

CLEARWOOD COMMUNITY ASSOCIATION
BACKGROUND CHECK AUTHORIZATION
BOARD CANDIDATES, VOLUNTEERS AND STAFF

Applicant's Name: (Print) _____
First Middle Last

Alias/Maiden Name: (Print) _____

Date of Birth: (Month/Day/Year) _____

Sex: _____

Race: _____

Please answer YES or NO to these questions:

(a) Have you been convicted of a crime?

Answer: (Circle one) **YES NO**

(b) Have you had findings made against you in any judicial or administrative adjudicative proceeding that results in a finding of, or upholds an agency finding of, domestic violence, abuse, sexual abuse, neglect, abandonment, violation of a professional licensing standard regarding a child or vulnerable adult, or exploitation or financial exploitation of a child or vulnerable adult under any provision of law? (See Note)

Answer: (Circle one) **YES NO**

(c) Have you had both a conviction under (a) above and findings made against you under (b) above?

Answer: (Circle one) **YES NO**

Note: "Civil adjudication proceeding" includes judicial or administrative findings that become final due to the failure of the alleged perpetrator to timely exercise a legal right to administratively challenge such findings.

I hereby authorize Clearwood Community Association and its designated agents and representatives to conduct a Criminal Background Check. I am the person named as the applicant. This is my true and complete legal name and all information provided is true and correct to the best of my knowledge:

Applicant Name (Print) _____ Date _____

Signature _____ Email _____

Clearwood Community Association
Volunteer Discrimination, Harassment, and
Retaliation Policy and Reporting Procedures

The Clearwood Community Association (CCA) and its Board of Directors (BOD) believes that every volunteer, including Board members, has the right to volunteer in surroundings that are free from unlawful discrimination, harassment, and retaliation. This Policy sets forth CCA's commitment to maintaining an environment free from all forms of discrimination and harassment. CCA strictly prohibits unlawful discrimination and harassment and prohibits retaliation for appropriate reporting of such conduct. CCA complies with all applicable Federal and State of Washington laws and ethical business practices. All CCA volunteers, including Board members, are required to comply.

CCA takes immense pride in providing its members with the highest quality services. CCA therefore expects its volunteers, including Board members, to treat each other, all Association Members, employees, and all third-party contractors with the utmost respect and in full compliance with all applicable laws and CCA policies. Volunteers, including Board members, are encouraged to address questions or concerns about this policy to the chair of their committee (if applicable) and the General Manager (or the Board President if the General Manager is involved), and the General Manager (or Board President) will immediately contact Counsel. This is considered the Chain of Reporting in all matters regarding this policy, in the required order of approach. Skipping steps within the Reporting Chain may be appropriate only if one of the named persons is unavailable or directly involved.

Allegations of discrimination and harassment will be promptly addressed pursuant to the procedures set forth below, and appropriate action will be taken. CCA will strictly enforce all provisions of this Policy and Complaint Procedures.

Discrimination Prohibited

CCA prohibits unlawful discrimination by volunteers, including Board members, or staff based on race, color, religion, creed, national origin, age, sex, marital status, disability, sexual orientation, gender identity, citizenship, genetic information, familial status, veterans' status, military status, pregnancy or maternity status, HIV/Aids/Hepatitis C status, domestic violence victim status, or any other legally protected classification under applicable state or federal laws.

Prohibited discrimination includes, but is not limited to, discrimination in appointment, training, evaluation, or appointment to or removal from committee or Board positions or other responsibilities.

Harassment Prohibited

CCA is committed to maintaining an environment free from inappropriate, disrespectful, intimidating, and coercive conduct, and to preventing and eliminating all forms of harassment. This policy prohibits harassment based on a legally protected classification under applicable state or federal laws. (Harassment based on gender is specifically addressed below under "Sexual Harassment Prohibited.") Harassment is conduct that has the purpose or effect of unreasonably interfering with an individual's work or volunteer conditions or performance; or creating an intimidating, hostile or offensive environment. Harassment comes in many different forms,

