

## **EDISON BETHUNE CHARTER ACADEMY**

### **GENERAL COMPLAINTS** **POLICY**

Edison Bethune Charter Academy (“EBCA”) has adopted this General Complaints Policy to address concerns about EBCA generally and/or regarding specific EBCA employees. For complaints regarding harassment, discrimination, unlawful tuition, or other specific perceived violations of state or federal laws, please refer to EBCA’s Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy Anti-Discrimination and/or EBCA’s Uniform Complaint Procedures. For all other complaints, this Policy, the General Complaint Form, and accompanying procedures will be appropriate. For any questions regarding the application of this Policy or the Charter School’s other policies, please contact the Executive Director/Principal at:

Rodolfo Garcia  
Edison Bethune Charter Academy  
Executive Director/Principal  
1616 S. Fruit Street. Fresno, CA 93706  
Telephone Number: (559) 457-2530

### **INTERNAL COMPLAINTS**

(Complaints by Employees against Employees)

This section of the Policy is for use when an EBCA employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed:

1. The complainant will bring the matter to the attention of the Executive Director/Principal as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate. The complainant will reduce his or her complaint to writing by completing the General Complaint Form, below, indicating all known and relevant facts. The Executive Director/Principal (or designee) will then investigate the facts and provide a solution or explanation; or
2. If the complaint is about the Executive Director/Principal, the complainant may file his or her complaint using the General Complaint Form below, to the Chair of the Board of Directors of EBCA (“Board”), who will then confer with the Board and may conduct a fact-finding investigation or authorize a third party investigator on behalf of the Board. The Chair or investigator will report his or her findings to the Board for review and action, if necessary.

This Policy cannot guarantee that every problem will be resolved to the employee’s satisfaction.

However, EBCA values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

### **POLICY FOR COMPLAINTS GENERALLY**

(General Complaints by Third Parties against EBCA or EBCA Employees)

This section of the Policy is for use when either a complaint does not fall under other complaint procedures or a third party (non-employee) raises a complaint or concern about EBCA generally, or an EBCA employee.

If reasonably possible, third-party complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the Charter School employee directly. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed:

- 1) Complainants may file a written complaint, using the General Complaint Form, below, with the office of the Executive Director/Principal or Board Chair (only if the complaint concerns the Executive Director) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.
- 2) The Executive Director/Principal or designee shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the Executive Director/Principal or designee shall talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain said facts; and
- 3) In the event that the Executive Director/Principal (or designee) finds that a complaint is valid, the Executive Director/Principal (or designee) may take appropriate action to resolve the problem. Where the complaint is against an employee of EBCA, the Executive Director/Principal or designee may take disciplinary action against the employee. As appropriate, the Executive Director (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
- 4) The Executive Director's (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of EBCA. The decision of the Board of Directors shall be final.
- 5) If the complaint is about the Executive Director/Principal, the complainant may file his or her complaint in using the General Complaint Form, below, to the Chair of the Board, who will then confer with the Board and may conduct a fact-finding investigation or authorize a third-party investigator on behalf of the Board. The Chair or investigator will report his or her findings to the Board for review and further action, if deemed necessary by the Board.

### **GENERAL REQUIREMENTS**

1. Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.

2. Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board, Executive Director/Principal, or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

**GENERAL COMPLAINT FORM**

Your Name: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Alleged Incident(s): \_\_\_\_\_

Name of Person(s) you have a complaint against: \_\_\_\_\_

\_\_\_\_\_

List any witnesses that were present: \_\_\_\_\_

\_\_\_\_\_

Where did the incident(s) occur?

\_\_\_\_\_

Please describe the circumstances, events, or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I hereby authorize EBCA to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

\_\_\_\_\_  
Signature of Complainant

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

To be completed by EBCA:

Received by: \_\_\_\_\_

Date: \_\_\_\_\_