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# **California Council of the Blind Policy on Prohibited Conduct and Complaint Investigation Procedures**

As part of our ongoing effort to ensure the CCB community is safe, respectful, and welcoming, all participants in virtual and in-person CCB events must read and agree to the policy below. Note: Conduct that has occurred in events sponsored by CCB chapters or statewide affiliates shall not be covered under this Policy. Chapters and statewide Affiliates are encouraged to implement their own prohibited conduct policy. CCB takes any violation of this policy seriously, and we encourage concerns and complaints be sent to the following email: [report@ccbnet.org](report%40ccbnet.org). You may also leave a voicemail at: (800) 221-6359, extension 1. Your correspondence will be forwarded to the Prohibited Conduct Complaint Investigation Panel, (investigation panel) and kept in confidence, fully investigated, and acted upon in a timely manner.

# **Policy on Prohibited Conduct**

The California Council of the Blind (hereinafter CCB) is committed to maintaining the integrity of its events and online forums by creating a welcoming, professional, safe, and respectful environment for all who attend or participate. The term "events" shall include conferences, meetings, functions, or any other gatherings sponsored or convened by CCB whether in person, via means of electronic communication, or hybrid. The term "online forums" shall include email lists, text-based chat groups, and similar online settings or environments.

All participants at CCB events are required to adhere to this Policy on Prohibited conduct as adopted by the CCB Board of Directors, January 25, 2024.

This policy defines prohibited conduct as including, but not limited to:

Unwelcome verbal, visual, or physical conduct on the basis of race, color, ethnicity, sex, religion, age, national origin, disability, genetic information, gender identification, sexual orientation, or any other characteristic protected by applicable law; or

Disrespectful, offensive and/or threatening conduct, verbal abuse, stalking, bullying, violence, intimidation, or excessive use of profanity.

Any person who believes that he or she has experienced behavior prohibited by this policy may report the conduct in accordance with the Prohibited Conduct Complaint Investigation Procedures specified herein. Any third party who believes he or she has witnessed prohibited behavior or activity toward another person is strongly encouraged to first speak with the alleged victim to confirm that such behavior or activity was considered inappropriate and necessitates the filing of a complaint.

Upon receipt of an allegation reported under this policy, CCB will offer opportunities for the parties to engage in informal conflict resolution, may conduct a formal investigation, and will thereafter determine what, if any, action will be taken based on the circumstances. Such action may include banning the individual from the event where the conduct is determined to have occurred, and any future events.

The President shall appoint a 3-member Prohibited Conduct Complaint Investigation Panel , (the Investigation Panel). Board members are not eligible to serve on this panel. if needed, one or more conflict resolution teams who will conduct activities described in the Prohibited Conduct Complaint Investigation Procedures.

Nothing in this policy shall limit or preclude the free exchange of ideas and/or opinions so long as such exchange does not involve threats or other prohibited behavior as defined in this policy.

The remedies contained under these provisions are not intended to be exclusive and parties are encouraged to determine the most appropriate remedy for a given situation.

# **Prohibited Conduct Complaint and Investigation Procedures**

## Introduction

As part of our ongoing effort to ensure the CCB community is safe, respectful, and welcoming, all participants in virtual and in-person CCB events must read and agree to CCB’s Policy on Prohibited Conduct. CCB takes any violation of the Policy seriously and has established the following informal and formal processes to ensure that all activities associated with resolving a complaint are conducted as quickly and as thoroughly as possible.

## Filing a Complaint

Complaints are required to be filed within 30 calendar days of any reported incident so that memories of the alleged incident are still intact, except where good cause for delay is shown. If more than 30 calendar days have passed since the incident being reported, please explain the delay. Send your report via email to [report@ccbnet.org](report%40ccbnet.org). You may also leave a voicemail at (800) 221-6359, extension 1. Any complaint received via phone will be put into writing by the CCB Operations Manager. The complaint must include:

The names of parties involved.

Dates, times, or other identifying information related to when the incident occurred.

A description of what happened and why you are concerned about it.

