



HARASSMENT/ REPORTING HARASSMENT

All CTAPCS employees have a responsibility for keeping our work environment free of harassment. Any employee, who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it, must report it to their immediate supervisor with whom they feel comfortable. When school leaders becomes aware of the existence of harassment, it is obligated by law to take prompt and appropriate action, whether or not the victim wants the school to do so.

Employees who have complaints or concerns about any type of harassment against themselves or others are required to immediately report this conduct in writing to their supervisor, or in the alternative, to the Executive Director. Every effort will be made to keep reports as confidential as possible, although it is understood that an investigation will normally require the involvement of third parties. In accordance with the guidelines of the Equal Employment Opportunity Commission (EEOC), all complaints will be investigated impartially and appropriate corrective action, including discipline of inappropriate conduct.

Cedar Tree Academy Public Charter School prohibits any retaliatory conduct, harassment, or other adverse action against an employee who comes forward with a genuine complaint or concern about harassment or who assists in the investigation process nor will any such employee be discharged, disciplined, or in any way adversely affected in his/her terms of conditions of employment.

WHAT IS HARASSMENT?

For purposes of this policy, harassment is defined as unwelcome or unwanted conduct of an offensive nature (whether verbal, visual, or physical) when: 1) submission to or rejection of this conduct by an individual is used or threatened to be used as a factor in decisions affecting hiring, evaluation, promotion, or other aspects of employment; or 2) this conduct has the purpose or effect of unreasonably interfering with an individual's employment performance or creating an intimidating, abusive, hostile, or offensive work environment.

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Workplace harassment can take many forms. It may be, but is not limited to, words, signs, gestures, offensive jokes, cartoons, pictures, posters, e-mail jokes or statements, pranks, intimidation, physical contact or assaults, or violence. Harassment is not necessarily sexual in nature. It may also take the form of other vocal activity including derogatory statements not directed to the targeted individual but taking place within their hearing. Other prohibited conduct includes written material such as notes, photographs, cartoons, articles of a harassing or offensive nature, and taking retaliatory action against a student, their parent or employee for discussing or making a harassment complaint.

POLICY STATEMENT ON SEXUAL HARASSMENT

What Is Sexual Harassment?

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an offensive, hostile and intimidating working environment and prevents an individual from effectively performing the duties of their position. It also encompasses such conduct when it is made a term or condition of employment or compensation, either implicitly or explicitly and when an employment decision is based on an individual's acceptance or rejection of such conduct.

It is important to note that sexual harassment crosses age and gender boundaries and cannot be stereotyped. Among other perceived unconventional situations, sexual harassment may even involve two women or two men. Sexual harassment may exist on a continuum of behavior. For instance, one example of sexual harassment may be that of an employee showing offensive pictures to another employee.

Generally, two categories of sexual harassment exist. The first, "quid pro quo," may be defined as an exchange of sexual favors for improvement in your working conditions and/or compensation. The second category, "hostile, intimidating, offensive working environment," can be described as a situation in which unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature when such conduct creates an intimidating or offensive environment. Examples of a hostile, intimidating, and offensive working environment includes, but is not limited to, pictures, cartoons, symbols, or apparatus found to be offensive and which exist in the workspace of an employee.

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This behavior does not necessarily link improved working conditions in exchange for sexual favors. It is also against CTAPCS policy to download inappropriate pictures or materials from computer systems.

Cedar Tree Academy Public Charter School prohibits any employee from retaliating in any way against anyone who has raised any concern about sexual harassment or discrimination against another individual.

Cedar Tree Academy Public Charter School will investigate any complaint of sexual harassment and will take immediate and appropriate disciplinary action if sexual harassment has been found within the workplace.

Employees who have complaints or concerns about sexual harassment against themselves or others are required to immediately report this conduct in writing to their supervisor, or in the alternative, to the Executive Director. Every effort will be made to keep such reports as confidential as possible, although it is understood that an investigation will normally require the involvement of third parties.

Cedar Tree Academy Public Charter School will not permit any retaliatory conduct against an employee who comes forward with a genuine complaint or concern about sexual harassment or who assists in the investigation process nor will any such employee be discharged, disciplined, or in any way adversely affected in his/her terms of conditions of employment.

