



OAKLAND MILITARY INSTITUTE COLLEGE PREPARATORY ACADEMY

3877 Lusk Street | Oakland, CA 94608 | 510 594 3900 | oakmil.org



GENERAL COMPLAINT POLICY

Oakland Military Institute College Preparatory Academy (“Charter School”) has adopted this General Complaint Policy to address concerns about the Charter School generally and/or regarding specific Charter School employees. For complaints regarding unlawful discrimination, harassment, intimidation or bullying, unlawful pupil fees, or other specific perceived violations of state or federal laws, please refer to the Charter School’s Title IX, Harassment, Intimidation, Discrimination, and Bullying Policy and/or the Charter School’s Uniform Complaint Policy and 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 Human Resources Manager, Kathryn Wong at kwong@omiacademy.org.

This Policy shall be used when a non-employee complainant raises a complaint or concern about Charter School generally or a Charter School employee.

If reasonably feasible, third-party complaints shall 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 cannot be achieved or is not appropriate, the following steps will be followed:

1. The complainant begins the process by filing a written complaint using a General Complaint Form (sample below) with the office of the Superintendent as soon as possible after the events that give rise to the complainant’s concerns. The written complaint shall set forth in detail the factual basis for the complaint;
2. The Superintendent (or designee) shall use their best efforts to ascertain the facts relating to the complaint. When applicable, the Superintendent (or designee) shall confer 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 Superintendent (or designee) finds that a complaint is valid, the Superintendent (or designee) shall take appropriate action to resolve the concern. In the event the complaint is against an employee of the Charter School, the Superintendent (or designee) may take disciplinary action against the employee. As appropriate, the Superintendent (or designee) may counsel or reprimand employees as to their conduct without initiating formal disciplinary measures. The Superintendent’s (or designee’s) decision relating to the complaint shall be final.



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4. If the complaint is about the Superintendent, the complainant may file their complaint by using a General Complaint Form (sample below) and sending it to the Chair of the Board, who will then conduct a fact-finding investigation or authorize a third-party investigator on behalf of the Charter School. The Chair or investigator will report the findings to the Board, in closed session for review and further action, if necessary.
5. The Superintendent or Chair shall draft a written response to the complainant indicating that the matter has been investigated and sufficiently addressed. If appropriate, the response may include general details about the manner of the resolution, but at all times employee and student privacy rights shall be maintained. No response may include any details about adverse action taken against a student or employee.

GENERAL ASSURANCES

1. Confidentiality: All complainants shall be notified that information obtained from the complainants, and thereafter gathered during the investigation, shall be maintained in a manner as confidential as possible, but in some circumstances, absolute confidentiality cannot be guaranteed.
2. Non-Retaliation: All complainants shall be advised that complainants shall be protected against retaliation as a result of the filing of any complaints or participation in any complaint process.
3. Resolution: The Board, Superintendent, or designee will investigate complaints appropriately under the circumstances, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.



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GENERAL COMPLAINT FORM

Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) this complaint is about (if known and applicable):

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 (*e.g.* 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 the Charter School 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. Employees providing false information in this regard could result in disciplinary action up to and including termination.

Signature of Complainant

Print Name

Print Name

Date

To be completed by OMI:

Received by:



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Date

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