



CIS Racial Grievance Process

Communities In Schools of Central Texas (CIS) will implement a formal Racial Grievance Process effective February 23, 2022. This grievance process is centered on race-based discrimination beyond the agency's Sexual Harassment, Anti-Bullying, and Discrimination grievance processes. The Racial Grievance Process focuses on investigating complaints including [microaggressions](#) such as [microassaults](#), [microinsults](#) and [microinvalidations](#) and other actions based on race and intersectional identities.

CIS is building an anti-racist culture of belonging where people can show up being their true selves and accountability, and is working to model anti-racist practices in our institutional and personal behavior. The racial grievance process is to support individuals with a marginalized identity feel secure in their workplace and to actively address and interrupt microaggressions, harassment, racial discrimination, and other racial misconduct.

Our racial grievance process is grounded in the lived experiences of people of color and our commitment to addressing racial grievances in our organization. When racial harm happens, CIS tracks it, uses the trend lines to intervene, and addresses it responsively and urgently. CIS' culture is growing to be truly more representative, and we want to ensure that people of color in our community have organizational support and feel safe.

This newly adopted internal grievance process will provide prompt and equitable resolution of complaints alleging any action not aligned with the agency's commitment to Diversity, Equity, and Inclusion.

This process ensures that:

- All perceived violations and complaints of racial discrimination and harassment are considered seriously and dealt with in a manner that is fair, urgent, and consistent.
- People reporting racial grievances feel that their grievances are taken seriously and addressed promptly.
- People reporting racial grievances do not experience any retaliation or victimization.
- People reporting racial grievances have power to influence how their situation is resolved rather than having "solutions" happen to them, not with them.

This process applies to all staff who are part of Communities In Schools of Central Texas.

Communities In Schools defines racism as "a system of oppression maintained by institutions and cultural norms that exploit, control, and oppress People of Color groups in order to maintain a position of social and material supremacy and privilege for white people." (Source: People's Institute Northwest for Survival and Beyond). This process is specifically intended to build a safe community for people of color and those with a marginalized identity.

Racist incidents include but are not limited to inappropriate racial comments, microaggressions, slurs, jokes, pictures, objects, threats, physical assaults, intimidation, institutionally or culturally racist policies, practices, and norms, unequal application of policies based on race, and unequal or biased treatment based on race. This includes behaviors, actions, or systems that are not intended to be racist but harm people of color, and intentional racial harassment or discrimination.

Examples:

- Microaggressions, defined as “brief and commonplace daily verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative racial slights and insults toward people of color” (Source: The People’s Institute Northwest);
- Unwelcome comments and conduct with racial connotation(s) or subject matter that are demeaning to an ethnic group or people of a particular skin color or group
- Offensive and vulgar jokes, name-calling, ridicule or mockery, insults or put-downs, stereotyping based on a person’s skin color, ethnicity, or national origin, physical gestures or enactments, or displaying racist photographs or objects
- Unwelcome requests or demands for favorable treatment due to one’s skin color, ethnicity, or national origin • Physical assaults or threats and intimidation
- Policies, practices, and norms that perpetuate institutional or cultural racism

Reporting and Addressing Racist Incidents

To address a racist incident and report a racial grievance, Communities In Schools outlines the following procedures:

If you DO feel safe and able, directly address the person committing the racist incident:

- Your manager or another agency leader you trust may be a safe person to talk with about what happened and plan the conversation before addressing the person.
- Address the person committing the incident directly — you can have another person with you when addressing the person directly.
- Name the behavior or activity and how it impacted you (or someone else, if you have their permission). If you are an observer, check-in with the person impacted first before confronting the behavior. See “If you are an observer of a racist incident” below.
- Explain that their action or behavior is against Communities In Schools commitment to DEI, values and policies and the impact their actions had on you.

If that does not resolve the incident:

- Bring your concern to CIS’ Racial Grievance Process by submitting the Racial Grievance [Reporting Form](#) as quickly as possible.
- CIS will address the incident according to our investigation and grievance procedure listed below.

