

Catalog - Supplement E

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Medical Career College

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GRIEVANCE PROCEDURES

These procedures are to be followed for investigating and addressing any and all grievances/complaints to MCCNC from students and employees about any component of their experience at the school, including complaints of discrimination or harassment. These procedures are designed to be flexible to accommodate variances in severity of the grievance or complaint.

Confidentiality

MCCNC wishes to foster an environment in which individuals feel free to discuss concerns and make complaints. The school understands that complainants, witnesses, and others involved in the investigation process may be concerned about the confidentiality of information they are sharing. In some cases, the school may be obligated to take action when it becomes aware of information related to a complaint. Confidentiality will be maintained to the extent possible and consistent with the school's obligation in investigating complaints. Once an individual discloses identifying information to the school through the process described above, he/she will be considered to have filed a complaint with MCCNC. While the confidentiality of information received, the privacy of individuals involved, and compliance with the wishes of the complainant or witnesses cannot be guaranteed, they will be respected to the extent possible and appropriate.

Rights of the Complainant

- To object to behavior that is perceived as hostile, threatening, or intimidating;
- To notify or seek assistance from law enforcement and the Title IX coordinator;
- To be provided information regarding counseling or other services;
- To present relevant witnesses, evidence, and information at any meeting or hearing;
- To have access to any information, to the extent permitted by FERPA, that will be used at any meeting or hearing;
- Not to be personally questioned or cross-examined by the accused;
- To have all reasonable efforts made to protect confidentiality**
- To changes in his/her schedule if such a change is reasonably available;
- To be afforded an impartial factfinder and decision-maker;

To end the informal process at any time and begin the formal stage of the complaint process; To having a reasonable step taken to maintain the complainant's reputation;

To be protected against retaliation from the accused or from other persons during or after the complaint process; and

To a prompt and equitable resolution of the complaint.

**If the complainant requests confidentiality or asks that the complaint not be pursued, the school will take all reasonable steps to investigate and respond to the complainant consistent with the request for confidentiality or request not to pursue the investigation. If the complainant insists that his/her name or other identifiable information not be disclosed to the alleged perpetrator, the school's ability to respond may be limited. In cases where the school is required to report the incident to local law enforcement or other officials, the school may not be able to maintain the complainant's confidentiality.

Rights of the Accused

-To be informed by the complainant, either directly or indirectly through a third party, verbally or in writing, that a particular behavior was objectionable to the complainant;

-To be informed, when any formal investigation begins, of the allegations, and a proposed timeline for resolving the complaint;

-To present relevant witnesses, evidence, and information at any meeting or hearing;

-To have access to any information, to the extent permitted by FERPA, that will be used at any meeting or hearing;

-Not to be personally questioned or cross-examined by the complainant;

-To be afforded an impartial factfinder and decision-maker;

-To having reasonable steps taken to maintain the reputation of the accused; and

-To a prompt and equitable resolution of the complaint.

Retaliation

MCCNC prohibits retaliation against anyone who reports an incident of alleged harassment, discrimination or other unlawful conduct, or any person who assists or participates in a proceeding, investigation or hearing relating to such allegations. Submission of a good faith complaint or report harassment, discrimination or other unlawful conduct will not adversely affect the complainant's academic or work environment. The school will discipline or take appropriate action against anyone who retaliates against any person who reports an incident of alleged harassment, discrimination, or other unlawful conduct, or who retaliates against any person who testifies, assists or participates in a proceeding, investigation or hearing related to such allegations.

