

RESILIENCY AT WORK 2.0[®] Hand-book & Code of Conduct

The Resiliency at Work 2.0 (RW2) Code of Participant Conduct (Code) is to inform participants of their rights and responsibilities. The goal is to outline participants and Program rights; and to promote an education and training experience that is safe, inclusive and free from unnecessary disruption. The Code applies to all locations where a participant is engaged in the Program or a Program related activity. This code also applies to behavior that is a violation of city, state, federal or local laws and may have, or has had, an adverse impact upon RW2.



Participants are required to adhere to the rules, regulations, and policies in the Code. Each participant will sign-off on the Code as an indication of his or her understanding of what constitutes a violation. Participants will receive a signed copy. Participants violating the Code may be removed from the Program until the instructor(s) and program administration determine the appropriate disciplinary action. Resiliency at Work 2.0 (RW2) reserves the right to initiate disciplinary proceedings without a formal allegation by the victim or witnesses of misconduct.

The following violations will result in appropriate disciplinary actions including removal from the Program, returning if allowed, only under contract; or immediate expulsion:

- Possessing, using or carrying of any firearm, ammunition, or weapons under Missouri law (including, but not limited to, pistols, rifles, shotguns, or ammunition), incendiary devices, smoke devices, explosives or other dangerous weapons while on any property where RW2 programs are held. (Exceptions are for police officers and other security personnel specifically authorized by the Program or site.)
- Any actions that cause or attempt to cause a fire, explosion, including bomb threats, or any intentionally false reporting of a fire, or any tampering with the safety devices or the failure to leave program buildings during a fire alarm.
- Fighting, assault, intimidation, threat of bodily harm, stalking, or sexual assault.
- Participating in verbal abuse, intimidation or harassment of instructors, other participants, and staff.
- Failure to comply with verbal or written directions of individuals in authority.
- Engaging in the distribution, possession, use or being under the influence of alcohol, marijuana, an illegal drug/narcotic or other controlled substances, or drug paraphernalia while at or on a program site.

- Participating in gang-related activities that carry-over into the Program or onto any program site.
- Destroying, defacing, or stealing of the program site property, RW2 property, or other participant's property.
- Dishonesty such as cheating, plagiarizing, falsifying information to an RW2 administrator, staff member or instructor.
- Forging, altering, or misusing program documents, records, identification materials, and Internet access.
- Using profanity, obscenities or vulgarities.
- Gambling, wagering, or betting of any type, either on or about any program site premises.
- Participating in unauthorized entry or use of program site facilities and/or equipment.
- Engaging in unauthorized distribution or sale of good or unauthorized postings of materials on any program site bulletin boards or building surfaces.
- Failure to comply with contractual obligations with RW2 (e.g. program payment fees).
- Engaging in unacceptable uses of program-owned equipment and resource materials and/or equipment and resource materials owned by the site where the programming is held.
- Smoking tobacco or marijuana, or using e-cigarettes or vape pens, in any of the RW2 program sites.
- Consuming food or beverages brought to or consumed in the classroom without program administrator or instructor consent.
- Parking of any two-wheel transportation or vehicle in a program site facility.
- Bringing children to a session or leaving children unattended on site while attending any program or related session.
- Bringing animals or pets of any type to any program site, except service animals.
- Inviting friends to the Program, except for special events as specified by RW2.
- Using headphones, cellular phones, pagers, or any similar form of electronic device during sessions.
- Wearing garments that are determined to be disruptive to the education and training process that expose the body or that have profane, obscene or vulgar messages or images.

- Committing a hate crime—a hate crime is a traditional offense like murder, arson, or vandalism with an added element of bias. A hate crime is defined as a criminal offense against a person or property motivated in whole or in part by an offender’s bias against a race, religion, age, disability, sexual orientation, ethnicity, national origin, marital status, gender, or gender identity.
- Commission of bias-motivated offensive conduct, which is behavior that, whether Criminal or not, constitutes a violation of behavioral standards and policies listed in the Code and that is motivated in whole or in part by the offender’s bias toward the victim’s race, religion, age, ethnicity, national origin, gender, gender identity, sexual orientation, marital status, or disability.
- Commission of a criminal act involving dating violence, domestic violence, stalking or sexual assault as defined in the Jeanne Clery Act, as amended by the Violence Against Women Reauthorization Act of 2013, and Missouri State Statutes.
- Violation of a federal or state, felony offense law.
- Violating other conduct policies as stated in other appropriate policies developed for individual sessions or programs.
- Any violation of the RW2 Computer Usage Policy as delineated on any and all course syllabi.