Steps you or someone else has taken, if any, to resolve the matter, and the outcome of those steps. Any other details you believe will be helpful in resolving the matter.

The chairperson of the investigation panel will acknowledge receipt of the complaint within 5 working days. The acknowledgement will include the request to keep the matter confidential to protect the integrity of the process and any investigation, and to protect the interests of everyone involved. The notification will, however, indicate that total confidentiality cannot be guaranteed during the course of the investigation. All parties involved in the complaint will be directed to send all communication to ccotb@ccbnet.org (Operations Manager), who will forward this information to the Investigation Panel or to a Conflict Resolution team, as appropriate.

The complaint will be handled by the Investigation Panel, who will encourage the parties to engage in informal conflict resolution and will also explain the option for a formal investigation of the matter. Email lists managed by CCB all have guidelines and remedies in place that may be applicable. The complainant and respondent will then be sent the following items:

A copy of the complaint.

A copy of the Policy on Prohibited Conduct, and Applicable Complaint Investigation Procedures.

The Investigation Panel’s recommendation for resolving the complaint through conflict resolution, formal investigation, or other means as appropriate, and the anticipated timeline with next steps.

Names of the panelists making the recommendation.

NOTE: If an individual believes that a matter requires immediate referral to law enforcement, he or she should do so as quickly as possible. The CCB President shall also be informed of such referral in a timely manner.

## Option 1: Informal Conflict Resolution

If the conduct does not require referral to law enforcement, the parties will be offered an opportunity for conflict resolution to be facilitated by a two-member conflict resolution team. If this option is chosen by all parties, and agreement is reached by all parties regarding the outcome, there will be no formal investigation of the incident, no consequences or action will be taken by CCB, and the case will be closed.

It is the goal to complete any conflict resolution process within 30 calendar days following acceptance of this option by all parties. If it is determined that the process cannot be completed within 30 calendar days, both parties will be notified and a new timeline will be established, not to exceed 45 calendar days in total.

Conflict resolution generally involves, but is not limited to, conducting a mutually agreed-upon opportunity to bring the parties together for a facilitated discussion in an informal setting. A common result is a verbal or written apology by the respondent to the complainant with other outcomes negotiated as appropriate.

## Option 2: Formal Investigation

When the informal conflict resolution process is either not successful or is rejected by either party, the Investigation Panel will open a formal investigation of the complaint if desired by either party. It is the goal to complete any formal investigation within 45 calendar days once the process begins. If it is determined that the process cannot be completed within 45 calendar days, both parties will be notified and a new timeline will be established, not to exceed 60 calendar days in total.

An interview with the complainant will be conducted first to gather all necessary details of the complaint, followed by interviews with the respondent and witnesses. Interviews will be conducted with the panelists via Zoom, phone call or in person. Those discussions will be recorded. A summary of the parties’ panel testimony will be shared with complainant and respondent. Both parties may request an individual to attend for support while they are being interviewed. These individuals may attend as a courtesy but are not allowed to give testimony or otherwise involve themselves in the proceedings. After all interviews have taken place and all evidence is reviewed, the Investigation Panel will determine the results and any action to be taken.

## Records and Appeals

The Investigation Panel will notify the complainant and respondent of all outcomes in writing or electronically, to include any agreements during informal conflict resolution or a formal investigation if one has occurred. The panel chairperson may be directed to follow up with the complainant at a later date to ensure there are no other issues and provide feedback to the Investigation Panel, if needed.

A final report will be prepared for CCB’s records summarizing the incident, those involved, key findings, conclusions, resolutions, and actions taken. This will be kept in a confidential file for one year after which all records, transcripts, recordings, or other information related to the case will be destroyed.

If the complainant or the respondent disagrees with the panel’s decision regarding a formal investigation, that party may appeal within 90 days of the decision to the investigation panel chair who will forward it to a 3-member board grievance committee, appointed by the CCB President from the CCB Board of Directors. This committee will review the evidence, may conduct any other investigation, will make a final decision in the matter within 30 calendar days of receipt, will inform all parties, and will update the record on file with CCB.