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Equal Opportunity /Notice of Nondiscrimination

In accordance with Title VI of the Civil Rights Act of 1964 ("Title VI"), Title IX of the Education Amendments of 1972 ("Title IX"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), Title H of the Americans with Disabilities Act of 1990 ("ADA"), and the Age Discrimination Act of 1975 ("The Age Act"), Cedar Tree Academy PCS ("CTA") does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, or treatment or employment in its programs and activities.

The following person has been designated to handle inquiries regarding Cedar Tree Academy's nondiscrimination policies:

Robinette Lewis Breedlove, Ed D
Cedar Tree Academy PCS
701 Howard Road, SE
Washington, DC 20020
P: 202.610.4193
F: 202.610.2845

EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment Opportunity is a fundamental principle at Cedar Tree Academy Public Charter School, where employment is based upon personal capabilities and qualifications without discrimination. In accordance with the DC Human Rights Act of 1977, as amended, DC Official Code Section 2-1401.01 et seq., Cedar Tree Academy Public Charter School does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, genetic information, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the act. Discrimination in violation of the Act will not be tolerated. Violators will be subjected to disciplinary action.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment. The Human Resource Director overall responsibility for this policy and maintains reporting and monitoring procedures. Employee questions or concerns should be referred to their supervisor or Human Resources

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DRUG FREE POLICY

Cedar Tree Academy is committed to the principle of keeping illegal drug use out of the workplace. The abuse of drugs is one of the critical issues confronting society today. Drug use in the workplace endangers fellow workers, public safety, and school morale. Moreover, Congress passed an Act that requires employers to adopt a drug abuse policy. Accordingly, the following policy is implemented in accordance with the Drug Free Workplace Act of 1988 to help ensure and maintain a drug-free, healthful, safe and secure working environment.

Definition of Drugs

For the purpose of this policy, the definition of a “drug” includes alcoholic beverages, inhalants and illegal drugs.

Policy

The unlawful manufacture, distribution, dispensation, possession, or use of a drug on Cedar Tree Academy premises is absolutely prohibited. Employees who violate any of the following work rules will be subject to discipline up to and including discharge.

- a) Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs or alcohol, on employer premises, in employer-supplied vehicles, or during working hours.
- b) Being under the influence of an illegal drug or alcohol on employer premises, in employers supplied vehicles, or during work hours. “Being under the influence” of alcohol is defined as a blood alcohol content of .04; “being under influence” of an illegal drug is defined as testing positive at a specified level.
- c) Refusing consent to testing or refusing to submit urine, blood, breath, or other sample when requested by management.
- d) Refusing to submit to an inspection when requested by management.
- e) Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled.
- f) Conviction under any criminal drug statute, or failure to inform the employer within one (1) day after a conviction.
- g) Use or possession of an illegal drug during non-work time.

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All applicants and employees will be subject to pre-employment and reasonable suspicion substance abuse testing.

Under certain circumstances the employer will consider continuing the employment of an employee who has violated a substance abuse rule on a one time only basis, or of an employee who has volunteered that (s)he has a substance abuse problem, provided the employee has entered into an approved treatment or counseling program. A determination of continued employment will be based upon consideration of the nature of the rule violated, the specific circumstances involved, as well as the employee's overall work record. A second rule violation will result in automatic employment termination.

Employees who enter into a drug or alcohol treatment or a counseling program may, at the employer's discretion, be required to comply with more stringent testing or other requirements than found in this policy.

In accordance with the Drug-Free Workplace Act of 1988, as a condition of employment, employees must comply with this policy and notify the Executive Director within five (5) days of the conviction for any criminal drug violation occurring outside of the workplace. Failure to do so will result in immediate termination of employment. We will report any such conviction within ten days of our learning of the conviction to the appropriate federal and/or state agency.

DRUG AND ALCOHOL TESTING PROCEDURES

Existing Employees

When administrators believe they have reasonable and individualized suspicion that any school employee is under the influence of illegal drugs or alcohol while on duty, they shall immediately consult with the Executive Director to determine what action should take place. An administrator who believes the employee in question poses an immediate threat to the health or safety of children or staff shall take necessary action to prevent or reduce the threat to children or other employees.

- a. Reasonable and individualized suspicion may be based upon but need not be limited to, such criteria as the employee's physical appearance, behavior, speech or odor.

If the Executive Director concurs that there is a reasonable and individualized suspicion that the employee in question is under the influence of illegal drugs or alcohol while on duty, the employee may be confronted with the suspicion and may be required to undergo testing by an experienced, reputable provider of testing services. Any employee tested for illegal drugs or alcohol has the right to timely obtain a second test at his/her own expense and submit the results to the school for its consideration.