Potential Sanctions for Violations of Prohibited Behaviors

- Restitution: Restitution necessitates compensation for loss, damage, or injury and can take the form of service and or monetary/material replacement.
- Educational Sanctions: Educational sanctions can include one or more of the following: work assignments, community service, behavioral contract, administrative referral, and other related educational assignments.
- Formal Warning: A formal warning stresses to the participant that further violations will result in progressive sanctioning. A participant receiving a formal warning will continue to exercise the rights and privileges of a participant in good standing.
- Conduct Probation: Conduct probation serves as a warning to a participant that they are not in good standing with RW2. Further violations of the Code may result in suspension or dismissal.
- Facility Suspension: The participant no longer has the privilege of entering or using a particular facility or Program property for a specified period of time or until a specific condition is met.
- Facility Expulsion: Facility expulsion involves the permanent loss of privileges to use a building or facility or Program property for an unlimited period of time.
- Loss of Privileges: Loss of privileges involve denial of specified privileges for a given period of time.

- **Barring from Session, Activity or Contact:** The participant is barred from attending a particular session, activity or from contact with specific participants or employees.
- **Suspension:** Suspension involves the termination of a participant's enrollment for a particular period of time, or until specific conditions are met. Suspended participants may not be present on any program site, or at any program sponsored events.
- **Expulsion:** Expulsion involves the termination of a participant's enrollment with RW2. Expelled participants are prohibited from being present on any program site, or at any program sponsored events.
- **Inappropriate or threatening Behavior:** There may be occasions when, in the opinion of the instructor, staff or other participants, inappropriate behavior by a participant involves an imminent threat to safety or threatens to substantively disrupt the education and training process.
- In these circumstances, the instructor or staff member should immediately contact RW2 administration and have the participant removed from the session and notify the executive director of the participant's removal. RW2 will develop an incident report and if the behavior is noncriminal will forward the report to the executive director for a Code review.

Disciplinary Process

- Within three (3) business days after receiving notification of an alleged violation, the program administrator will request that the participant arrange a meeting to discuss the allegations and potential disciplinary action. Notification may be delivered in person and/or sent to the participant's e-mail account.
- At the meeting, the participant has the opportunity to respond to the allegations.
- If the participant does not attend the meeting, the program administrator may proceed to make a decision based on the information gathered.
- Following the meeting, the program administrator will decide whether the participant violated the Code.
- If the program administrator determines that the participant violated the Code, s/he will also determine a sanction, up to and including expulsion.
- Within two (2) business days of the meeting, the program administrator will provide to the participant written notification of the outcome of the case. Notification may be delivered in person, sent by regular mail to the participant's last known address; and/or sent to the participant's e-mail account.
- Should the participant choose to appeal the decision of the program administrator, the participant must send the program administrator a written request delivered in person or through email stating this intention within two (2) business days of the receipt of the letter.
- The program administrator will refer the case to the Executive Director, who may appoint a hearing committee of at least three (3) members to review the case. However, the Executive

Director reserves the right not to appoint a hearing committee to handle the matter and review the matter independently.

- Committee members chosen will have no personal interest or involvement in the case.

For cases involving alleged sexual violence including dating violence, domestic violence, stalking or sexual assault, committee members will have had training in these areas prior to participating in the proceedings.