If you DO NOT feel safe or able, do not directly address the person committing the racist incident:

- Bring your concern to CIS' Racial Grievance Process by submitting the Racial Grievance [Reporting Form](#).
- CIS will address the grievance according to our investigation and grievance procedure listed below.

If you are the observer of a racist incident:

- First, check in with the person experiencing the racist incident to see what support they need and what course of action would be most helpful to them.
- From there, determine next steps for addressing or reporting the racial grievance (see above for more details).
- If you see someone address a racist incident, offer them support and acknowledge their action to continue to build solidarity and community around interrupting racism.

Confidentiality, Access to Information, and Protection from Retaliation

Often, in order to address racial harm, it is not possible for complaints to remain anonymous. With that said, CIS is committed to preventing threats, retaliation and victimization and to supporting those who file grievances and those who offend to rebuild their working relationship and restore collaboration to the extent possible.

Records of racial grievances about staff will be placed in the offender's personnel file. A record of the racial grievances report will not be placed in the personnel file of a staff member reporting an incident.

Threats, other forms of intimidation, and retaliation against a person reporting a racial grievance or any party involved in implementing the racial grievance process are violations of the policy and may be grounds for disciplinary action.

How Grievances Will be Addressed

- A prompt, thorough, and fair investigation towards a resolution will be conducted.
- CIS representative will meet one-on-one with the offender to share the feedback, reinforce our values, and determine a corrective action plan.
- CIS representative will facilitate a mediation session or other conflict resolution activity with the affected person and the offender or a third-party person trained in mediation and conflict resolution, specifically around racial grievances will be engaged.

Racial Grievance Process

1. Evaluation

The first action must be taken by CIS representative within three (3) business days of receiving the complaint. CIS evaluates the written information that it receives to determine whether it constitutes a complaint that is subject to further review. If so, CIS determines whether it can investigate the complaint. CIS makes this determination with respect to each complaint. For example, CIS must determine whether a complaint is more suited to be investigated under the general CIS Grievance Process; that is, whether the complaint alleges a violation of one or more of the laws CIS enforces. In addition, CIS will determine whether the complaint contains enough information about the alleged grievance to proceed to investigation. If CIS needs more information in order to clarify the complaint, it will contact the complainant; and the complainant has 14 calendar days within which to respond to CIS' request for information unless the complainant has requested additional time to provide the information.

Some of the reasons for CIS' dismissal of a complaint includes:

- Racial Grievance Process does not have legal authority to investigate the complaint;
- The complaint fails to state an action not in line with our DEI Commitment;
- The complaint is speculative, conclusory, or incoherent, or lacks sufficient detail to infer discrimination and the complainant does not provide the information that CIS requests within 14 calendar days of the request, unless the complainant requests additional time to provide the requested information;
- The allegations raised in the complaint have been resolved and are therefore no longer appropriate for investigation;
- The complaint has been investigated by CIS Human Resources; and
- The same or similar allegations based on the same operative facts have been filed by the complainant against the same recipient.

2. Opening the Complaint for Investigation

If CIS determines that it will investigate the complaint, it will issue notification within 14 days to the complainant and the recipient. Opening a complaint for investigation in no way implies that CIS has made a determination with regard to the merits of the complaint. During the investigation, CIS is a neutral fact finder. CIS will collect and analyze relevant evidence from the complainant, the recipient, and other sources, as appropriate. CIS will ensure that the actions it takes in investigations are legally sufficient, supported by evidence, and applicable to the allegations raised in the complaint.

