

CARNEGIE HALL

WORKING WITH MINORS POLICY

The protection and well-being of children under the age of 18 is of the highest priority to Carnegie Hall, which is committed to providing a safe and secure environment for minors. This policy applies to all activities involving minors operating under the authority and direction of Carnegie Hall, whether on Carnegie Hall premises or offsite (“Carnegie Hall Activities”).

Definitions

“Minor” for purposes of this policy means any person under the age of 18 who is participating in a Carnegie Hall Activity.

“Authorized Adults” for purposes of this policy means all individuals, ages 18 and over, paid or unpaid, who instruct, supervise, chaperone or otherwise oversee Minors in connection with Carnegie Hall Activities. This includes, but is not limited to employees, Ensemble Connect Fellows and alumni, teachers, students, volunteers, interns, consultants, guest artists, production crew and anyone else who participates in any way in a Carnegie Hall Activity that includes Minors.

Written Consent

Any Minor who is not accompanied by a legal guardian must have the written consent of a legal guardian to participate in a Carnegie Hall Activity.

Background Checks

Any Authorized Adult in direct custodial care of a Minor must pass a criminal and sex offender background check.

Group Supervision

Minors must be adequately supervised by their legal guardians or Authorized Adults, including during any transportation specifically coordinated and provided by Carnegie Hall to and from a Carnegie Hall Activity. Carnegie Hall sometimes provides Minors with MetroCards for use on public transportation in New York City—legal guardians are responsible for supervising these Minors’ travel to and from Carnegie Hall Activities. Below are the recommended ratios of Authorized Adults to Minors:

- 5 years & younger = 1 Authorized Adult per 6 Minors
- 6 to 8 years of age = 1 Authorized Adult per 8 Minors
- 9 to 14 years of age = 1 Authorized Adult per 10 Minors
- 15 to 18 years of age = 1 Authorized Adult per 12 Minors

- To the extent practicable, Minors should not be left unattended. Minors under the age of 11 must be supervised at all times.

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- Apart from individual music lessons, Authorized Adults should minimize the amount of 1:1 time spent with Minors and adhere whenever possible to the “rule of three,” with at least two Authorized Adults or two Minors in a group at all times.
- Minors should be restricted from areas in which significant potential safety hazards or liabilities may exist, and where strict safety precautions are required. Examples include, but are not limited to, mechanical rooms, construction zones, food preparation areas, and areas containing power tools or machinery with exposed moving parts.

Individual Coaching

Individual coaching must be conducted whenever possible in a room or other space that is open or with windows, in view from outside the room when the door is closed. Rooms must remain accessible at all times.

Human touch is a common component of music instrument instruction. Illustrating a point about breath control, a woodwind professor or vocal coach may press on a student’s diaphragm, for example.

The pedagogical intent of touch may be less familiar to inexperienced students, however.

Instructors working with Minors should remain mindful of the students’ needs, expectations, and experience. If a Minor appears uncomfortable with any form of physical contact, the Authorized Adult should immediately cease the contact and report the incident to his or her supervisor (if the Authorized Adult is a Carnegie Hall employee) or Carnegie Hall contact (if the Authorized Adult is not a Carnegie Hall employee). Carnegie Hall staff must promptly report any such incidents to the Director of Human Resources.

Some basic guidelines can help reduce the possibility of misunderstanding or discomfort:

- People experience touch in different ways depending on factors such as cultural background, age, gender and personal experience.
- Consider alternatives to touch, such as demonstration or verbal description. A description might explain the position or movement of the body part under consideration and of adjacent parts. Metaphor is another useful type of description.
- It can be helpful to explain at the beginning of instruction why, when and how you might touch a student.
- Limit touch to what is necessary and appropriate for the instructional point.
- Before using touch, consider giving a verbal cue about the touch and its purpose: “Let me adjust your wrist so your hand stays more horizontal.”

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- Verbal cues can be especially important before touching sensitive areas, such as a student's chest, pelvis, buttocks or upper thigh.
- If a student seems uncomfortable or expresses any concerns about touch, acknowledge the matter. Immediately cease the contact and report the situation to your supervisor or, if you are not a Carnegie Hall employee, your Carnegie Hall contact. Carnegie Hall staff will report any such incidents to the Director of Human Resources.

Prohibited Conduct

The following are strictly prohibited (this list is not meant to be exhaustive):

Inappropriate violations of privacy:

- Authorized Adults' intruding in situations such as changing clothes, showering or using the restroom, except where health and safety reasons require such intrusion.
- Nudity or inappropriately revealing attire is never acceptable. Proper clothing must be worn by Authorized Adults and Minors at all times.
- Photographing or making videos of Minors for other than program-related purposes. For program-related purposes, photos or videos may be taken only after the Minor's legal guardian has signed an appropriate waiver.
- Releasing a Minor's personal contact information to third parties without the written consent of the Minor's legal guardian.