including, without limitation, the following: (i) verbal harassment such as jokes, epithets, slurs and unwelcome remarks about an individual's body, dress, clothing, color, religion, physical appearance or talents, derogatory comments, questions about a person's sexual practices and/or patronizing terms or remarks; (ii) physical harassment such as physical interference with normal work, impeding or blocking movement, assault, unwelcome physical contact or touching, staring at a person's body, or threatening, intimidating or hostile acts that relate to a protected characteristic; and (iii) visual harassment such as offensive or obscene photographs, calendars, posters, cards, cartoons, drawings and gestures, displays with sexually suggestive or lewd objects, unwelcome letters or notes or any other graphic material that denigrates or shows hostility or aversion toward an individual because of the individual's protected characteristic.. When CCA becomes aware of an incident of unlawful harassment, it will investigate and respond appropriately. CCA is committed to stopping harassment even if it does not rise to the level of a legal violation.

Sexual Harassment Prohibited

CCA specifically prohibits any volunteer, including Board members, from sexually harassing anyone, including employees, other volunteers, Board members, community members, or third parties such as vendors or contractors. This policy explicitly incorporates and prohibits sexual harassment as a form of gender discrimination. Sexual harassment includes, without limitation, any unwelcome conduct of a sexual nature. It may be conduct toward an individual of the opposite sex or the same sex.

Sexual harassment may include, without limitation, unwelcome sexual advances, requests for sexual favors, other verbal, visual or physical conduct of a sexual nature, sharing or displaying sexually suggestive objects or pictures, sexually explicit or offensive jokes or engaging in any sexually - oriented conduct which unreasonably interferes with another's performance or creates an environment that is intimidating, hostile or offensive.

Sexual Violence Prohibited

This policy explicitly incorporates and prohibits sexual violence. Sexual violence is a physical act of a sexual nature or purpose that includes, without limitation, aggression, coercion, assault, rape, unwanted or forced sexual activity and/or lewd or unwanted exposure to private parts. Sex with a drugged or intoxicated person constitutes sexual violence. When CCA becomes aware of any incident of sexual violence it will take prompt corrective action and shall also notify the appropriate police department.

Reporting

CCA vigorously enforces its prohibitions against discrimination and harassment. Any CCA volunteer, including Board member, who feels that they or others may have been subject to discrimination or harassment shall bring the matter to the immediate attention of an appropriate person within the Reporting Chain as soon as possible.

Board Member Reporting and Monitoring

All Board members must immediately report to the General Manager and/or Board President all instances of discrimination or harassment of which they are aware, whether resolved or not.

It is the direct responsibility of all Board members to:

- Ensure that all employees, volunteers, and Board members are made aware of this policy, the types of conduct prohibited by it, and the avenues available for resolution of violations.
- Monitor their respective areas for violations of this policy.
- Attentively listen to allegations of policy violations brought to their attention.
- Follow reporting requirements stated above.
- Eliminate or minimize the potential for retaliation as defined by this policy.

Threats of Physical Harm

In situations where a volunteer, including a Board member, reasonably believes there is imminent danger of serious bodily harm to a volunteer, including another Board member, the volunteer should take immediate and appropriate action, including promptly notifying an appropriate person within the Reporting Chain, separating the Complainant and Respondent, and notifying the authorities if necessary. The General Manager and Board President or Vice President will each promptly ensure they all are fully apprised of the situation, unless involved.

Retaliation Prohibited

CCA prohibits retaliation or reprisal of any kind against any volunteer, including a Board member, for any good faith report of discrimination or harassment, or participation in an investigation of such a claim. Retaliation may include, without limitation, verbal or written comments; intimidation; denial of reasonable and standard requests; denial of regular assignments; assignment of additional or unreasonable tasks, or other forms of verbal or non-verbal communication. Such retaliatory action shall be regarded as a separate problem, subject to a separate complaint, distinct from the initial allegation of discrimination or harassment. Volunteers, including Board members, who believe that they have experienced such retaliation should notify an appropriate person within the Reporting Chain as soon as possible.

Any individual who is found to have engaged in retaliatory conduct will be subject to appropriate corrective action, up to and including termination or removal from Board or committee positions or other responsibilities.