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- b. Arrangements shall be made for employees to be taken home if the school questions their ability to drive safely
- c. All test results, both positive and negative, shall be treated as confidential and shall only be disclosed on a “need to know” basis
- d. Any employees who refuse to be tested for illegal drugs or alcohol as requested by the school shall be subject to disciplinary action for insubordination, up to and including dismissal

Employees who admit they are under the influence of illegal drugs or alcohol or who test positive for illegal drugs or alcohol under this procedure are subject to a rehabilitation option on the first offense... Disciplinary action up to and including dismissal, may be considered if a second offense occurs

The employee will notify the Executive Director of Cedar Tree Academy of any criminal drug statute conviction, including plea of no contest, for a violation occurring outside of the workplace no later than five days after such conviction

Employees with alcohol or drug abuse problems are encouraged to request information about drug and alcohol counseling and rehabilitating programs through floor administrators, or through the Executive Director. The school may work to accommodate employees seeking to enter or become involved in counseling and rehabilitation programs to assist them in overcoming their alcohol and/or drug abuse problems

Testing Site

Alcohol Testing shall be conducted at collection sites which provide privacy to the employee and contain necessary equipment, personnel and materials.

Designated sites are non-school facilities unless a mobile unit or a school facility better serves the situation. In the event the privacy cannot be assured, privacy will be provided to the extent practical.

Initial Alcohol Testing Steps

Once the employee is informed of the requirement to submit an alcohol test, he or she must proceed immediately to the collection site. Collection site personnel shall contact the EXECUTIVE DIRECTOR immediately when an employee does not arrive at the specified time. Employees are to be escorted by a member of the school's security or other designated personnel. Upon arrival, the employees must provide photo identification. In all instances, the testing procedure must be explained to the employee by the collection site person.

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The breath alcohol technician (BAT) or the QED screening test technician (STT) and the employee will complete and sign the appropriate sections of the alcohol testing form.

- (1) Refusal of the employee to sign the form prior to the initial alcohol test is considered a refusal to test.
- (2) The school is notified immediately of the employee's refusal to sign.

The employee will forcefully blow into the EBT mouthpiece for at least six seconds or until an adequate amount of breath has been obtained. If a QED saliva test is performed, the employee is requested to swab the mouth for 60 seconds.

Test results will be forwarded to the Executive Director.

A negative test result of less than 0.02 AC is reported to the school in a confidential manner and the employee may continue to perform a safety sensitive function.

A test result of 0.02 AC or more requires a confirmation test.

Confirmation Alcohol Testing Steps

The confirmation test is done between fifteen and twenty minutes of the initial test whether or not the employee followed the requirements to not eat, drink, put any object of substance in his or her mouth, and, to the extent possible, not to belch during the fifteen minute waiting period to avoid accumulation of mouth alcohol leading to an artificially high reading.

The BAT or STT and the employee must complete and sign the appropriate sections of the alcohol testing form

- (1) Refusal to sign the form prior to the confirmation alcohol test is considered a refusal to test.
- (2) The school is notified immediately of the refusal to sign.

At the prescribed time, the employee forcefully blows into the EBT mouthpiece for at least six seconds or until an adequate amount of breath have been obtained. If a QED saliva test is performed, the driver is requested to swab the mouth for 60 seconds. The confirmation test results, which are the final and official test result, are shared with the employee.

The employee and BAT or STT must sign the alcohol testing form following completion of the test. Failure to sign the form after the test is not considered a refusal to test. However, BAT or STT notes the refusal to sign in the remarks section of the form.

The BAT or STT informs the Executive Director of the results of the test in a confidential manner.

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The BAT or STT notifies the Executive Director immediately, either in writing, in person, by telephone, or by electronic means of confirmation of alcohol test results of 0.02 or more. The BAT or STT verifies that the BAT or STT is the person on the telephone.

The BAT or STT provides the Executive Director with a copy of the alcohol testing form if written communication was not used to report the test results.

In all instances, the breath alcohol test is stopped when the employee fails twice to provide an adequate amount of breath. In that case:

- (1) A physician analyzes the employee's inability to provide adequate breath
- (2) Failure to provide adequate breath is considered a refusal to test unless the physician determines a medical condition caused the failure to provide adequate breath
- (3) A refusal to try a second time to provide adequate breath is considered a refusal to test.

