

Minnesota Connections Academy (MNCA) Grievance Procedures for Discrimination and/or Harassment Complaints

I. Purpose

It is the policy of MNCA not discriminate on the basis of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability in its programs and activities. This Grievance Procedure has been created to provide for prompt and equitable resolution of complaints alleging any actions violating federal or state laws related to discrimination or harassment, including, but not limited to, Title IX; Title II of the ADA; and the Age Discrimination Act. Please note that MNCA has a separate Section 504 grievance procedure policy. This document outlines the process the School will use for reviewing and investigating complaints of harassment or discrimination of students for the bases outlined above.

II. Complaint and Grievance Procedure

Any student, parent/guardian, current or prospective student, or other individual within the school community who believes he or she has experienced and/or observed discrimination or harassment (“grievant”) in violation of School policy should promptly report the matter to the school’s Title IX Coordinator, a school counselor, principal or other school administrator. A Title IX grievant is requested to complete a complaint form. Complaints of alleged discrimination or harassment, brought forth by students, parents/guardians, current or prospective students, and other members of the school community, will be promptly investigated in an impartial and in as confidential a manner as reasonably possible, so that corrective action can be taken if necessary.

The grievance procedures will be as follows:

1. It is the express policy of MNCA to encourage the prompt reporting of claims of discrimination and/or harassment. MNCA encourages the reporting of complaints within thirty (30) days of the alleged violation, whenever possible. Timely reporting of complaints facilitates the investigation and resolution of such complaints. A form for such purpose can be found on our website and will also be provided to grievant. As it pertains to students, in appropriate circumstances, due to the age of the student making the complaint, a parent/guardian or school administrator may be permitted to fill out the form on the student’s behalf. Upon filing a complaint with MNCA, the parent, guardian, or student will be asked to provide a brief description of the alleged discriminatory action, the date of the alleged action, and the name of the person(s) responsible for the alleged action.
2. At the time the complaint is filed, the grievant shall be given a copy of these grievance procedures. It is the responsibility of the Title IX Coordinator or designee to explain these procedures and answer any questions. In addition, if the grievant is a minor student, the Title IX Coordinator should consider whether a child abuse report

should be completed in accordance with MNCA's policy on the Reports of Suspected Child Abuse or Neglect of Children.

3. The Title IX Coordinator or his or her designee shall authorize the investigation of the complaint as promptly as practicable, and attempt to complete the investigation promptly, unless the matter can be resolved informally. The investigation may be conducted by MNCA or by a third party designated by MNCA.
4. The investigation may consist of personal interviews with the parent, guardian, or student, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator. The investigation shall be carried on discreetly, and the investigator shall strive to maintain confidentiality insofar as reasonably possible while conducting an effective investigation.
5. In determining whether alleged conduct constitutes a violation of this policy, MNCA should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of MNCA policy requires a determination based on all the facts and surrounding circumstances.
6. If after an investigation, the Title IX Coordinator or his or her designee determines that there is reasonable cause to believe that discrimination or harassment has occurred, MNCA shall take appropriate corrective action in an effort to ensure that the conduct ceases and will not recur. The Title IX Coordinator or his or her designee shall also provide and/or arrange for confidential school counseling or training where appropriate. In addition, the Title IX Coordinator or his or her designee shall seek an informal agreement between the parties which is consistent with MNCA's principles and goals.
7. The investigation will be completed within thirty (30) days of receipt of the complaint, unless good cause exists for a longer period of time. Upon completion of the investigation, the investigator shall make a written report of the result of MNCA's investigation to the Title IX Coordinator or his or her designee, who shall forward the report to the Superintendent. If the Title IX Coordinator or his or her designee (as opposed to some other individual designated by MNCA) conducted the investigation, the report shall be filed directly with the Superintendent. The report shall include a determination of whether the allegations have been substantiated and whether they appear to be violations of this policy. The result of MNCA's investigation will be reported in writing to the parent, guardian, or student by MNCA in accordance with state and federal law regarding data or records privacy. The parent, guardian, or student will also be informed of the right to appeal, as explained below.

