Reporting Procedure

You are responsible for, and have an obligation to, report harassing or inappropriate behavior, whether it is directed at you or is something you saw or heard that was directed at someone else. Any manager or supervisor who learns of or observes harassing or inappropriate behavior, or receives a complaint about this kind of behavior, must immediately report the behavior or complaint to the Human Resources Department/Title IX Coordinator, Mary Gryz Human Resources Director at phone 763-533-0500, email mgryz@excellacademy.org or in writing and send to Mary Gryz, Human Resources Director, 5800 65th Ave N, Brooklyn Park, MN. 55429

If you *experience* harassment in the workplace, whether by employees or non-employees, take the following steps:

- Take immediate action rather than ignoring the problem and waiting for it to go away; ● Tell the offending person, if they feel comfortable doing so, that their actions or comments are unwelcome, that the behavior is offensive, and it must stop immediately; ● Report the incident as soon as possible to a supervisor, the Human Resources Department, Title IX Coordinator (the HR Consultant) or the Chief Education Officer.

Remember that we will not tolerate any retaliation against you for reporting concerns about harassing behavior or conduct.

If you *witness* harassment, take the following steps:

- Take the incident(s) seriously;
- Refuse to condone or participate in the behavior;
- Encourage the victim to speak with their supervisor, the Human Resources Department, or the Chief Education Officer; and
- Express suspicions or concerns to your supervisor, the Human Resources Department, or the Chief Education Officer so that we can be alerted to any possibly harassing situations.

If you *engage in* harassing behavior or have been accused of engaging in harassing or inappropriate behavior, take the following steps:

- Stop the behavior immediately;
- Listen to the person complaining about the behavior; and
- Learn from the experience and do not repeat it.

You must cooperate during any harassment investigation or fact-finding we conduct and must provide honest and complete information. If you refuse to

participate in the investigation, provide untruthful statements to the investigator, or otherwise obstruct the investigation process, you will be subject to discipline, up to and including termination of employment.

Under Title IX, the complainant is required to make a formal complaint and a third party is not allowed to file a formal complaint on the complainant's behalf. The definition of formal complaint limits filers to complainants themselves and the Title IX coordinator. Thus, while third parties may still report sexual harassment, such reports do not constitute "formal complaints." In the event a complainant does not complete a formal complaint, the Title IX Coordinator will need to do so to initiate the formal grievance procedure. A complainant may not remain anonymous. If the Title IX Coordinator is filing the complaint, they are required to disclose the name of all parties, if known, including the name of the complainant's identity.

Supervisors

For purposes of this policy, Supervisors are exempt employees whose primary duties involve managing a division of the company and directing the work of at least two full time employees or equivalents. Among other duties, supervisors are responsible for hiring, firing, and disciplining others. Non-exempt employees who direct the work of employees, but do not have the authority to hire, fire, or discipline others, are not supervisors.

If you are a Supervisor who is responsible for hiring, firing and disciplining employees, and if you engage in harassment, permit others under your supervision to engage in such harassment, retaliate or permit retaliation against an employee who reports such harassment, you are guilty of misconduct and shall be subject to immediate disciplinary action that may include termination of employment.

Grievance Process

Once a formal complaint is received, all parties will be notified in writing. This notification will include:

- Notice of the grievance process, including any informal resolution process developed by the school;
- Notice of the allegations with "sufficient details known at the time and sufficient time to prepare a response before any initial interview." "Sufficient details" is defined to include:
    - The identities of the parties involved in the incident;
    - The conduct allegedly constituting sexual harassment under the new definition; o The date and location of the alleged incident.
- A statement that the respondent is presumed not responsible and that a

determination regarding responsibility is made at the conclusion of the grievance process;

- A notice to the parties that they may have an advisor of their choice, who may be, but need not be, an attorney, and who may inspect and review evidence
- Notice of any provision of the school's code of conduct that prohibits knowingly making false statements or knowingly submitting false information.

Investigation Process

We will promptly investigate any reports of harassment.

The parties must be provided equivalent opportunities to present and review evidence, to have an advisor (who may be an attorney) present, and to have their advisor participate in any meeting, hearing, or investigative interview. The parties will be provided all the evidence subject to inspection and review in electronic format or hard copy, before the investigation report is completed. The parties will be given 10 days to submit written responses, and the investigator will consider any written responses when finalizing their investigation report.

When a complainant or respondent is being interviewed or otherwise met with, the school will give written notice of the date, time, location, participants, and purpose of such interview, meeting, or hearing, with sufficient time for the party to prepare to participate.

An investigation report that fairly summarizes the relevant evidence will be sent to the complainant and respondent at least 10 days before any determination of responsibility is made, for the parties' review and written response. Parties have 10 days to respond to the report.

The Chief Education Officer or their designee will make a final determination. Corrective action will be taken consistent with the results of our investigation.

Retaliation

We do not tolerate any retaliation against any employee who reports an incident of alleged harassment on inappropriate workplace behavior or provides information during an investigation and will take measures to protect all such employees from retaliation. *Engaging in retaliatory behavior is a violation of this policy, and is grounds for corrective action, up to and including termination*

of employment.