An employee's refusal to submit to an alcohol test results in immediate administrative leave and shall be grounds for termination.

Post Offer Testing - New Employees

The purpose of post offer drug testing is to promote and maintain a drug-free environment in the workplace, and to protect employees, students and the public by ensuring that employees of the school are physically and mentally fit to perform their assigned duties

Therefore, all applicants will be required to submit to a drug test after an employment offer has been tendered. The expense of testing will be borne by the school. Failure to successfully pass a post-officer test or refusal to submit to a post drug test may be grounds for rescinding the school employment offer.

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Staff Compliant Resolution Process **Grievance Policy and Procedures**

The procedures presented here are an attempt to provide mechanisms by which alleged violations of rights, rules or policies in the operation of and the services provided by Cedar Tree Academy PCS may be resolved in an orderly and timely manner.

Cedar Tree Academy PCS provides assistance through its grievance process to help the individual with a complaint to understand the various procedures and to pursue the most direct channel to be heard and seek satisfactory resolution. Complainants are encouraged to use this assistance during the informal and formal phase of problem solving.

1. What May Be Grieved

The CTA grievance process should be used for the following **Categories of Grievances**:

- a. To deal with complaints and concerns pertaining to the educational environment, employment arrangements, or interpersonal conflicts;
- b. To resolve conflicts of discrimination and harassment based upon, race, color, religion, creed, sex, national origin, age, disability, veteran status, sexual orientation, or otherwise.

2. Who May Grieve

Employees, students, parents, and visitors who believe they have been discriminated against or been the subject of harassment based on race, color, national origin, sex, age, or disability in admission or access to, or treatment in programs and activities of CTA may use the procedures as set forth below to file an informal or formal complaint.

3. Informal Grievance

CTA works to resolve disputes with due diligence and understands that in many instances resolution may be obtained through proving a means of communication between the person(s) who believe that they have been discriminated against or have been a subject of harassment and the school administration. CTA encourages but does not require that any person who has a grievance speak directly with the designated CTA administrator in an effort to resolve the concern(s).

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4. Formal Grievance

Step 1: Filing

A written notice must be completed and signed by the grievant and submitted to the designated CTA administrator at the particular campus within ninety (90) days of the alleged discrimination or harassment. A complaint form may be obtained from the school's main office. The written notice must identify the subject of the complaint, the time frame/date(s) of the occurrence and the resolution or relief sought. The written notice must be signed and dated.

Step 2: Investigation

The designated CTA administrator will promptly conduct a thorough and impartial investigation of the complaint. The investigation will include 1) obtaining written evidence, 2) interviewing witnesses, and 3) allowing parties to present evidence. All matters relating to the investigation and/or the alleged discrimination or harassment are considered confidential and will not be disclosed to persons not involved in the investigation except as required by law.

Step 3: Response

Within thirty (30) days of receiving the written notice, the designated CTA administrator will 1) respond to the grievant in writing summarizing the information obtained from the investigation, 2) determine whether the grievance is substantiated, and if so, 3) propose and appropriate resolution. If the grievance is substantiated, immediate action will be taken to resolve.

Step 4: Appeal

If the grievant is not satisfied with the decision of the designated CTA administrator, he/she may appeal the decision through a signed written statement to the Executive Director (or designee) at 701 Howard Road, SE, Washington, DC 20020, 202.610.4193 (telephone) or 202.610.2845 (fax) within ten (10) days of the meeting.

A grievant who would like to appeal the findings or remedy or does not wish to utilize this process may file a complaint with the Office of Civil Rights at any time before or during the grievance procedures. The regional office for the District of Columbia is located at 400 Maryland Avenue, SW, Washington, DC 20202 and can be reached at (202) 453 -6020 (telephone) or (202) 453-6021 (fax).

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If the issue cannot be resolved between the family and school-based leadership alone, please contact the following:

Carla Bailey, Board President, Cedar Tree Academy
cbailey@cedartree-dc.org

PROHIBITION AGAINST RETALIATION

CTA does not tolerate or permit retaliation against a grievant who *files* a complaint pursuant to this policy. Immediate action will be taken against any person found to have retaliated against a grievant that has made a complaint.

RESOLUTION POLICY

Teachers and parents are given the contact information for the members of the Board of Directors because the board is the driving force behind the success of Cedar Tree Public Charter School.

Parents are encouraged to work with teachers to resolve any problems that may arise.

