

GREIVANCE PROCEDURE OF THE COMMUNITY FOUNDATION FOR THE ALLEGHENIES

Community Foundation for the Alleghenies (“Community Foundation”) does not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of its programs or activities, and Community Foundation does not intimidate or retaliate against any individual or group because they have exercised their rights to participate in actions protected, or oppose action prohibited, by 40 C.F.R. Parts 5 and 7, or for the purpose of interfering with such rights. A person who believes that they or a class of persons have been excluded from or denied the benefits of or been subject to discrimination in the Community Foundation’s programs and activities may file a complaint with the Community Foundation. Michael Kane, President and Executive Director of the Community Foundation, is designated as the Non-discrimination Coordinator for the Community Foundation. His email is mkane#cfalleghenies.org and phone number is 814-322-2390. The procedure for the filing and investigation of the complaints under 40 C.F.R. Parts 5 and 7 (Non-discrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency), including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (hereinafter referred to collectively as the federal non-discrimination laws) are as follows:

1. The complaint shall be submitted in writing. If a complainant needs assisting, please contact the Non-discrimination Coordinator.
2. The complaint must be filed within sixty (60) days of the alleged act of discrimination.
3. The complaint shall describe with specificity the action(s) by the Community Foundation that allegedly resulted in discrimination and violation of 40 C.F.R. Parts 5 and 7.
4. The complaint shall describe with specificity the discrimination that allegedly occurred or will occur as a result of the actions.
5. The complaint shall identify the party(ies) impacted or potentially impacted by the alleged discrimination.

6. Community Foundation will provide the complainant with written notice of receipt of the complaint within ten (10) days. Community Foundation reserves the right to request additional information from the complainant in order to investigate the allegations contained in the complaint.

Investigation of Complaint

Upon receipt of the complaint, the Non-discrimination Coordinator will evaluate and investigate the complaint. The Non-discrimination Coordinator will complete their review no later than sixty (60) calendar days after the date that the Community Foundation received the complaint. If additional time is required, the Non-discrimination Coordinator will notify the complainant of the estimated time for completing the review. Upon completion of the review, the Non-discrimination Coordinator will determine if there is any merit to the complaint and whether remedial actions are available to provide, address the discrimination. The Nondiscrimination Coordinator will issue the Community Foundation's written response to the complainant.

The decision issued by the Non-discrimination Coordinator will be based upon a preponderance of the evidence standard.

Appeal

If the complainant is dissatisfied with the response, the complainant may request an appeal, in writing, to the Board of Directors of the Community Foundation within ten (10) calendar days after receipt of the written decision concerning the complaint. The request for appeal should explain the basis for the dissatisfaction and what issues were not addressed by the Non-discrimination Coordinator. The Board of Directors will notify the complainant within ten (10) calendar days whether the request for appeal has been accepted or rejected.

Intimidation or retaliation in any form against any complainant who exercises their rights to make a complaint under the Grievance Policy or who cooperates in the investigation of any such complaint is strictly prohibited. Any claims of intimidation and retaliation will be handled promptly and fairly pursuant to the Grievance Procedure.

The Grievance Procedure will be reviewed on an annual basis to insure prompt and fair resolution of discrimination complaints.

The Grievance Procedure does not apply to administrative actions that are being pursued in another forum.