INFORMAL COMPLAINT PROCESS

In most cases, students and employees should first attempt to resolve their concerns with the individual(s) most directly connected to the complaint. If the student or employee is uncomfortable discussing the matter with the individual(s) most directly involved, the student should take his/her informal complaint to their instructor, or Director of Education, and the employee to their supervisor. Unlike the formal procedures, a complainant pursuing informal resolution of his/her complaint is not required to submit a written complaint to initiate the process. Under these informal procedures, the student or employee may, at any time, elect to make a formal complaint or withdraw the informal complaint altogether. Depending on the nature of the allegations, the school may be obligated to investigate the complaint with or without the complainant's involvement. Mediation may be used as a method for resolving the complaint informally, but not all complaints are appropriate for mediation. Allegations of sexual assault or violence are not appropriate for mediation. Adopting informal procedures for addressing complaints should in no way indicate that MCCNC does not take these complaints seriously. Informal procedures simply provide an alternative method for addressing complaints.

FORMAL COMPLAINT PROCESS

If the informal procedure or direct conversation is not appropriate, or does not yield a successful resolution, the student or employee can file a formal complaint in the following manner:

When to File a Complaint

Complaints should be filed as soon as possible so that they can be addressed. The school will expect that the student or employee come forward within 15 calendar days of becoming aware of the concern or after the last conversation in the informal process.

What to File

A formal complaint must be in writing and include the following:

- The complainant's name, address, email address and phone number
- A complete description of the concern/issue-including date, location, and all individuals involved, wither in the conduct complained of or as witnesses
- A description of what efforts, if any, have been made to resolve the issue informally, including individuals contacted in the resolution attempt
- A statement of the resolution requested

If the student or employee is hesitant or unwilling to put a complaint alleging discrimination, harassment (including sexual misconduct) or other unlawful conduct in writing, he or she is encouraged to discuss these concerns with the Title IX Coordinator or Designee. Similarly, if the student or employee

feel that changes to their academic or work situation, or other accommodations are necessary to ensure their safety or well-being as a result of the circumstances involved in a complaint, he or she is encouraged to request assistance. Assistance will be provided if reasonably available.

Where to File

The complaint should be filed with the Title IX Coordinator or Designee. The written complaint can be submitted electronically, in person, or by mail.

Notice of Receipt

Upon receipt of the formal complaint, the Title IX Coordinator or Designee should provide the complainant with a written notice acknowledging its receipt (via email and/or mail)

Investigation

The Title IX Coordinator or Designee will initiate an investigation. The extent and components of the investigation will vary depending on the allegations and circumstances. For purposes of illustration, an investigation may include the following steps, as appropriate:

- Reviewing the written complaint;
- Gathering additional information or statements from the complainant;
- Gathering information from any witnesses, or other people (faculty, staff, or other students/employees) with relevant information;
- Review relevant documentation and policies;
- Obtaining a response or written statement and other information from the individual(s) who is/are the subject of the complaint;
- Attempting a resolution of the complaint between the complainant and the individual(s), if appropriate;
- Assessing the information gathered and determining findings and proposed resolution for the complainant;

Complaints initiated through the formal process may be withdrawn by the complainant, subject to the confidentiality provisions noted below, and with the understanding that, depending on the nature of the allegations, the school may still be obligated to investigate the complaint with or without the complainant's involvement.

Findings and Notification

Upon completion of the investigation, the Title IX Coordinator will report the findings of the investigation of any proposed resolution to the School Director. The school will then notify the complainant in writing of these results. It is the school's goal to conduct an appropriate investigation and report back to the complainant in a timely manner, usually within 45 calendar days of the receipt of the complaint. The circumstances in particular cases may make a shorter or longer investigation necessary or appropriate.

Within 10 calendar days of the issuance of the final report, the complainant may appeal to the School Director. Appeals must be submitted in writing and must state a basis for the appeal. Bases on which a complainant may appeal are:

- There is new evidence that was unavailable at the time of the original investigation that would affect the outcome of the original decision
- There were procedural irregularities in the complaint process that affected the outcome
- The proposed resolution was not reasonable based on the evidence compiled during the investigation

A copy of the School Director's written decision on the appeal shall be sent to the complainant within 15 calendar days. If the appeal decision requires further action, that action will be described in the appeal decision letter.