Sexual, romantic or intimate activity or language of any kind:

- Engaging in sexual activity or other inappropriate deliberate physical contact or horseplay with, or in the presence of, Minors.
- Making inappropriate or risqué comments to or in the presence of Minors.
- Use of any device capable of recording or transferring visual images is forbidden in showers, restrooms, locker rooms, dressing rooms or other areas where privacy is expected.
- Making sexual materials or pornography in any form available to Minors or assisting them in any way in gaining access to such materials.
- Sending sexually explicit photos or messages and "sexting."
- Picking up or dropping off Minors at the Minors' homes, except if specifically authorized in writing by the Minors' legal guardians.

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- Giving personal gifts of any kind to Minors.

Other abusive behavior:

- Engaging in the use of, or providing Minors with, alcohol, drugs or other illegal substances, or being under the influence of alcohol, drugs or other illegal substances, during Minor programs or activities. This prohibition includes allowing those substances to be used by a Minor in the Authorized Adult's presence.
- Disciplining Minors in any manner involving isolation, humiliation or corporal punishment. Any form of discipline must be constructive and appropriate, given the age of the Minor and the circumstances of the situation.
- Engaging in abusive conduct of any kind, either verbal or physical, toward or in the presence of Minors, including bullying and cyberbullying.
- Retaliating against anyone who, in good faith, raises a suspicion or allegation of inappropriate conduct toward a Minor. Please see Carnegie Hall's Whistleblower Policy, available on the Carnegie Hall website at <http://www.carnegiehall.org/Information/Policies/>.

In addition, other than immediate family members, Minors may not have non-program-participants accompany or visit them during Carnegie Hall Activities, even if desired or approved by the Minor, except with the approval of the relevant Carnegie Hall Program Director.

Reporting Harm to Minors

All Authorized Adults must report suspected child abuse to their Carnegie Hall contact or supervisor. Carnegie Hall staff must promptly report any such incidents to the Director of Human Resources.

If a Minor is in any immediate danger, the Authorized Adult should call 911.

Under New York law, individuals in certain occupations also have a legal obligation to report suspected child maltreatment or abuse, including sexual abuse, to child protective services. Failure to report suspected child abuse may result in the imposition of civil and criminal penalties under New York law, as well as disciplinary sanctions.

Any Authorized Adult who has a reasonable suspicion that a Minor has been physically or sexually abused; physically or emotionally neglected; exposed to any form of violence or threat; or exposed to any form of sexual exploitation; or that this policy may have been violated, must immediately report his or her concerns to the Carnegie Hall program director, manager or representative, who must in turn report the concern to the Carnegie Hall Director of Human Resources, who will determine appropriate next steps. Any uncertainty about whether a report is required should always be resolved in favor of making a good faith report. See Annex A for a list of some common indicators of child abuse or maltreatment.

Some Common Indicators of Child Abuse or Maltreatment

(Source: N.Y.S. Office of Child and Family Services www.ocfs.state.ny.us/main/cps/signs.asp).

This list is not all-inclusive, and some abused or maltreated children may not show any of these symptoms.

Indicators of Physical Abuse can include:

- Injuries to the eyes or both sides of the head or body (accidental injuries typically only affect one side of the body);
- Frequently appearing injuries such as bruises, cuts and/or burns, especially if the child is unable to provide an adequate explanation of the cause (these may appear in distinctive patterns such as grab marks, human bite marks, cigarette burns or impressions of other instruments);
- Destructive, aggressive or disruptive behavior;
- Passive, withdrawn or emotionless behavior; and
- Fear of going home or fear of parent(s).

Indicators of Sexual Abuse can include:

- Symptoms of sexually transmitted diseases;
- Injury to genital area;
- Difficulty and/or pain when sitting or walking;
- Sexually suggestive, inappropriate or promiscuous behavior or verbalization;
- Expressing age-inappropriate knowledge of sexual relations; and
- Sexual victimization of other children.

Indicators of Maltreatment can include:

- Obvious malnourishment, listlessness or fatigue;
- Stealing or begging for food;
- Lack of personal care – poor personal hygiene, torn and/or dirty clothes;

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- Untreated need for glasses, dental care or other medical attention;
- Frequent absence from or tardiness to school; and
- Child inappropriately left unattended or without supervision.