- The committee will receive the case file for review.
- The participant will have access the case file
- If the participant fails to appear before the hearing committee, the sanction imposed by the program administrator will be implemented upon the recommendation of the Executive Director.
- Proceedings will be closed to all, unless the participant requests an open hearing, but members of the hearing committee, the participant, the complainant, their advisors, and any witness(es) giving testimony.
- The hearing will be recorded. The recording will remain the property of the Program.
- The complainant and respondent may submit questions to the hearing committee chair but may not question any witnesses directly.
- The complainant and respondent will be informed that s/he may have other support person(s) present at the hearing, but these persons will be observers only and cannot participate. Both must inform the program administrator at least one (1) business day prior to the hearing if any support persons will be present.
- The chair may exclude repetitious or irrelevant evidence or questions deemed improper.
- The complainant and respondent will be given the opportunity to testify and introduce evidence and call up to two (2) witnesses each to speak on their behalf. At the discretion of the Program, testimony may be provided remotely.
- Upon request of the participant, the complainant, or member of the hearing committee, the chair may call individuals as witnesses. RW2 participants and employees are expected to comply.
- Neither the participant nor any witnesses may be compelled to incriminate themselves. Refusal to testify is not a code violation.

Allegations Involving Alleged Sexual Harassment or Sexual Offenses or Sexual Violence

If the allegations relate to conduct involving alleged sexual harassment or sexual violence including dating violence, domestic violence, stalking or sexual assault the following additional procedures apply:

- The Program will protect the confidentiality of the victim (complainant) but will share information where necessary to provide accommodations or protective measures. Protective measures may include one or more of the sanctions listed in the Potential Sanctions for Violations of Prohibited Behaviors section above.
- The complainant will be informed in writing if the program administrator determines that no grounds or insufficient grounds exist to believe that a violation occurred and dismisses the allegations.
- The complainant will be informed in writing if a hearing is scheduled for the

participant against whom the allegations have been made and that s/he may attend the hearing. Upon request, the complainant will be provided with a copy of the written notice of the complaint sent to the participant.

- The complainant and participant will be informed that s/he may have other support person(s) present at the hearing, but these persons will be observers only and cannot participate. Both must inform the program administrator at least one (1) business day prior to the hearing if any support persons will be present.
- If the complainant believes there are witnesses in addition to those listed in the tentative list of potential witnesses provided to the participant who should testify at the hearing, s/he must notify the program administrator in writing of the identity of those witnesses and the expected nature of their testimony. The complainant may request to review copies of all written evidence that the program administrator has which may be presented at the hearing. If the complainant has additional written evidence that s/he desires to be presented at the hearing, s/he must provide copies to the program administrator.
- Any notice regarding witnesses or copies of written evidence must be provided to the program administrator at least two (2) business days prior to the scheduled date of the hearing. The program administrator will decide prior to the hearing whether to present the additional witnesses or written evidence suggested by the complainant and inform the complainant of the decision as soon as possible prior to the start of the hearing.
- If the complainant is a witness at the hearing, the participant will not be permitted to directly question or cross-examine the complainant. If the participant wants to present questions to the complainant, s/he must write the questions down and ask the chair of the hearing committee to ask them. The decision of whether to ask these questions will be made by the chair.
- Proceedings will be completed within three (3) business days after the scheduled hearing date. If an extension is required to complete the proceedings for good cause written notice will be provided to the complainant and participant with a reason for the delay.
- The complainant will be sent a copy of the written decision of the hearing committee including the result stating both the sanctions and rationale for the result.
- Any access, notice or other opportunities provided to the complainant under this section will be available to any legally identified survivors.
- The access of the participant and the complainant to information about the other may be limited by laws relating to confidentiality or privacy, and in some cases, these procedures may be adjusted to comply with such laws.
- Deliberations of the committee will be closed.
- The evidence presented supporting the alleged violation must more likely than not to be true, meaning there is a preponderance of the evidence that the allegation is true.

Recommendation

- Within two (2) business days of the conclusion of the hearing, the written

recommendation of the committee will be furnished to the program administrator and the executive director. The program administrator will deliver in person, by U.S. mail, and/or by e-mail to the participant. The complainant and the executive director will also receive these materials.

Re-Admission Process

- Following a suspension, participants may request, in writing including email, re-admission to RW2. The written request should be submitted to the program administrator. All sanction requirements must be documented and completed. The request will be reviewed and the participant will meet with the program administrator.

Failure to Complete a Mandatory Sanction

- Failure to complete a required sanction is a serious offense. It is considered an additional violation of the Code, and will usually result in more serious sanctions being imposed. Participants failing to complete sanctions by the required deadlines may be suspended or expelled from the Program.

Confidentiality

- Disciplinary matters are kept confidential to the extent required by law.

Date: _____

Full Name (Printed): _____

Signature: _____