

The following items are included in Ingenuity Prep's SY19-20 Handbook. They include Ingenuity Prep's:

- Internal Complaint Procedure
- Non-Discrimination Policy
- Harassment Policy
- Tobacco-free and Drug Testing Policy
- Whistle-Blower Protection Policy

### **Internal Complaint Procedure**

Any employee may submit an internal complaint regarding any disciplinary decision or other adverse employment action, except termination.

1. In the event an employee believes she/he has been treated unfairly, the employee should discuss the situation with the Chief Talent Officer an effort to resolve the issue. The Chief Talent Officer will arrange a meeting between all parties involved to work out an informal solution.
2. If a resolution cannot be reached through discussion with the Chief Talent Officer, the employee should put the complaint in writing to the Chief Talent Officer who is required to respond in writing within 5 business days.
3. If the employee remains unsatisfied with the resolution reached by the Chief Talent Officer, the employee should present the written material (his/her complaint and the Chief Talent Officer's response) to the Chair of the Board of Trustees within five (5) business days of receiving the Chief Talent Officer's response. The employee must notify the Chief Talent Officer of this action.
4. The Board of Trustees will issue a decision in writing to the employee and the Chief Talent Officer within five (5) business days after receiving the internal complaint. The Chair of the Board of Trustees shall convene a special meeting of the Board of Trustees to discuss a resolution to the grievance. The employee and Chief Talent Officer may be invited or excluded to participate in this special meeting as the Chair sees fit. If the Board of Trustees cannot provide a response within 5 business days, it will notify the employee by the fifth day of the need for an extension. The Board of Trustees may extend the period for resolution up to 15 additional business days. The decision of the Board of Trustees is final.

In the event that a complaint is filed regarding the Chief Talent Officer the following procedure will apply:

1. The employee should put the complaint in writing to the CEO.
2. The complaint process will run as normal with the CEO taking the role of the Chief Talent Officer in the process outlined above.

Employees are obligated to cooperate in good faith in the investigation and resolution of any internal complaint raised by them or against them. There will be no retaliation of any kind against an employee for bringing in good faith an internal complaint under this procedure. At their own expense, employees may seek outside guidance to articulate their complaint as clearly as possible.

## **Nondiscrimination Policy**

Ingenuity Prep shall not discriminate on the basis of race, color, ethnicity, creed, religion, national origin or ancestry, gender, sex (including pregnancy, childbirth, lactation, breastfeeding and related medical conditions), age, physical or mental disability, genetic information (including testing and characteristics), sexual orientation, personal appearance, gender identity or expression, marital status, family responsibilities, matriculation, political affiliation), lawful use of tobacco products and unemployment status or other protected class in accordance with applicable federal or District of Columbia laws in hiring or other employment practices of the school.

Ingenuity Prep shall be open to all students in its authorized geographic area on a space available basis and shall not discriminate in its admission policies or practices on the basis of race, color, ethnicity, religion, national origin, gender, disability, sexual orientation, language spoken, intellectual or athletic ability, measures of achievement or aptitude, of status as a student with special needs or any other characteristic protected under the law. Ingenuity Prep admits students of any race, color, ethnicity, religion, national origin, gender, disability, sexual orientation, language spoken, intellectual or athletic ability, measures of achievement or aptitude, of status as a student with special needs or any other characteristic protected under the law to all the rights, privileges, programs, and activities generally afforded or made available to students at the school. It does not discriminate on the basis of race, color, ethnicity, religion, national origin, gender, disability, sexual orientation, language spoken, intellectual or athletic ability, measures of achievement or aptitude, of status as a student with special needs or any other characteristic protected under the law in administration of its educational policies, admission policies, scholarship and loan programs, or athletic or other school administered programs.

If you believe you have been subjected to any form of discrimination, or if you are aware of an incident of discrimination involving another individual, please provide a written or verbal report to the Chief Talent Officer/Chief of Staff or CEO (if the incident in question involves the Chief Talent Officer/Chief of Staff). The report should be specific and should include the names of the individuals involved, the names of any witnesses and any documentary evidence (emails, notes, etc.). Ingenuity Prep will conduct a thorough and objective investigation in a timely fashion and attempt to resolve the situation. Ingenuity Prep will attempt to conduct the investigation in a confidential manner, but to address the situation properly may have to disclose information on a need to know basis.

