



Investigations Process

The Organization believes that anyone having a complaint should have the opportunity to be heard and to have their issues resolved without fear of unlawful retaliation.

Complaint Investigation

When complaints are received, the Organization will conduct a fair, impartial, and thorough investigation by Employee Relations (Employee.Relations@embered.com), and/or by other qualified persons. The Organization reserves the right to take certain interim measures while the investigation is pending, such as ordering administrative leave. A complaint and the investigation will be treated as confidential to the extent possible, but the Organization cannot guarantee complete confidentiality. If there is an issue regarding a policy violation or matters of unlawful discrimination, harassment, or retaliation, they should be submitted to Ember Employee Relations. Issues may be submitted through the Maxient, incident reporting system, or by emailing Employee.Relations@embered.com.

Once Employee Relations receives a complaint, the investigative process begins. This includes:

1. Sending an acknowledgment email to the complaining party;
2. Notifying key stakeholders of the complaint;
3. Scheduling an intake meeting with the complaining party to gather additional information about the complaint; and
4. Scheduling interviews with witnesses and respondents and gathering other relevant evidence.

After the investigation concludes, notifications of the findings are sent to the complaining party, the responding party, and key stakeholders. Witnesses do not receive notification of the outcome of the investigation.

If the findings in an investigation conclude that a policy violation or misconduct has occurred, the Organization will take appropriate corrective action. However, for privacy reasons, the complaining party may not be made aware of the specific actions that are taken against the responding party.

Anyone who interferes with an investigation, threatens, or retaliates against anyone for having participated in an investigation, is subject to corrective action, up to and including immediate separation.

Investigation Integrity

The Organization has developed an investigative protocol to ensure the integrity of the investigation process. Generally, Employee Relations will lead the investigation for most employees. However, for responding parties falling into certain job categories, a different individual or department will lead the investigation. The chart below shows which individual or department will lead an investigation:



Respondent Category:	The Investigation Lead:
All Employees (except employees within Ember Education Employee Relations)	Ember Education Employee Relations
Ember Education Employee Relations (no potential conflict of interest)	Ember Education VP of Human Resources
Ember Education Employee Relations (if a potential conflict of interest)	Ember Legal
Chief Financial Officer, Chief Operating Officer, College Presidents	Ember Legal
Chief Executive Officer, Chief Legal Officer	Outside Counsel

Appeals

A respondent may appeal the outcome of an investigation by submitting a written statement to Employee Relations (Employee.Relations@embered.com). Appealing respondents must submit their written statement of appeal within ten (10) calendar days of receiving notification of the outcome of the investigation. Late appeals will not be considered, and the investigation results will be final.

The grounds for an appeal are limited to: (1) the investigator had a conflict of interest; and (2) the discovery of new information that could not have been disclosed before the conclusion of the investigation and such new information, if known by the investigator, likely would have changed the outcome.

An appeal will be decided by an Appeal Decisionmaker that corresponds with the respondent's role in the Organization (see chart below).

Respondent Category:	Appeal Decisionmaker:
Employees of the Colleges	College President
Ember Education Employees	Chief Operating Officer
Chief Financial Officer, Chief Operating Officer, College Presidents	Chief Executive Officer
Chief Executive Officer, Chief Legal Officer	Chairman of the SJVCi Board of Directors

The Appeal Decisionmaker may grant or deny the appeal in its entirety or partially. If an appeal is granted, in its entirety or partially, the Appeal Decisionmaker may order any of the following: (1) send the matter back to the investigator with instructions; or (2) order a new investigation. The appealing respondent will receive written notification of the results of the appeal from Employee Relations. All appeal decisions are final.