



Investigation and Discipline Policy

Washington State Search and Rescue Volunteer Advisory Council (SARVAC)

Applicability

This policy applies to all SARVAC board members, team representatives and alternates, attendees at any SARVAC-related event including spouses or significant others, instructors and any contracted workers.

Incoming complaints

SARVAC will accept complaints about possible violations of the Code of Conduct from any source inside or outside the organization. Such complaints will ordinarily be directed to the President but may be directed to any member of the Board at the discretion of the reporting party.

No Complaint Required

There is no requirement for a complaint to be made at all. If any member of the board becomes aware of a possible policy violation, by whatever means, they have an obligation to act as the complaining party and initiate this process even if no other person files a complaint.

Immediate Harm

If the alleged behavior creates the possibility of immediate and irreparable harm to SARVAC or any person prior to the reasonable completion of this investigative process, the President shall immediately exclude the accused party from any SARVAC-related activity pending completion of an investigation. In the absence of the President, any board member becoming personally aware of the risk of immediate and irreparable harm, shall have the same authority and obligation.

Preliminary Review

The President, board member who accepts a complaint, or board member who becomes aware of a possible policy violation shall notify the rest of the board in writing (e-mail acceptable) within 48 hours, providing as much detail as is available at the time.

The Board will review the possible policy violation within 10 days. This review may be conducted remotely or via e-mail. At this stage, the Board shall determine only the following: "If this allegation were proven true, would this be a violation of SARVAC's Code of Conduct?"

If the answer is "no," the process stops. The President will contact any complaining party and attempt to resolve their concerns by other means. This can include simply bringing the parties together to air concerns and resolve differences.

If the answer is "yes," then the President shall appoint an uninvolved Primary Team Representative who agrees to act as investigator.

Notice Required



The President shall provide written notice to the accused person explaining the allegation and any portions of the Code of Conduct to which the allegation might apply. E-mail shall suffice with a return confirmation from the accused. If the accused person does not confirm receipt of an e-mail, then notice will be sent by registered mail with a return receipt required.

The President shall keep a complaining party informed as to the progress of the investigation.

Investigation

The investigator will have authority to contact all parties, witnesses, the accused and any other person inside or outside the organization who might have relevant information. The investigator will also have access to any SARVAC documents, written or electronic, that might bear on the allegation.

Refusal to cooperate with the investigator shall be considered insubordination and will be a separate violation of the code of conduct.

Report

The investigator shall provide a report to the Board within 30 days. The report shall, at a minimum, describe the conduct that was originally alleged and to the greatest extent possible a determination of what conduct actually took place.

The investigator shall make no determination of whether a violation occurred, or what sanctions are appropriate. The investigator MAY provide guidance to the Board as to which portion of the Code of Conduct applies to the conduct which was investigated. (e.g. "I looked into this from the perspective of sexual harassment.")

Finding

The Board will rely only upon the investigator's report to determine findings. The Board's options are:

- **Unfounded.** The alleged act did not occur.
- **Undetermined.** From the facts known, it is not possible to determine whether or not a violation occurred.
- **Justified.** The alleged action occurred but was within policy and appropriate.
- **Policy Error.** The accused person followed policy, but the policy was wrong.
- **Sustained.** The alleged act occurred and was a violation of policy. In this case, the initial finding shall be considered a "contemplated finding," pending an appeal to the Board as described below.

Contemplated Sanction

Only after a contemplated finding that the alleged violation is sustained will the Board consider a contemplated sanction. Sanctions are not intended to be punitive. Sanctions shall be crafted, wherever possible, to induce a positive change of behavior. The Board's options are:

- **Training Referral.** The sanctioned person may be required to attend training that addresses the behavior involved.



- Verbal Reprimand. The President shall verbally counsel the sanctioned person that their behavior was a violation and must not occur again.
- Written Reprimand. The President shall counsel the person in writing that their behavior was a violation and must not occur again.
- Restorative Justice. If the violation is such that it can be resolved between aggrieved parties, and all parties agree, the President may bring the sanctioned person and the aggrieved party together to restore civility and trust between the two.
- Suspension. The sanctioned person is suspended from all SARVAC-related activities for a fixed period of time.
- Expulsion. As a last resort, the Board may permanently expel the sanctioned person from any participation in SARVAC-related activities. This sanction shall only be imposed if the conduct was so egregious that the continued presence of the person at SARVAC events would be disruptive, or if the person indicates an unwillingness to change their behavior.

Appeal to the Board

After a contemplated finding of *sustained* has been reached and contemplated sanctions proposed, the person to be sanctioned will be offered an opportunity to meet with the Board. This is an opportunity for the person facing sanctions to simply tell their side of the story directly to decision-makers. The person may present information that the investigator got something wrong and/or that the contemplated sanction is inappropriate. The board may only ask clarifying questions of the material presented. The Board may consider information presented but may not delve into entirely new areas beyond the investigator's report and the appeal.

Final Finding and Sanction

Within ten days of the Appeal Hearing, the board will determine by simple majority vote whether to enact, modify or drop the Contemplated Finding and Contemplated Sanction. The decision shall be considered final upon completion of the vote.

Notification

Upon completion of this process, all parties shall be notified of the results. This includes any complaining party and the teams to which both the complaining party and accused party belong. If the sanctioned person is an appointed representative of a member team, and the final sanction is suspension or expulsion, that team shall be notified they must select another person to represent them.

Record Maintenance

Once complete and final, all records related to the investigation will be records of the corporation and subject to disclosure under RCS 24.03A. In the case of sexual or other harassment, the name of any victims, whether alleged or proven, shall be redacted from any material disclosed.

President's Recusal

In case the President is either the complaining or accused party, the President shall recuse themselves and any authorities granted or duties required shall be delegated to the Vice-President.