



ETHICS ADVISORY COMMITTEE COMPLAINT PROCEDURE

Key:

ATI: Alexander Technique International

Ethics Advisory Committee (EAC): a group made up of 5 ATI members, which can be one chair and 4 committee members, or 2 co-chairs and 3 committee members.

Ethics Advisory Panel (EAP): a group of 6 individuals (5 EAC members and an outside individual recruited by the ATI board).

EAC chair: If there are two co-chairs, one of them will assume the role of chair for grievance purposes.

Complainant: person or persons who file a grievance claiming that the ATI Code of Ethics or By- Laws has been violated.

Respondent: the person or persons alleged to have violated the ATI Code of Ethics or By-Laws. **Advocate:** an individual who agrees to support and if necessary give advice. The advocate can be any person the complainant and/or respondent choose.

Certified mail: or the equivalent (e.g. FedEx) includes mailing receipt, identifier, and delivery records of dates sent and received.

Ethics subcommittee: the EAC chair and two panel members (only applicable to Part IV).



I. GENERAL REQUIREMENTS

1. Any person who believes that a member has acted in violation of the ethical principles or standards set by the ATI Code of Ethics or By-Laws may submit a signed type written complaint to the EAC chair.
2. A log of every date, action, copies of letters, e-mails, post office receipts, and descriptions of phone calls must be kept during the entire action.
3. All individuals involved in the proceeding are required to send mail by certified mail (see key above) to create and ensure an official chronological record. Failure to send communications by these means can be cause for the committee to consider the case to be null and void.
4. The EAC has the authority to determine if a complaint represents a valid violation.

II. CONFIDENTIALITY

1. In order to protect the legitimate interests of the respondent, complainant, witnesses, and others, the confidential nature of a proceeding specified in this EAC complaint procedure shall be preserved. The members of the EAC and EAP (as well as the ATI board in the event they become involved) shall take all precautions to assure the confidential nature of the proceeding.
2. All individuals involved in the complaint process are instructed to remove themselves in the event of a conflict of interest.



III. PROCEDURE

A. Preliminary information

1. When a grievance complaint is received by the chair of the EAC, it is the responsibility of the chair and all members of said committee who become involved:

- a. To support the individual filing the complaint.
- b. To support and consider innocent the accused member until the evaluation is complete.

2. At any point in the procedure, before a possible respondent counter-complaint, the complainant can choose not to proceed further. The complainant's decision must be communicated to the EAC chair immediately.

3. At the initial contact, the EAC chair asks the complainant these two questions:

- a. Do you wish to proceed with your grievance complaint knowing that the subject of your complaint will be informed?
- b. Do you understand that the subject of your complaint will see your written charge in its entirety?

These questions are intended to assure all persons involved that the ATI grievance process is consistent and fair. They are not intended to dissuade a complainant. If the answer to both of the above questions is 'yes', and the chair and complainant decide to proceed:



4. The chair explains to the complainant that the role of the EAC is to encourage dialogue and the resolution of conflict among all parties involved.

B. Grievance procedure

1. After a complainant chooses to file a formal complaint, the chair sends a copy of the EAC complaint procedure to the complainant postmarked within 5 days of the initial conversation. It is recommended the complainant obtain an advocate as early in the process as possible.

2. The EAC chair instructs the complainant to report the official charge by:

a. Submitting a specific, typewritten description of the conduct the complainant believes constitutes an ethical violation, including citing the exact principle or principles in the ATI Code of Ethics or By-Laws being violated.

b. A description of the resolution the complainant is requesting be considered. The EAC chair has the authority to consult the EAC if the appropriateness of the complainant's claim is in doubt. The claim can be refused a hearing if it is concluded that no violation of the Code of Ethics has been committed. The chair must receive this completed document by certified mail before the chair can initiate the official complaint process.

3. The chair informs the complainant that a copy of the complaint will be sent to the respondent.

4. The chair confirms to the complainant, by mail postmarked within 5 days, that the complainant's written charge has been received.



