

# OBDA Adjudication Complaint Process

Approved January 9, 2023

## SCOPE:

Complaints are best handled when the complainant and the adjudicator involved work together to find a solution. To achieve a prompt resolution, complaints should be submitted in a timely manner.

## DEFINITIONS:

**Complaint:** Any concern, problem, or difficulty related to an OBDA Certified Adjudicator

**Complainant:** A person(s) that has initiated a complaint. Such as, festival coordinator, ensemble director, parent or legal guardian of a student, host site administrator, OBDA member, or a member of the public.

## PROCEDURE:

**Level 1:** *Informal complaints* should be discussed directly with the adjudicator involved.

If the issue cannot be resolved to the complainant's satisfaction or the complainant is reluctant to speak directly to the adjudicator, the complainant may present the concern to the event organizer who will then bring the complaint to the attention of the adjudicator.

The event organizer will inform the adjudicator of the complaint and discuss an appropriate resolution. The event organizer should inform the complainant of the outcome. The identity of the complainant may or may not be disclosed to the adjudicator at the discretion of the event organizer.

If the complainant is dissatisfied with the resolution, they may present their complaint to the Chair(s) of the Adjudication Committee.

The Chair(s) of the Adjudication Committee or a designated member of the Adjudication Committee will review the complaint and either mediate a meeting of the complainant and adjudicator or recommend proceeding to Level 2.

If unable to resolve a complaint at Level 1, the complainant may proceed to the formal complaint process in Level 2

**Level 2:** *Formal Complaint.* Submit a written letter to the OBDA Secretary, who will then forward the correspondence to the Chair(s) of the Adjudication Committee. This letter must contain the following:

Name and contact information

A description of the incident or concern, including what happened, when, where, names of those involved, and the names of any witnesses.

A description of what actions the complainant has taken to resolve the issue.

Suggestions for resolving the issue (optional)

Level 3: *Investigation* of the formal complaint will be conducted by the Chair(s) of the Adjudication Committee, or a member of the Adjudication Committee designated by the Chair(s).

The Chair(s) will form a panel consisting of a minimum of 3 people (including themselves) selected from the Adjudication Committee and/or the OBDA Executive Board to convene with the purpose of determining further action after reviewing the information gathered during the investigation.

Both the complainant and the adjudicator in question will be contacted as part of the investigation.

The Chair(s) of the Adjudication Committee or their designee will provide the complainant a written decision following the investigation.

If unable to resolve the complaint, the complainant has the right to request that representatives of the OBDA Executive Board review the decision. This request must be submitted in writing within 10 working days of the complainant receiving the written decision.

Level 4: *Review* of the decision by OBDA Executive Board representatives

The OBDA President will convene a select group representing the OBDA Board. The group will be comprised of the President, Past President and 2 additional members of the Executive Board and charged to review the record of the complaint to determine the necessity of further investigation. If necessary, the President and Past President may recuse themselves. Replacements must be members of the Executive Board. Following consideration of all pertinent material the select group will render a decision which the President will provide to the complainant in writing. The decision of the select group will be final.