

UNIFORM COMPLAINT PROCEDURE

WLC/CMS has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violations of state or federal laws governing educational programs and the charging of unlawful pupil fees. WLC/CMS shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure (“UCP”) adopted by our local board. The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws (Adult Education, Consolidated Categorical Aid Programs, Migrant Education, Career Technical and Technical Education and Training Programs, Child Care and Developmental Programs, Child Nutrition Programs, Special Education Programs, Safety Planning Requirements). A complaint of noncompliance with laws relating to pupil fees may be filed pursuant to the local UCP. Complaints of noncompliance with laws relating to pupil fees are filed with the school Director. Complaints other than complaints relating to pupil fees must be filed in writing to the Executive Director.

1. Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed using the Uniform Complaint Procedure Form (located in the Parent/Student Handbook and Main Office) with the Compliance Officer (the Executive Director) within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the Executive Director or his or her designee. (A complete copy of the school’s UCP policy and complaint procedures is available free of charge in the main office.)
2. Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. The complainant has a right to appeal the School’s Decision to the California Department of Education (CDE) by filing a written appeal. Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable.

POLICY AGAINST UNLAWFUL HARASSMENT

WLC/CMS Charter School is committed to providing a work and educational atmosphere that is free of unlawful harassment. WLC/CMS’s policy prohibits sexual harassment and harassment based upon pregnancy, childbirth or related medical conditions, race, religion, creed, color, gender, gender identity, gender expression, national origin or ancestry, physical or mental disability, medical condition, marital status, age, sexual orientation, or any other basis protected by federal, state, local law, ordinance or regulation. WLC/CMS will not condone or tolerate harassment of any type by any employee, independent contractor or other person with which WLC/CMS does business, or any other individual, student or volunteer. This policy applies to all employee, student or volunteer actions and relationships, regardless of position or gender. WLC/CMS will promptly and thoroughly investigate any complaint of harassment and take appropriate corrective action, if warranted.

WLC/CMS is committed to provide a workplace and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action, up to, and including dismissal, of the offending employee, and disciplinary action up to and including suspension and/or expulsion for students.

1. It is also unlawful to retaliate in any way against an employee who has articulated a good faith concern about sexual harassment against him or her against another individual.
2. All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment in the workplace as required by law.
3. Each employee, volunteer and student has the responsibility to maintain a workplace and educational environment free from any form of sexual harassment. Consequently, should any individual, in particular those with supervisory responsibilities, become aware of any conduct that may constitute sexual harassment or other prohibited behavior, immediate action should be taken to address such conduct. Employees and students are expected to act in a positive and professional manner and to contribute to a productive school environment that is free from harassing or disruptive activity.
4. Any employee who believes they have been harassed or has witnessed harassment is encouraged to immediately report such harassment to the Compliance Officer (Executive Director) and complete the "Harassment Complaint Form."
5. The Executive Director shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible.
6. Complainants and witnesses under these policies will be protected from further harassment and will not be retaliated against in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment. WLC/CMS will investigate complaints promptly and provide a written report of the investigation and decision as soon as practicable. The investigation will be handled in as confidential a manner as possible consistent with a full, fair, and proper investigation.
7. While in most situations a personal relationship is a private matter, these relationships are not appropriate in a professional setting, particularly where one of the parties has management or supervisory responsibilities.

GENERAL DISPUTE RESOLUTION POLICY

All internal and/or third-party disputes involving Watts Learning Center/Charter Middle School shall be resolved by the WLC/CMS according to the school's own internal policies.

This dispute resolution process provides parents, students, members of the community and volunteers who have a grievance concerning the school, with a procedure to follow to have the grievance heard by the School Director or his or her designee and, if it cannot be resolved at this level, to have it heard by the Executive Director or Board of Directors at a regularly scheduled Board meeting.

A complaint may include any feeling of dissatisfaction or injustice in connection with any matter related to the educational program, the WLC/CMS, or staffing. The following steps should be taken to resolve a dispute:

1. Any complaint should be brought to the attention of the respective party as soon as possible with the intention to resolve the issue. If it cannot be resolved at this level, then an appointment should be made with the School Director to attempt further resolution. In the event the concern persists, an effort will be made to resolve the concern informally through a meeting and discussion with the School Director and Executive Director.

2. If the complaint is unresolved informally through discussion, the complaint shall be reduced to writing by the complainant and submitted to the School Director on the WLC/CMS Complaint Procedures Form. The complainant should specify the problem to the fullest extent possible and any remedies sought.
3. Following any necessary investigation, and a meeting with the complainant(s), the School Director shall prepare a written response to the complainant no later than twenty (20) working days from the date of receipt of the written complaint statement, unless for good cause, and upon notice given, additional time is required for the response.
4. If the matter cannot be resolved at the School Director level, the complainant may refer the complaint to the Executive Director who will schedule and hold a meeting with the complainant and School Director. The Executive Director shall prepare a written response in accordance with procedure step (2), above.
5. Complainants may request to have the matter properly placed upon the agenda for the next regularly scheduled Board meeting should he/she not agree with the written decision issued by the Executive Director.
6. The Watts Learning Center Board of Directors and the Executive Director will set a date and time for the hearing of any evidence to be presented concerning the complaint. At the hearing, the complainant and a representative of Watts Learning Center Charter Elementary or Middle School shall have the opportunity to present evidence, both oral and documentary. Within three (3) working days from the date of the hearing, the Board and Executive Director shall make a decision on the complaint in writing. This decision will serve as the final decision. An administrative panel of less than a quorum of board members appointed by the Board may be used for hearing purposes in lieu of a full Board.

INTERNAL COMPLAINT REVIEW

The purpose of the “Internal Complaint Review Policy” is to afford all employees of the School the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the School Director, Executive Director or Board of Directors to express their work-related concerns.

Internal Complaints

(Complaints by Employees Against Employees)

This section of the policy is for use when a School 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 colleague of concern first, and immediate supervisor or School Director second if the concern is unresolved. In the event the concern persists, an effort will be made to resolve the concern informally through a formal meeting and discussion with the School Director and Executive Director. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Executive Director or designee:

1. The complainant will bring the matter to the attention of the Director or Executive Director as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
2. The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Director or Executive Director will then investigate the facts and provide a solution or explanation;
3. If the complaint is about the Executive Director, the complainant may file his or her complaint in a signed writing to the President of the Board of Directors of the School, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of the Board. The Board President 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, the School values each employee’s ability to express concerns and the need for resolution without fear of adverse consequence to employment.

Policy for Complaints Against Employees

(Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a School employee.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the immediate school employee first, and immediate supervisor or School Director second if the concern is unresolved. In the event the concern persists, an effort will be made to resolve the concern informally through a formal meeting and discussion with the School Director and Executive Director.

If complaints cannot be resolved informally, complainants may file a written complaint to the Director, to the Executive Director (if the complaint is not resolved with the Director or if the complaint is regarding the Director), or to the Board President (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. In processing the complaint, the Executive Director shall abide by the following process:

1. The Director or Executive Director shall use his or her best efforts to talk with the parties identified in the complaint and to ascertain the facts relating to the complaint.
2. In the event that the Director or Executive Director finds that a complaint against an employee is valid, the Director or Executive Director may take appropriate disciplinary action against the employee. As appropriate, the Director or Executive Director may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
3. The Executive Director's decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the School. The decision of the Board of Directors shall be final.

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.