If an initial discrimination or harassment complaint includes a report of threatened retaliation, or if the complainant has good reason to fear retaliation, the General Manager shall take appropriate action to eliminate or minimize the potential for retaliation, unless involved. If the General Manager is involved, the person within the Reporting Chain who received the report bears that responsibility.

Malicious, Frivolous, and "Bad Faith" Allegations Prohibited

This policy prohibits any individual from knowingly filing a false report of discrimination or harassment or from filing a complaint in bad faith or solely for a malicious or frivolous purpose. If it is determined that a complaint is malicious or frivolous in nature, the complainant may be subject to disciplinary action, including termination or removal from Board or committee positions or other responsibilities.

Free Speech Not Prohibited

Nothing in this policy should be construed to prevent or discourage the free exchange and expression of diverse ideas and information, including the right to dissent or protest. CCA encourages such discussions and expressions when conducted in a respectful manner.

Complaint Procedures:

Purpose

The following procedures provide for the resolution of complaints alleging violations of this Policy. These complaint procedures are available to any person who, at the time the alleged offense occurred, was a CCA volunteer or Board member; or who was a volunteer (including Board member), or Association Member with a complaint against another volunteer, including Board member, or a CCA employee, vendor or contractor. These procedures ensure that a fair and impartial review of each complaint will be conducted in order to establish whether a Policy violation has occurred. The Board is responsible for approving and ensuring appropriate implementation of these procedures.

Definitions

Throughout this section:

- The term "Complainant" refers to any person who files a complaint alleging a violation of the Policy.
- The term "Respondent" refers to a person (or persons) accused of such a violation. The Respondent may be an employee, volunteer (including Board member), community member or third person, such as a vendor or contractor.
- The term "Parties" refers jointly to the Complainant(s) and Respondent(s).

Confidentiality

CCA is committed to providing an environment in which persons aggrieved may step forward with claims of discrimination and harassment safely, with dignity, and without fear of reprisal. While CCA will make every effort to maintain confidentiality for the Complainant and Respondent, CCA must act to eliminate any discrimination and harassment. CCA cannot promise absolute confidentiality. CCA will not disclose information obtained in connection with any investigation unless a legitimate business reason or legal requirement supports disclosure.

Investigations

CCA takes all credible, good faith reports of discrimination, harassment and retaliation seriously and conducts, as appropriate, an informal resolution or formal investigation. All informal resolutions and formal investigations will be conducted promptly and should be completed within twenty (20) working days, unless compelling reasons exist requiring an extension. CCA requires volunteers, including Board members, to cooperate in any informal resolution or formal investigation, whether or not they are directly involved in the alleged misconduct.

If it is determined that a formal investigation is warranted, the General Manager, if available and not involved, shall be immediately informed. The General Manager, Board President or an outside professional investigator hired by Association Counsel (collectively referred to as "investigator") will conduct a formal and comprehensive investigation. The investigator acts solely as a neutral factfinder whose work is confidential to CCA as attorney work-product. Based on their investigation, the investigator determines whether the facts support the allegations and whether this Policy has been violated. The investigator - if an outside investigator, in consultation with and approval by the General Manager and/or Board President - may make a report and recommendations to Association Counsel.

Formal investigations will generally be conducted as follows:

1. The General Manager and/or Board President will notify the Respondent and the committee chair, if applicable, that a complaint has been filed, that a formal investigation will be conducted, and of the confidentiality requirement. The General Manager and/or Board President will request the committee chair, if applicable, to monitor for any conduct that may be considered retaliatory against the Complainant.
2. The investigator will separately interview the Complainant and Respondent, explaining the allegations, the investigator's role, the investigation process, confidentiality and its limitations, and the prohibition against retaliation. The Complainant will be asked to confirm the allegations to be investigated.
3. The investigator may interview any potential witnesses identified as having relevant information. The investigator will review all relevant documentation provided by the Parties or obtained through their investigation, and the investigator may review the Parties' past complaints.
4. Based on its formal investigation, the investigator will make a determination on whether credible facts support the allegations, and whether the Policy has been violated. The investigator may make credibility assessments when necessary.
5. If the investigator determines there is insufficient basis to conclude a Policy violation has occurred, this will conclude their investigation. However, the General Manager may recommend that the Board President address conduct that does not violate the Policy, but could be considered inappropriate, unprofessional, or detrimental to the well-being of CCA.
6. If the investigator determines there is reasonable cause to believe that a Policy violation has occurred, the investigator will discuss their findings and recommendations. The General Manager and/or Board President, after legal consultation, will implement any necessary corrective or disciplinary action found necessary by them, up to and including termination or removal from Board or committee positions or other responsibilities, and/or any other action deemed appropriate under the circumstances.