If Ingenuity Prep determines that this policy has been violated, disciplinary action, up to and including immediate discharge, will be taken to prevent the conduct from recurring. Disciplinary action may be taken even when an investigation reveals conduct on the part of an employee that does not rise to the level of unlawful discrimination, but is inappropriate at Ingenuity Prep.

## **Harassment**

Ingenuity Prep is committed to providing a work environment free of harassment. As a result, Ingenuity Prep maintains a strict policy prohibiting harassment against applicants and employees because of the

following legally protected characteristics: race, color, ethnicity, creed, religion, national origin or ancestry, gender, sex (including pregnancy, childbirth, lactation, breastfeeding and related medical conditions), age, physical or mental disability, genetic information (including testing and characteristics), sexual orientation, personal appearance, gender identity or expression, marital status, family responsibilities, matriculation (e.g., being enrolled in a college or university or in a business, nursing, professional, secretarial, technical or vocational school), political affiliation, lawful use of tobacco products and unemployment status or other protected class protected by federal or District of Columbia laws. All such harassment is prohibited. This anti-harassment policy applies to all persons involved in Ingenuity Prep's operations and prohibits harassment by any employee, student, parent, volunteer, vendor or other visitor to Ingenuity Prep.

## **1.1 Sexual Harassment**

Ingenuity Prep Public Charter School prohibits any employee, student, parent, volunteer, or vendor from making unwelcome sexual advances of a verbal or physical nature toward an employee or applicant for employment.

Sexual harassment is viewed as a form of conduct that undermines the integrity of the employment relationship. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment is defined as behavior that is unwelcome and personally offensive. It reduces morale, interferes with work productivity, impugns individual dignity, and is contrary to Ingenuity Prep Public Charter School's mission.

Some examples of sexual harassment are:

- Unwelcome or unwanted sexual advances. This includes patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact considered unacceptable by another individual.
- Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures, or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequences concerning one's employment.
- Verbal abuse or kidding that is sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance (where such comments go beyond a mere compliment); off-color jokes that are unwanted; or any other tasteless, sexually-oriented comments, innuendoes, or offensive language.
- Any sexually oriented conduct that would unreasonably interfere with another's work performance or create an intimidating, hostile or offensive working environment. This includes extending unwanted sexual attention to someone, which reduces personal productivity.
- Participation in fostering a work environment that is generally intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversation, suggestions, requests, demands, physical contacts, or attention.

Sexual harassment is a practice that demeans the individual being treated in such a manner. Consequently, Ingenuity Prep Public Charter School will not tolerate sexual harassment of its applicants, or employees by anyone. Ingenuity Prep Public Charter School will, as necessary, take disciplinary action, up to and including termination, in accordance with this policy to ensure that we meet our responsibilities to our employees.

## **1.2 Retaliation**

Ingenuity Prep will not retaliate against any employee who, in good faith, objects to conduct which they perceive as harassment, participates in an internal investigation of a complaint of discrimination, or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing which a governmental enforcement agency conducts. This means that Ingenuity Prep will not take any adverse employment action, including, but not limited to:

- reduction in pay
- demotion
- discipline
- transfer to an undesirable position
- termination of employment
- making offensive comments about the employee or otherwise discriminate against an employee for calling attention to possible harassment.

Ingenuity Prep also will not tolerate one or more employees retaliating against any other employee.

## **1.3 Complaint Procedure**

Any employee who believes that they have been harassed, discriminated against or subject to retaliation by a coworker, supervisor, student, parent, vendor or other visitor to Ingenuity Prep, in violation of the foregoing policies, or who is aware of such harassment, discrimination or retaliation of others, should immediately provide a written or verbal report to their supervisor, the CEO, Chief Talent Officer or Chief of Staff, or any else in the administration with whom the person feels comfortable. After a report is received, a thorough investigation will be undertaken promptly. Once the investigation is completed, Ingenuity Prep will let you know as soon as practicable.

If Ingenuity Prep determines that a violation of its policy against discrimination, harassment and retaliation has occurred, appropriate disciplinary action, up to and including discharge, will be taken to prevent the conduct from recurring.

