement and decide how to best proceed with the investigation.
- The owners will investigate the allegations by interviewing and asking for written statements from witnesses, and by following up with the complainant and the respondent in case more information is required.
- Results of the investigation will be shared with all owners.
 - In any case where there is a reasonable suspicion that criminal actions may have occurred, or are occurring, in addition to the reporting process described herein, the owners may be obligated to report such actions to applicable law enforcement authority and to forward all applicable evidence to such law enforcement authority with respect to such actions.
 - Such actions will be discussed and reported by the owners of Made Up Theatre LLC.
- The owners will take any and all appropriate disciplinary actions which may include, but may not be limited to, written warnings, suspension, banishment, and/or dismissal.
- An owner of Made Up Theatre LLC will meet separately with both the complainant and respondent. In these meetings the complainant and respondent will be issued a formal letter of findings and will discuss any disciplinary actions.
- Retaliation for filing a formal complaint or answering a formal complaint is a breach of these policies and will result in immediate disciplinary actions, which may

include, but may not be limited to, written warnings, suspension, banishment, and/or dismissal.

COMPLAINANT REQUEST FOR CONFIDENTIALITY/PRIVACY

All complaints are handled in a discrete manner and maintained as confidential as possible during any investigation. The owners of Made Up Theatre LLC will not publicly discuss a complaint in open forums (including public spaces, social media and other forums).

A complainant may make a request for confidentiality/privacy at any point. This type of request means that the complainant does not want her/his identity known to the respondent and witnesses. The owners of Made Up Theatre LLC will make all reasonable attempts to comply with a request for privacy or the withdrawal of a report.

CONFIDENTIALITY/PRIVACY & NON-RETALIATION POLICY

Made Up Theatre LLC prohibits any form of retaliation against any member of the community from filing a complaint under this policy, or for assisting or participating in an investigation, proceeding, or hearing. Anyone who files a complaint or cooperates in an investigation of a complaint under this policy will be protected from any retaliatory action as a result of filing such a complaint or cooperating in an investigation.

ANONYMOUS AND VAGUE COMPLAINTS

Made Up Theatre LLC encourages all community members to feel comfortable reporting misconduct. The owners of Made Up Theatre LLC cannot fully investigate anonymous complaints.

However, they will utilize best efforts to investigate all such claims. If you do not feel comfortable filing a formal complaint, you may make an anonymous complaint on the Made Up Theatre's "Contact Us" page with specific details on the incident: <https://madeuptheatre.com/contact-us/>

The owners of Made Up Theatre LLC cannot fully investigate complaints without specific allegations. Complaints must contain specific allegations, dates, details of the incident or incidents, names of the individuals involved, the names of any witnesses, and any other evidence in support of your claims. Complainants submitting complaints without specific allegations will be asked to resubmit their complaint.