Rights and Responsibilities of the Parties:

The Complainant has the right to take complaints to the Equal Employment Opportunity Commission or the Washington Human Rights Commission at any time during the complaint resolution or investigation process.

During a formal investigation or an informal resolution, volunteers, including Board members, are expected to:

- Cooperate fully throughout the formal investigation and be completely honest in answering questions and providing information.
- Provide the investigator with all information and documentation that may be relevant to this matter as soon as possible.
- Refrain from discussing this formal investigation with the opposing party or with any person who does not have a legitimate business need to know this information.
- Refrain from any conduct that may be construed as retaliatory against a Complainant for filing a complaint.

Complaints Against Outside Individuals:

CCA will address all credible, good faith allegations of discrimination and harassment against its volunteers, including Board members. When such allegations involve actions by non-CCA

individuals, such as vendors, contractors, or guests, CCA will make all reasonable efforts to resolve the situation. These efforts may include, without limitation, the following:

- Preventing the Respondent from entering onto CCA property.
- Conducting an informal and/or formal investigation to the extent possible.
- Contacting the Respondent's employer and/or human resource director.
- Arranging for a substitute vendor or contractor pending a formal investigation.

Questions Regarding This Policy:

Questions regarding this policy should be directed to the General Manager or Board President. The General Manager can be reached by telephone at (360) 894-2941 and by email at gm@clearwood.org.

PLEDGE

I have read the Volunteer Discrimination, Harassment, and Retaliation Policy and pledge to act in accordance with my obligations as described herein:

Signature: _____

Date: _____

Print Name: _____

It will be the responsibility of the Secretary to maintain signed copies of this document by each volunteer, including Board members, and to provide documented signatory inventory whenever requested.

CLEARWOOD COMMUNITY ASSOCIATION ETHICS AND PROFESSIONAL CONDUCT POLICY

The Clearwood Community Association (CCA) Board of Directors (Board) has adopted the following Ethics and Professional Conduct Policy intended to establish basic guidelines for ethical and professional conduct for its Board members and Volunteers. It is intended that this policy be reviewed and acknowledged upon appointment and on an annual basis thereafter.

Professional Conduct

Board Directors and Volunteers are expected to conduct themselves with the highest level of integrity, respect and appropriate professional demeanor at all times when representing the community.

Conflicts of Interest

Conflicts of Interest occur when Directors or Volunteers make proposals or share in decisions that materially benefit themselves or their friends or family members, to a degree greater than the overall membership, at the expense of the Association. Accordingly, no Director or Committee member may:

- Solicit or receive any compensation from the Association for serving on the Board or any Committee
- Make commitments or promises outside the scope of a business relationship to vendors or contractors unless with prior approval from the Board
- Solicit or receive any gift, gratuity, favor, entertainment, loan, or any other thing of value for themselves or their friends or family members from a person or company who is seeking a business or financial relationship with the Association
- Seek preferential treatment for themselves or their friends or relatives.
- Use Association property, services, equipment, resources or business for the gain or benefit of themselves or their friends or family members, except as is provided for all members of the association.
- Seek paid employment with the Association within one year of serving the association as a Board Director.
- Personally benefit to a degree greater than the overall

membership from any proposal, contract, or business transaction which they had a role in creating, writing or performing as a Board or Committee member.