## **10.4 Consensual Romantic or Sexual Relationships**

Ingenuity Prep strongly discourages romantic or sexual relationships between a manager or other supervisory employee and their staff (an employee who reports directly or indirectly to that person) because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different supervision structure.

Ingenuity Prep also strongly discourages romantic or sexual relationships between employees and family members of currently enrolled students, as this may create compromising conflicts of interest or the appearance of such conflicts.

If any employee of Ingenuity Prep enters into a consensual relationship that is romantic or sexual in nature with a member of their staff (an employee who reports directly or indirectly to them), or if one of the parties is in a supervisory capacity in the same team in which the other party works, or if an Ingenuity Prep employee enters into a consensual relationship that is romantic or sexual in nature with a family member of a currently enrolled student, the parties must notify the Chief Talent Officer. Because of potential issues regarding quid pro quo harassment, Ingenuity Prep has made reporting mandatory. This requirement does not apply to employees who do not work in the same team or to parties where neither one supervises or otherwise manages responsibilities over the other.

Once the relationship is made known to Ingenuity Prep, the company will review the situation in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another team. That decision will be based on which move will be least disruptive to the organization as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.

## **Tobacco-free and Drug Testing Policy**

### **13.1 Tobacco-free Policy**

For the health and safety of students, staff, and visitors to Ingenuity Prep Public Charter School and pursuant to District of Columbia law, there will be no use of tobacco products within the facilities and upon the school premises at any time, or when supervising students in any setting. Staff members, when on an approved break, are not to use tobacco products in public spaces near the school that are easily visible to students and visitors. Employees found to be in violation of this policy may be subject to discipline.

### **13.2 Drug Testing Policy**

Ingenuity Prep is committed to providing and maintaining a workplace that is safe and productive. To that end, Ingenuity Prep does not tolerate the possession, sale or use of illegal drugs, the improper possession, sale or use of other controlled substances, or the possession, sale or use of alcohol while at work or engaged in work-related activities. In addition, employees are required to report to work able to competently and safely perform their job duties.

#### **13.2.a Eligibility**

All employees.

#### **13.2.b Procedures**

All employees are prohibited from manufacturing, cultivating, distributing, dispensing, possessing or using illegal drugs (including marijuana, regardless of prescription) or other unauthorized or mind-altering or intoxicating substances while on Ingenuity Prep property (including parking areas and grounds), or while

otherwise performing their work duties away from Ingenuity Prep's premises. Included within this prohibition are lawful controlled substances that have been illegally or improperly obtained. This policy does not prohibit the possession and proper use of lawfully prescribed drugs taken in accordance with the prescription.

Employees are also prohibited from having any such illegal or unauthorized controlled substances in their system while at work (including marijuana, regardless of prescription) and from having excessive amounts of otherwise lawful controlled substance in their systems.

All employees are prohibited from distributing, dispensing, possessing or using alcohol while at work or on duty. Furthermore, off-duty alcohol use, while generally not prohibited by this policy, must not interfere with an employee's ability to perform the essential functions of his or her job.

### **13.2.c Prescription Drugs**

With the exception of medically prescribed marijuana, the proper use of medication prescribed by your physician is not prohibited; however, we do prohibit the misuse of prescribed medication. Employees' drug use may affect their job performance, such as by causing dizziness or drowsiness. Employees are required to disclose any medication that may cause a risk of harm to the employee or to others in performing their job duties. It is each employee's responsibility to determine from his or her physician whether a prescribed drug may impair job performance.

### **13.2.d Notification of Impairment**

It shall be the responsibility of each employee who observes or has knowledge of another employee in a condition that impairs the employee in the performance of his or her job duties, or who presents a hazard to the safety and welfare of others, or is otherwise in violation of this policy, to promptly report that fact to his or her immediate supervisor.

### **13.2.e Drug/Alcohol Testing**

Employees may be required to submit to drug/alcohol screening whenever Ingenuity Prep has a reasonable suspicion that an employee has violated any of the rules set forth in this policy. Reasonable suspicion may arise from, among other factors, supervisory observation, co-worker reports or complaints, attendance or behavioral changes.

### **13.2.f Discipline**

Violation of this policy or any of its provisions may result in disciplinary action up to and including termination of employment.

