

## **ACCP Complaint Policy for Reporting Prohibited Conduct**

### **Process Overview**

It is the policy of the ACCP not to tolerate any manner of harassment, bullying, discrimination or retaliation in any form. We believe that all of our Members, Volunteers, guests and Staff are entitled to engage in ACCP activities free from such conduct or behavior. The activities include, but are not necessarily limited to, ACCP Board and committee meetings, membership meetings and events or conferences, as well as any part of valued volunteer service to the organization.

To enhance the enforcement of this policy, ACCP's Leadership has created the following by which persons who feel that they have been genuinely subjected to such behavior may file a complaint with the organization. The overarching goal of this process is to ensure that all parties to such a complaint are afforded the opportunity to be heard and to full and fair due process. That said, it is important to note that this process is not intended to serve as a vehicle for lodging frivolous or harassing complaints that are absent of good faith. Complaints that are determined to have been filed in bad faith or for the purpose of harassing another party may subject the filing party to sanctions, up to and including suspension or revocation of membership as well as the reimbursement of ACCP incurred legal fees to review the matter.

If a person has any questions about the process described below, he or she should feel free to reach out to ACCP Staff for clarification. ACCP will endeavor to ensure that all parties involved understand how the process works and that each party is treated fairly and with respect. ACCP will strive to treat the matter as confidential, though there may be instances where maintaining confidentiality is impossible or impractical in order for all concerned to be treated fairly and objectively.

### **Step 1 Initial Dialogue between the Parties**

Before filing a written complaint with the ACCP it is recommended that any individual who in good faith believes he or she has been the subject of unacceptable behavior promptly reach out to the other party directly to discuss the matter one on one and recount the event and why the behavior was viewed as offensive or unacceptable. To facilitate a frank and genuine exchange it is recommended that such opening dialogue be done via telephone or in person and not merely in writing. In many instances this exchange may go a long way toward resolving the complaint before it becomes necessary to initiate a formal written complaint to ACCP.

### **Step 2 Filing a Complaint**

Should the initial dialogue referred to above fail to resolve the matter to the mutual satisfaction of the parties or if such a dialogue is deemed impractical or unlikely to result in an acceptable resolution, the party who in good faith believes they have been the subject of prohibited or inappropriate behavior may file a written complaint with the ACCP Executive Director or President. To file a complaint the party should submit a written narrative describing the specific conduct complained of; the date and location where the incident or conduct occurred; the names of parties present or who witnessed the conduct, and the measures taken to attempt a resolution prior to filing of the complaint. The complaint should include any documents directly relevant to the corresponding conduct or behavior.

Upon receipt of the written complaint ACCP Staff will open a file to be maintained in the ACCP Executive Offices. If upon initial review ACCP Staff reasonably believes the complaint insufficiently details the claimed event or conduct, it will reach out to the complaining party for additional information. Once complete, ACCP Staff will provide a copy of the complaint to the party who is the subject of the alleged conduct. The responding party will have ten (10) business days to respond to the ACCP in writing setting forth his, her or their narrative explanation of the event, the names of any persons who witnessed the event or conduct complained of, and any documentation directly relevant to the complaint and/or which supports the responding party's position.

### **Step 3 Appointment of Mediator**

Upon the filing of and acceptance of a written complaint, ACCP will appoint a neutral and conflict-free third party to serve in the role of mediator. ACCP will notify each party in writing of the appointed mediator

and take such steps as may be helpful to facilitate the initiation of the mediation process. Such mediation efforts should be concluded within thirty (30) days of the ACCP's appointment of the mediator and notification issued to the parties. Each party is obligated to cooperate in good faith with the ACCP and appointed mediator in carrying out this step in the complaint process. If the parties are able to resolve the complaint through this mediation process, the result will be reported to ACCP by the mediator and the resolution confirmed in writing signed by the parties. The complaint file will then be closed by ACCP Staff, and the matter concluded.

#### **Step 4 Review Panel Investigation and Finding**

Should the mediation efforts fail to produce a resolution, ACCP Staff will assign the matter to a three (3) person panel of ACCP Leadership volunteers to conduct its own fact-finding and to confer and render a decision on the complaint. The members of the panel may reach out to either or both of the parties and any witnesses either party may have referenced in the complaint or response. Such fact finding and panel conference to consider the matter will be conducted within at least thirty (30) and at most ninety (90) days of the panel having been assigned and its receipt of the complaint and response. Given the time constraints placed upon volunteer panel members, this step in the overall process may exceed thirty (30) days but shall not exceed ninety (90) days.

Upon conferring and reaching its decision, the panel shall prepare a written report and file the same with ACCP Staff. At that time, ACCP Staff will distribute the written report and findings to the parties and the ACCP Executive Director and President.

The panel's report and findings may include sanctions imposed against a party for filing a frivolous or harassing complaint, or against the party that is the subject of the complaint and whose behavior or conduct was found by the panel to be in violation of ACCP's policies. Such sanctions may include, but would not be limited to, a written warning or censure, suspension, or termination of ACCP membership, or rescinding of previous awards or Fellow status. For complaints dismissed and deemed to have been filed in bad faith or which are found to be frivolous or harassing in nature, the party filing such complaint may be subject to similar sanctions, including reimbursement of ACCP for reasonable and documented legal fees in reviewing the matter.

#### **Step 5 Appeal to the Board of Regents**

In the event either party reasonably believes that the panel's findings are unsupported by the facts or are contrary to the statements and documents submitted by the parties and relied upon by the panel, that party may seek to appeal the finding by submitting a written notice of appeal with the ACCP Executive Director or President no later than (10) business days following the date of issuance of the panel's written report and findings.

In the event of a timely written appeal, the file, including the complaint, response, supporting documents and written findings of the panel shall be submitted to the Board of Regents for its consideration and decision on the appeal at the next scheduled Board of Regents meeting or at a special meeting of the Board called to consider the appeal in accordance with ACCP's Bylaws.

On appeal the Board may affirm all or a portion of the panel's findings and sanctions imposed, or it may amend or reverse the same to the extent it reasonably believes is consistent with the information and documentation presented. Any finding of the Board must be supported by a majority of the voting members of the Board present at a regular or special meeting of the Board where a quorum is present. The finding of the Board on appeal shall be promptly shared with the parties by the Executive Director and shall be deemed final and binding on all parties, at which point ACCP Staff will close the complaint file.