III. Appeal of Complaint

In the event the parent, guardian, or eligible student does not believe that the complaint has been resolved to his or her satisfaction, he or she may appeal to the Title IX Coordinator or his or her designee. If the Title IX Coordinator or his or her designee (as opposed to some other individual designated by MNCA) conducted the investigation, the appeal may be filed directly with the Superintendent. Any appeal must be made in writing within ten (10) school days of receipt of the written result of the MNCA's investigation.

IV. Review of Appeal

The Title IX Coordinator or his or her designee shall conduct a review of a timely appeal and within ten (10) school days of receipt of the appeal, shall investigate further if necessary and respond in writing to the parent, guardian, or student to the extent allowed by law. If the Title IX Coordinator or his or her designee conducted the investigation, this review shall be conducted by the Superintendent. The decision of the Title IX Coordinator or his or her designee (or of the Superintendent if that individual conducted the review) is final but does not prohibit the parent, guardian, or eligible student from pursuing alternative complaint procedures as discussed below.

V. MNCA Action

Upon completion of an investigation (or appeal) that determines a violation of this policy has occurred, MNCA will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. MNCA action taken for violation of this policy will be consistent with requirements of applicable Minnesota and federal law and MNCA policies and procedures.

VI. Retaliation or Reprisal

MNCA will discipline or take appropriate action against any student, teacher, administrator, or other school personnel, or agent of MNCA, including, but not limited to, volunteers, who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged discrimination prohibited by this policy, or who testifies, assists, or participates in an investigation, proceeding, or hearing relating to such discrimination or retaliation. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the retaliation or reprisal.

VII. Right to Alternative Complaint Procedures

These procedures do not deny the right of the parent, guardian, or eligible student to pursue other avenues of recourse at any time which may include filing charges with the Minnesota Department of Human Rights, initiating civil action, or seeking redress under state criminal statutes and/or federal law, or contacting the Office for Civil Rights for the United States Department of Education.

U.S. Department of Education
Office for Civil Rights, Chicago Office
500 W. Madison Street – Suite 1475
Chicago, IL 60661
Tel: 312-730-1560
Fax: 312-730-1576
Email: OCR.Chicago@ed.gov

MN Department of Human Rights
Freeman Building
625 Robert Street North
St. Paul, MN 55155
Tel: 651-539-1100
Toll-free: 1-800-657-3704
Fax: 651-296-9042
Email: Info.MDHR@state.mn.us

VIII. Dissemination of Information

MNCA shall notify applicants for admission, students, parents/guardians, employees, and sources of referral of applicants for admission that it does not discriminate on the basis of protected classifications in the educational programs or activities which it operates. The notification shall be made in the form and manner required by law or regulation.

IX. Coordinators

The following person(s) has been designated to handle inquiries regarding the nondiscrimination policies:

Title IX Coordinator

Jeff Monsrud
jmonsrud@emailmtcs.org
2872 26th Ave South,
Minneapolis, MN 55406
612-722-9013

Alternate Title IX Coordinator

Jake Esteson
jesteson@emailmtcs.org
2872 26th Ave S
Minneapolis, MN 55406
952-843-9040

Section 504 Coordinator

Kelly Dietrich
Kdietrich@mtcs.org
2872 26th Ave South,
Minneapolis, MN 55406
612-722-9013

Alternate Section 504 Coordinator

Lisa Jaroslowski
ljaroslowski@emailmtcs.org
2872 26th Ave S
Minneapolis, MN 55406
612-722-9013

Legal References

Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)
Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross-References

MTCS School Board Policy 102, Equal Educational Opportunity
MTCS School Board Policy 402, Disability Nondiscrimination
MTCS School Board Policy 413, Harassment and Violence
MTCS School Board Policy 521, Student Disability Nondiscrimination
MTCS School Board Policy 522, Student Sex Nondiscrimination
MTCS School Board Policy 535, Section 504 Policy, Education of Students with Disabilities
under Section 504 of the Rehabilitation Act