



COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT

The Allegiance STEAM Academy Board of Directors designates the following position as Coordinator for Nondiscrimination in Employment:

**Chief Executive Officer (CEO)
PO BOX 2141
Chino, CA
sebastian.cognetta@asathrive.org**

Complaint Procedure:

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** Any employee or job applicant (“complainant”) who believes he/she has been subjected to prohibited discrimination or harassment shall promptly inform his/her supervisor, the CEO or the Chair of the Board of Directors.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the CEO, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. **Investigation Process:** The coordinator or designee shall initiate an impartial investigation of an allegation of discrimination or harassment within ten (10) days of receiving notice of the behavior, regardless of whether a written complaint has been filed or if the written complaint is complete. If the complaint is received by the Chair of the Board of Directors, he/she shall conduct the investigation.

The CEO shall meet with the complainant to discuss Allegiance STEAM Academy's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The CEO shall inform the complainant, the allegations will be kept confidential to the extent possible, but some information may be revealed as necessary to conduct an effective investigation.

If the CEO determines a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the CEO should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

When necessary to carry out his/her investigation or to protect employee or student safety, the CEO may discuss the complaint with Allegiance STEAM Academy's legal counsel.

The CEO also shall determine if interim measures, such as scheduling changes or leaves, need to be taken before the investigation is completed to ensure further incidents do not occur. The CEO shall ensure such interim measures do not constitute retaliation.

3. **Written Report on Findings and Corrective Action:** No more than sixty (60) working days after receiving the complaint, the CEO shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the CEO shall notify the complainant and explain the reasons for the extension. If the investigation is conducted by the Chair of the Board of Directors, the Chair will complete the duties mentioned above.

For all complaints, the decision shall include:

- a. The findings of fact based on the evidence gathered.
- b. The conclusion(s) of law.
- c. Disposition of the complaint.
- d. Rationale for such disposition.
- e. Corrective actions, if any are warranted.
- f. Include a copy of Allegiance STEAM Academy's policy, prohibiting retaliation.

The report shall be presented to the complainant and the person accused.

4. **Appeal to the Board of Directors:** The complainant or the person accused may appeal any findings to the Board of Directors within ten (10) days of receiving the written report of the CEO's findings. The CEO shall provide the Board of Directors with all information presented during the investigation. Upon receiving an appeal, the Board of Directors shall schedule a hearing as soon as practicable. Any complaint against an Allegiance STEAM Academy employee shall be addressed in closed session in accordance with law. The Board shall render its decision within ten (10) days.

Other Remedies:

In addition to filing a discrimination or harassment complaint with Allegiance STEAM Academy, a person may also file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960.
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s).

To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5).