Confidential Information

Directors and Volunteers are responsible for protecting the association's confidential information, except when disclosure is duly authorized by the Board or legally mandated. No Director or Volunteer may disclose confidential information, whether intentionally or passively. Confidential information includes but is not limited to:

- all personally identifiable information and data, and/or information that belongs to the Association
- Private personnel information of the Association's Employees to include Disciplinary Actions
- Sanctions against members of the Association
- Executive Session discussions by the Board
- Assessment collection information against members of the Association
- Legal disputes in which the Association is or may become involved.
 - Individuals subject to this policy may not discuss such matters with persons not on the Board without the prior approval of the Association's legal counsel.
 - Failure to follow these restrictions could constitute breach of the attorney-client privilege and could result in loss of protection of confidential information

Misrepresentation

Directors and Volunteers may not knowingly misrepresent facts. All Association data, records and reports must be prepared with accuracy and integrity.

Proper Decorum

Directors and Volunteers are obligated to act with proper decorum. Although they may disagree with the opinions of others they must act with respect and dignity and conduct themselves with courtesy toward one another and toward managing agents, vendors and members of the Association.

Directors and Committee members

Directors and Committee Members shall make themselves fully knowledgeable about the expectations of their position, as well as its limitations. All Officers act at the direction of the Board: no one office is supervisory over other officers or directors.

- Abide by the decisions of the majority, including decisions with which they may disagree.
- Respect the ideas of other Directors/Committee members and refrain from personal criticisms.
- Avoid saying or doing anything that would impede the acceptance of Board or Committee decisions or otherwise discourage their acceptance by Association residents.
- Directors shall act in accordance with Board decisions and shall not act unilaterally or contrary to the Board's decisions.
- Committee members shall act in accordance with Committee decisions and shall not act unilaterally or contrary to the Committee's decisions.
- It is unethical for Board members and Volunteers to engage in inappropriate and unprofessional conversations, social media postings, or distribution of materials that are offensive in nature to an individual or group. Such behavior will not be tolerated. Name calling and otherwise profane or discriminatory language are also contrary to professional ethical behavior.

WHEN CONFLICTS OF INTEREST and/or POLICY VIOLATIONS ARISE

Situations may arise that are not expressly covered by this policy or where the proper course of action is unclear. Directors and Committee members should immediately raise such situations with the Board. If appropriate, the Board will seek guidance from the Association's legal counsel.

Disclosure and Recusal

Directors and Volunteers must immediately disclose the existence of any conflict of interest, whether their own or someone else's. Directors and volunteers must withdraw from participation in decisions in which they have a material interest to

a greater degree than the membership at large.

Violations of Policy

Directors and Volunteers who violate the Association's Ethics Policy are deemed to be acting outside the course and scope of their authority. Anyone in violation of this policy may be subject to disciplinary actions, including, but not limited to:

- Removal from Committees.
- Removal as an officer of the Board.
- Request for resignation from the Board.
- Recall by the membership, and/or
- Legal proceedings.

Prior to taking any of the actions described above, the Board shall appoint an investigative panel of 3 members not consisting of other Board Directors to review the violation and make a written report. Findings will be presented to the Board to determine sanctions. All members of the Board shall attend this meeting either in person or by phone, except in the case of a reasonable emergency or travel situation.

PLEDGE

I have read the Ethics and Professional Conduct Policy and pledge to act in accordance with my obligations as described herein:

Signature: _____

Date: _____

Print Name: _____

(Sign here and keep for your records. Sign the next page and give to the Secretary.)

It will be the responsibility of the Secretary to maintain copies of this document signed by each member, and to provide documented signatory inventory whenever requested

ETHICS AND PROFESSIONAL CONDUCT POLICY

PLEDGE

I have read the Ethics and Professional Conduct Policy and pledge to act in accordance with my obligations as described therein:

Signature: _____

Date: _____

Print Name: _____

(Sign here and turn this in at the Office, addressed to the
attention of the Board Secretary)

It will be the responsibility of the Secretary to maintain copies of this document signed by each member, and to provide documented signatory inventory whenever requested

**VOLUNTEER PARTICIPANT
WAIVER OF LIABILITY AND ASSUMPTION OF RISK
PLEASE READ CAREFULLY**

WHEREAS, the Undersigned has requested permission to participate as a volunteer in the Clearwood Community Association ("CCA") programs, operations, and/or maintenance (the "Volunteer Activities");

WHEREAS, the Undersigned agrees to partake in the Volunteer Activities voluntarily by donating his/her time and labor by their own free choice;

WHEREAS, the Undersigned agrees to perform all Volunteer Activities in a responsible manner.

