

SEXUAL HARASSMENT POLICY

It is the policy of the Miss America Organization that all employees, volunteers and contestants should be able to enjoy an environment free from all forms of discrimination including sexual harassment. To that end, sexual harassment of any contestant, volunteer or employee by any employee, volunteer, participant or patron, will not be tolerated and is strictly prohibited by the Miss America Organization, as well as by state and federal law.

Courts have identified two types of unlawful sexual harassment: (1) quid pro quo or "tangible job benefits" harassment and (2) "hostile environment" harassment.

Quid pro quo harassment occurs when the receipt or denial of a tangible job benefit, such as a promotion or raise, is conditioned upon submission to unwelcome sexual conduct or requests. On the other hand, hostile environment sexual harassment does not involve the loss or gain of any tangible job benefit. Rather, the person is forced to work in an environment that has become "oppressive" or "offensive" because of the pervasive, unwelcome conduct of co-workers, supervisors, or patrons based upon sex.

The following are examples of behaviors which, depending upon the circumstances, may be considered sexual harassment:

- leering at one's body
- whistling at someone or cat calls
- unnecessary touching
- subtle or overt pressure for sexual favors
- making unwanted sexual compliments, innuendoes, suggestions or jokes
- remarks about a person's physical anatomy or characteristics
- turning work discussions into sexual topics.

These examples are just a few descriptions of behaviors which may constitute sexual harassment and the list is not meant to be exhaustive but rather merely illustrative of the type of behavior which may constitute sexual harassment.

If you believe that you are a victim of sexual harassment or have knowledge that this kind of behavior is occurring, please immediately report that conduct, orally or in writing, to the Executive Director/President or to the Chairman of the Board of Directors of your State or Local Pageant or the Miss America Organization, as appropriate. No disciplinary or retaliatory action will be taken against anyone for reporting sexually harassing conduct.

Once a complaint is received, an investigation of the conduct complained of will be undertaken and appropriate action will be taken in response to the complaint. The investigation will be conducted in as timely and as confidential a fashion as practical in light of all of the surrounding circumstances, including, but not limited to, the business needs of the State or Local Pageant or of the Miss America Organization, as appropriate. The complaining person(s) and the accused person(s) will be notified of the outcome of the investigation. If, as a result of the investigation, an employee, volunteer, contestant or patron is believed to have engaged in sexually harassing behavior, that person will be subject to immediate disciplinary action up to and including termination or dismissal and/or banning from participation in the Pageant in the discretion of the State or Local Pageant or the Miss America Organization, as appropriate.

If a complaining person is dissatisfied with the outcome of an investigation, he/she may appeal the decision to the Board of Directors of the State or Local Pageant or of the Miss America Organization, as appropriate, by making a written request for review to a member of the Board of Directors within three (3) days of notification of the outcome of the investigation. The Board of Directors will review the investigation conducted and may, in its sole discretion, request that further investigation be undertaken. The Board of Directors will 1) render its decision on the appeal within ten (10) days of receipt of the same, or 2) contact the appealing party and inform him/her that further review is needed. The complaining person(s) and the accused person(s) will be notified of the outcome of the Board of Directors' review by the Chairman of the Board of Directors or his/her designee.

I HAVE READ AND UNDERSTAND THIS POLICY

CONTESTANT SIGNATURE