3. Investigation of the Complaint

CIS may use a variety of fact-finding techniques in its investigation of a complaint. These techniques may include reviewing documentary evidence submitted by both parties, conducting interviews with the complainant, the recipient against whom the complaint is made, personnel with first-hand knowledge of the incident, and other witnesses, and/or site visits. At the conclusion of its investigation, CIS will determine, with regard to each allegation, whether:

- There is insufficient evidence to support a conclusion that the recipient failed to comply with our Diversity, Equity, and Inclusion commitment, or
- The evidence supports a conclusion that the recipient failed to comply with CIS' DEI Commitment. CIS' determination will be explained in a Memo of Findings sent to the complainant and recipient. Memo of Findings contain fact-specific investigative findings. Memo of Findings are not formal statements of CIS' policy and they should not be relied upon, cited, or construed as such. CIS' formal policy statements are approved by the board and available to all staff.

4. Resolution of the Complaint

If CIS determines that a recipient failed to comply with the CIS DEI commitment, CIS will contact the recipient and will attempt to secure the recipient's willingness to negotiate a voluntary resolution agreement. If the recipient agrees to resolve the complaint, the recipient will negotiate and sign a written resolution agreement that describes the specific remedial actions that the recipient will undertake to address the area(s) of noncompliance identified by CIS. The terms and obligations of the resolution agreement, if fully performed, will remedy the identified violation(s). CIS Human Resources will monitor the recipient's implementation of the terms and obligations of the resolution agreement to verify that the remedial actions agreed to by the recipient are being properly implemented. If the recipient does not agree to correct its noncompliance by entering into a resolution agreement, CIS may initiate proceedings to suspend or terminate.

5. Resolution of the Complaint Prior to Conclusion of the Investigation

Facilitated Resolution Between the Parties:

Facilitated Resolution Between the Parties (FRBP) allows the parties (the complainant and the recipient who is the subject of the complaint) an opportunity to resolve the complaint allegations quickly; generally, soon after the complaint has been opened for investigation. If both parties are willing to try this approach, and if CIS determines that FRBP is appropriate, CIS will facilitate discussions between the parties and work with the parties to help them understand possible remedies. The Chief Operations and Equity Officer and the Chief Human Resource Office can be designated to facilitate the discussion. CIS does not approve, sign or endorse any agreement reached between the parties as a result of FRBP, and CIS does not monitor the agreement. However, if the recipient does not comply with the terms of the agreement, the complainant may file another complaint with CIS.

Resolution Agreement Reached During an Investigation:

A complaint may also be resolved before the conclusion of an investigation, if the recipient expresses an interest in resolving the complaint and CIS determines that it is appropriate to resolve the complaint because CIS' investigation has identified issues that can be addressed through a resolution agreement. The provisions of the resolution agreement must be tied to the allegations and the evidence obtained during the investigation, and will be consistent with applicable regulations. CIS will inform the recipient that this resolution process is voluntary before proceeding to resolution under this section, and will notify the complainant of the recipient's interest in resolution. After the recipient signs the resolution agreement, CIS will issue a Resolution Memo, which will address all allegations.

6. Appeal

CIS does not have capacity to address racial grievance appeals. If you believe that your racial grievance was not handled appropriately, concerns can be shared with the Chief Human Resource Officer.

Racial Grievance Process FAQ

How do I file a complaint?

You can e-mail racialgrievance@ciscentraltexas.org or submit the [Racial Grievance Reporting Form](#).

What do I need to include in my complaint?

You should let us know the person(s) who has been discriminated against, when the discrimination occurred, and you should sign and date the form or email and let us know how we can reach you by phone and e-mail.

How soon after the discrimination do I need to file?

We recommend filling as soon as possible.

How promptly will CIS respond to my complaint?

CIS will promptly acknowledge receiving your complaint and will contact you by e-mail or telephone to let you know whether we will proceed further with your complaint.

What is CIS' role during the complaint process?

CIS' role is to be a neutral fact-finder and to promptly resolve complaints. CIS has a variety of options for resolving complaints, including facilitated resolutions and investigations. CIS does not act as an advocate for either party during the process.

What if I am already pursuing my complaint within Human Resources?

If the concern is being handled by Human Resources, your concerns will need to be addressed by the Chief Human Resources Officer.

Can I share information about my complaint with my supervisor?

You are able to share about your concerns with your supervisor. We do request that you limit conversations about the complaint until the process is complete.