NOW THEREFORE, in consideration of CCA allowing the Undersigned to participate in the Volunteer Activities, the Undersigned hereby agrees:

1. Site Condition and Assumption of Risk: The Undersigned represents and warrants that he/she understands: (i) that the areas on, underneath, around and above the Volunteer Activities have not been assessed for safety, including but not limited to stability, falling debris, and/or trip and fall hazards and is, therefore, presumed dangerous; (ii) that other persons, machinery, or equipment may be present and operating in the area on, underneath, around and above the Volunteer Activities; (iii) that the equipment used for the Volunteer Activities has not necessarily been assessed for safety and is, therefore, presumed dangerous; (iv) that participation in the Volunteer Activities is being arranged at the request of the Undersigned, and; (v) that the ability to participate in the Volunteer Activities is of substantial personal benefit to the Undersigned and thereby provides adequate consideration for this Agreement. The Undersigned hereby assumes all risk of property damage, injury, or death while participating in the Volunteer Activities.

2. Release, Indemnification, and Hold Harmless: **FOR AND IN CONSIDERATION OF CCA ALLOWING THE UNDERSIGNED TO PARTICIPATE IN THE VOLUNTEER ACTIVITIES, THE UNDERSIGNED FOR HIMSELF/HERSELF, THEIR MARITAL COMMUNITIES, HEIRS, EXECUTORS, AND ASSIGNS DOES HEREBY FOREVER RELEASE, INDEMNIFY, AND HOLD HARMLESS CLEARWOOD COMMUNITY ASSOCIATION, ITS DIRECTORS, EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS FROM ALL CLAIMS, DAMAGES, DEMANDS, OR INJURIES OF ANY KIND (ANTICIPATED OR UNANTICIPATED) OR NATURE (UP TO AND INCLUDING DEATH) ARISING OUT OF OR RELATING TO THE UNDERSIGNED'S PARTICIPATION IN THE VOLUNTEER ACTIVITIES.**

3. Exclusion of the Undersigned: CCA reserves the right to exclude any person from the Volunteer Activities as necessary for any reason or no reason at all. CCA's determination in this regard shall be final.

4. Photo Release: The undersigned gives his/her permission to have photos and/or video recordings taken of themselves or their child(ren) for publicity purposes during Volunteer Activities even though they will not receive compensation of any kind for appearing in such photos or video recordings.

5. Entire Agreement: This Waiver is the entire agreement between CCA and the

Undersigned regarding participation in the Volunteer Activities. There are no other oral or written agreements which have not been incorporated herein. The representations, warranties, release, indemnification, and hold harmless shall survive the Undersigned's cessation of Volunteer Activities.

CAUTION

THIS AGREEMENT CONTAINS A RELEASE, INDEMNIFICATION, AND HOLD HARMLESS AGREEMENT

I, the Undersigned, acknowledge that I have carefully read this WAIVER OF LIABILITY AND ASSUMPTION OF RISK and fully understand that I am waiving any right that I may now or hereafter have to bring a legal action to assert any claim against the Clearwood Community Association in connection with my participation in Volunteer Activities.

I accept the conditions printed above:

Participant Signature ("Undersigned")

Date

PRINT Participant Name

A parent or guardian signature is required if the participant is under 18 years of age. By signing this **WAIVER OF LIABILITY AND ASSUMPTION OF RISK** on behalf of a minor, the Undersigned parent or guardian is agreeing to be bound by the above conditions on behalf of him or herself and on behalf of the minor participant.

Parent or Guardian Signature

Date

PRINT Name of Minor Participant(s)

CLEARWOOD COMMUNITY ASSOCIATION VOLUNTEER LIABILITY WAIVER

Volunteer Name: _____

Address: _____

City/State/Zip: _____

Phone (Home): _____ (Other): _____

Email: _____

EMERGENCY CONTACT INFORMATION:

In Case of Emergency Contact: _____

Relationship: _____

Address: _____

City/State/Zip: _____

Phone: _____