

Urban Pathways K-5 College Charter School

Board of Trustees Policy

EMPLOYEE COMPLAINT POLICY

The Board of Trustees ("Board") of Urban Pathways K-5 College Charter School ("Charter School") has developed this policy to provide open and constructive methods by which to entertain and resolve legitimate employee complaints. If a more formal process is required, the CEO shall develop procedures in accordance with the guidelines set forth below which are overseen for implementation by the Director of Human Resources.

If the complaint involves any form of discrimination, harassment and/ or possible criminal actions against a Charter School employee, the Director of Human Resources, as the Equal Employment Officer, shall investigate the complaint in accordance with the Board's approved Anti-Harassment and Anti-Sexual Harassment Policies as more fully explained below.

At no time shall a Charter School Trustee or employee retaliate in any way against a Charter School employee who has or is participating in the complaint or investigation process. Any retaliation by a Charter School employee shall be handled as a most serious offense by the appropriate level of jurisdiction, including possible referral to the appropriate law enforcement agencies. Equally serious is a complaint that is not made in good faith or based upon false information. Disciplinary action, up to and including termination, may be taken against an employee who files such a complaint.

Definition

For purposes of this policy, the following definition applies:

Complaint: A complaint is any unresolved problem among employees or concerning application or interpretation of the policies, rules or regulations of the Board and Charter School administrative guidelines or procedures.

Guidelines

The time limits provided for in this policy may be extended by mutual agreement of the parties. Any decision that is not appealed to the next level

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within the time limits provided in this policy shall be considered resolved and shall not be subject to further appeal.

Level One - Informal Conference

Complaints should initially be discussed in a private, informal conference between the parties involved. At least one such private meeting should take place between the parties before the complaint is taken to the next higher level of authority.

Level Two - Immediate Supervisor, Principal, CEO or Director of Human Resources

If a complaint is not resolved at the informal conference between the parties, within ten (10) school days after the occurrence of the act or omission giving rise to the complaint, the complainant must present their complaint in writing to their immediate supervisor, Principal, or, if a management level employee is the complainant or respondent (the subject of the complaint), then to the CEO or Director of Human Resources. The complaint shall include a clear concise statement of the nature of the complaint, the rule, policy or regulation for which there is an alleged violation, the circumstances on which the complaint is based, the person(s) involved, the decision rendered at the private conference (if any), and the remedy sought. Copies of the complaint may be sent to any individuals who may have been present at the informal conference.

Within five school days, a decision shall be communicated to the complainant in writing. If the complainant is not satisfied with the decision or a response is not received within the time limit, the complainant may appeal to the next higher level of authority.

Level Three - CEO

If the employee is not satisfied with the decision at Level Two or no decision was issued within the time limit, then they may appeal in writing to the CEO within five (5) school days after receiving the decision or the expiration of the time limit. This written appeal shall include a copy of the original complaint, the decision rendered at any prior level and a clear, concise statement of the reasons for the appeal.

The CEO shall communicate their decision to the complainant within five (5) school days, however, prior to the expiration of this time period, either party in the appeal may request a conference with the CEO within the above time limits. If the complainant is not satisfied with the decision or the decision is not rendered within the time limits, the complainant may appeal to the next level.

Level Four - Board of Trustees

Within five (5) school days after receiving the decision of the CEO, the complainant may appeal the decision in writing to the Board. The Board shall schedule the matter for a hearing at an executive session. The complainant shall be present at the hearing. Within ten (10) days of the executive session, the Board will submit its decision in writing together with supporting reasons to the complainant and respondent, if applicable. A copy shall be furnished to the administrator(s) involved. The decision of the Board is final.

Equal Employment Officer

In accordance with the Board's Anti-Harassment and Anti-Sexual Harassment Policies, if a complaint involves any form of discrimination, harassment and/ or possible criminal actions against a Charter School employee, the Director of Human Resources or designee shall be designated as the EEO Officer capable of conducting a thorough and complete investigation. The EEO Officer shall seek advice and assistance from the Board of Trustees if it is believed that they lack the capacity to conduct a thorough and complete investigation of the alleged misconduct. If a CEO's action(s) forms the basis of the complaint, the President of the Board or designee will conduct the investigation.

The EEO Officer receiving such a complaint shall record the details of the complaint in writing and have the complainant sign it. Copies of this document will be forwarded to the Board. All complaints of discrimination, harassment or possible criminal activity against a Charter School employee or administrator shall be received, investigated and disposed of in accordance with the procedures set forth in this Policy, and complainants shall be notified of the final disposition/ action taken.

If the complaint involves criminal activity, including sexual assault or rape, the EEO Officer shall report the incident to the local Police Department. If there is any question whether the conduct complained of constitutes criminal activity, the Charter School's solicitor should be contacted and consulted.

Record Keeping

All documents, communications and records relating to the processing of a complaint shall be filed in a separate confidential file and shall not be kept in the personnel file of any of the participants. The Charter School shall maintain full and confidential records of all such investigation, remediation, and discipline (if imposed). Note that pursuant to the Anti-Harassment and Anti-Sexual Harassment Policies approved by the Board, all reports regarding substantiated charges of discrimination, harassment or criminal conduct shall be placed in the accused employee's personnel file.

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TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH THE SCHOOL'S CHARTER OR APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS AND/OR CHARTER CONTROL.

ADOPTED this _____ day of _____, 2023

President

Secretary