### **13.2.g Enforcement**

To enforce this policy, Ingenuity Prep may investigate potential violations and require employees to undergo drug/alcohol screening, including urinalysis, blood tests or other appropriate tests and, where appropriate, searches of all areas of Ingenuity Prep's physical premises, including work areas, personal articles, employees' clothes, desks, and personal vehicles. Employees who refuse to cooperate with

searches or investigations, refuse to submit to screening or fail to execute consent forms when required by Ingenuity Prep will be subject to disciplinary action up to and including termination of employment.

### **13.2.h Investigations/Searches**

When a manager or supervisor has reasonable suspicion that an employee has violated this policy, the supervisor, or his or her designee, may inspect vehicles, work areas, desks, purses, briefcases, backpacks and other locations or articles without prior notice to ensure a work environment free of prohibited substances. An employee may be asked to be present and remove a personal lock from a locker or locked container. A locked locker or container does not prevent Ingenuity Prep from searching such article. Employees therefore should have no expectation of privacy for personal belongings brought onto Ingenuity Prep premises and locked in a locker or locked container. When an employee is not present or refuses to remove a personal lock, Ingenuity Prep may do so for the employee and compensate the employee for the lock.

### **13.2.i What Happens When an Employee Tests Positive for Prohibited Substances**

All employees who test positive in a confirmed substance test will be subject to disciplinary action up to and including termination.

### **13.2.j Employee Assistance**

Ingenuity Prep will provide reasonable accommodations to employees who abuse alcohol or drugs by providing unpaid leave to enroll in a qualified treatment program. Employees may use accrued, unused sick leave when taking leave under this policy. Failure to enter, remain or successfully complete a qualified treatment program may result in termination of employment. Confidentiality of records and information will be maintained in accordance with all local, state and federal laws.

Entrance into a treatment program does not relieve an employee of the obligation to satisfy Ingenuity Prep's standards regarding employee performance, and participation will not prevent Ingenuity Prep from administering discipline for violation of its policies or relieve the employee of his or her responsibility to perform his or her job in a safe and efficient manner. Ingenuity Prep may require any employee who has gone through substance abuse treatment to be evaluated by a Company-selected physician before being allowed to return to work.

## **Whistle-Blower Protection Policy**

Ingenuity Prep Public Charter School (the "Organization") requires board members, officers, employees and volunteers (collectively, "Covered Persons") to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Covered Persons must comply with all applicable laws and the Organization's Code of Ethics.

### **1.1 Reporting Procedure.**

The Organization seeks to have an "Open Door Policy" and encourages Covered Persons to share their complaints and concerns regarding the Organization and its operations with someone who can address

them properly. In most cases, a Covered Person should present their concerns to the CEO, as the CEO is generally in the best position to address the area of concern. However, if a Covered Person is not comfortable speaking with the CEO or is not comfortable with the CEO's response, the Covered Person is encouraged to speak with their supervisor or anyone on the Board whom the Covered Person is comfortable in approaching. Supervisors are required to report complaints or concerns about suspected ethical and legal violations in writing to the Organization's Compliance Officer (described below), who has the responsibility to investigate all such reports.

### **1.2 No Retaliation.**

No Covered Person who in good faith reports a violation of the law or the Organization's Code of Ethics will suffer harassment, retaliation or adverse employment consequence. Anyone who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment or removal, as applicable. This Whistleblower Policy is intended to encourage and enable persons to raise serious concerns within the Organization prior to seeking resolution outside the Organization.

### **1.3 Compliance Officer.**

The Organization's CEO will act as the Organization's Compliance Officer. The Compliance Officer is responsible for investigating and resolving all complaints and allegations from Covered Persons concerning violations of any applicable law or the Organization's Code of Ethics. The chairman of the Board or their designee will take on the Compliance Officer role if the complaint involves the CEO.

### **1.4 Good Faith Requirement.**

Anyone reporting a complaint concerning a violation or suspected violation of the law or the Organization's Code of Ethics must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### **1.5 Confidentiality.**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **1.6 Handling of Reported Violations.**

The Compliance Officer, or the person responsible for carrying out the Compliance Officer's role with respect to a reported violation or suspected violation, will acknowledge receipt of the reported violation or suspected violation in writing to the complainant within five business days if the complainant's identity is known. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.