5. The chair sends a copy of the written complaint and the EAC complaint procedure by certified mail to the respondent and requests a response postmarked within 15 days.
6. On receipt of the respondent's response, a copy of said response is sent to the complainant postmarked within 5 days.
 - a. If the respondent files a counter-complaint, it must be sent by certified mail to the EAC chair within 15 days of the post office mailing date when the respondent received the initial complaint. The counter-complaint must be a typewritten document detailing how a violation of the ATI Code of Ethics or By-Laws has occurred and stating what resolution the respondent is requesting be considered. It is advised that the respondent obtain an advocate as soon as possible.
 - b. The chair confirms the receipt of the respondent's counter-complaint to the respondent postmarked within 5 days, and, at the same time, sends a copy of the respondent's counter-complaint to the complainant by certified mail.
 - c. The complainant must write a response to the counter-complaint and return it by certified mail, postmarked within 15 days, to the EAC chair who will include it in the material to be sent to the panel.
7. The EAC chair speaks to each party separately to gather information and work toward a resolution. If, after the conversations, the complainant chooses to continue the complaint process, the EAC chair advises each party to obtain an advocate if they haven't done so already. The respondent has no choice whether to proceed or not.



8. The EAC chair recruits a panel of four people drawn from the EAC. The EAC chair informs the board there is a complaint action, and the board recruits one outside individual to be included as a member of the EAP. From this point on, the EAC chair takes the role of moderator.

9. The EAC chair sends each member of the panel a copy of all the written documents by certified mail postmarked within 7 days of the panel assembly.

Documents include:

- a. EAC complaint procedure
- b. Copy of ATI Code of Ethics or By-Laws
- c. Initial complaint filed by the complainant
- d. Respondent's response
- e. Respondent's counter-complaint (if there is one)
- f. Complainant's response to the respondent's counter-complaint

These documents are sent together so the panel has both sides of the case to examine.

10. The EAP evaluates the documents to determine if it is necessary to gather more information. The panel can meet by any means with the intention to reach a unanimous decision that serves the parties and ATI. If the panel cannot reach a unanimous decision, the majority decision is the one acted on.

11. Each member of the panel writes a recommendation of resolution and sends it by certified mail to the EAC chair. The chair creates a



document informing the complainant and the respondent of the decision the panel has reached in reference to the original complaint and any counter-complaint. This document is sent to both the complainant and respondent by certified mail.

12. If during any stage of the investigation a party does not respond as instructed in this procedure, the chair must continue to attempt communication by e-mail, phone calls, and/or certified letters for a period of 60 days. A log must be kept of each attempt at communication. If no contact has been made at the end of 60 days, the panel can resolve the case. Their decision is not subject to appeal by the absent party.

13. Parties engaged in an ethical dispute have the choice to abide by the decision of the Ethics Advisory Committee or have the right of final appeal to the board. (2021 Policy)

They can also choose to hire (at their own expense) a professional mediator to resolve the complaint between them outside the purview of the ethics advisory process. If the parties do not communicate their request within 30 days, the case is considered closed and sealed.

14. In the case of a counter-complaint by the respondent, the respondent can initiate a new case to the chair of the EAC.

15. At the conclusion of a grievance complaint procedure case, documents accumulated during the proceeding will be kept in a sealed



envelope in a safe-deposit-box administered by the ATI administrative coordinator at ATI's main office. Records are kept for 10 years and then destroyed. The administrative coordinator is responsible for extracting ten-year-old records once a year.

IV. THE OPENING OF SEALED DOCUMENTS

If an individual, organization, or legal body approaches the ATI board, the EAC, or administrative coordinator to request opening sealed documents:

1) They must provide compelling written evidence demonstrating that re-opening the sealed documents will:

- a. Reveal significant evidence that the previous investigation has some bearing on a new complaint
- b. Aid in a legal investigation

2) This written evidence request is sent to the chair of the EAC who will choose two members from the EAP. This ethics subcommittee evaluates the request. If appropriate, every effort will be made to involve the EAC and panel members who were involved in the original complaint.

3) The ultimate determination will be based on considerations of:

- a. The ATI Code of Ethics or By-Laws
- b. The obligation to maintain confidentiality
- c. The safety of the population of the community at large
- d. The aspects of the case not limited to the above criteria



- 4) The ethics subcommittee may deem it necessary to engage legal counsel to further advise in a determination to open the records.
- 5) The EAC chair is responsible for communicating with the ethics subcommittee/legal advisor's decision to the requesting body as soon as it is determined.
- 6) The ethics subcommittee comes to a decision on the request in a timely manner.
- 7) If an official action is required to any unanswered questions, the EAC can take the action they consider appropriate at that time.

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