If problems cannot be resolved with the teacher, the parent should contact the principal using the contact information in the front of this book. Parents and teachers are asked to put comments in writing and present them to the principal.

If problems cannot be resolved with the principal or designee, please contact any member of the Board of Directors. Board members may be contacted directly using the information listed.

Teachers are encouraged to speak to the principal if they should have an issue to arise. If the teacher cannot resolve the problem with the principal, the teacher should put his/her concerns in writing and submit to the Director of Human Resources. The HR Director will submit the concerns to the Board of Directors.

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(202) 610-4193



(202) 610-2845



info@cedartree-dc.org



www.cedartree-dc.org



Complaint Form

Please complete every appropriate item and submit within ninety (90) days after the incident of alleged discrimination or harassment to:

Cedar Tree Academy
Attn: Business Office
701 Howard Road SE
Washington, DC 20020
Phone: 202-610-4193 Fax: 202-601-2845

A complaint must be filled within 90 (ninety) days of the event which is the subject of the complaint.

- Please **print clearly** all requested information.
- Attach additional pages and supporting documentation if necessary.
- Anonymous complaints will not be accepted.

Name: _____ Title: _____

Student Name (if complaint is being filed by a parent): _____

Home Address: _____

City: _____ State: _____ Zip: _____

Phone/Home: _____ Cell: _____ Work: _____

School/Work Location: _____

E-mail Address: _____

Supervisor's Name (for employee complaints only): _____

1. Circle below why you believe you were discriminated against:

Age
Race
Color
Disability
Marital Status
Gender/Sexual Harassment/Pregnancy
Religion

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Retaliation*(for complaint)
Ethnicity/National Origin/Nationality
None of the above

* Retaliation is defined as adverse action taken in response to an individual's participation in a protected activity. A protected activity is opposing discriminatory action (e.g. filing a complaint, etc.) or participating in a discrimination-related proceeding.

2. Name/Title/Location of person(s) you believe discriminated against you.

Name: _____ Title: _____ Location: _____

Name: _____ Title: _____ Location: _____

Name: _____ Title: _____ Location: _____

3. Date(s) on which alleged act(s) of discrimination occurred:

1st occurrence happened from _____ to _____

2nd occurrence happened from _____ to _____

4. Where did it take place?

5. Explain what happened. (Cite names and evidence, if any, and attach extra pages if needed)

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6. If you believe you were treated differently than others, please provide the name(s) of those treated differently, what the difference in treatment was and the contact number for the individual receiving different treatment.

7. List witness or people who can verify your allegations

Contact Name: _____	Contact Number: _____
Contact Name: _____	Contact Number: _____
Contact Name: _____	Contact Number: _____

8. If you have any records that verify or relate to your complaint, please attach them to this form.

I attest that the information in this complaint is true and accurate to the best of my recollection. I agree to fully comply with the investigative process.

Signature: _____ Date: _____

You will be contacted by a member of our staff within five (5) business days to schedule an appointment to discuss your concerns. If you have not heard from CTA within this time frame, please call 202-610-4193.

Note: All complaints require completion of this form. Any other form will not be accepted. Complaint forms in additional languages are available on request.

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WHISTLEBLOWER POLICY

Cedar Tree Academy Public Charter School is committed to maintain a workplace where employees are free to raise good faith concerns regarding the business practices, specifically:

- (1) reporting suspected violations of law, including but not limited to federal laws and regulations;
- (2) providing truthful information in connection with an inquiry or investigation by a court, agency, law enforcement, or other governmental body; and
- (3) identifying potential violations of CTAPCS's policy, specifically the policies contained in our handbook.

An employee who wishes to report a suspected a violation of law or CTAPCS policy may do so confidentially by contacting the Executive Director or Human Resources.

Cedar Tree Academy Public Charter School expressly prohibits any form of retaliation, including harassment, intimidation, adverse employment actions, or any other form of retaliation, against employees who raise suspected violations of law, cooperate in inquiries or investigations, or identify potential violations of CTAPCS. Any employee who engages in retaliation will be subject to discipline, up to and including termination.

Any employee who believes that he or she has been subject to any form of retaliation as a result of reporting a suspected violation of law or policy should immediately report the retaliation to one of the following: the employee's immediate supervisor or Human Resources. Supervisors, managers, and Human Resource staff who receive complaints or retaliation must immediately inform the Executive Director.

Reports of suspected violations of law or policy and reports of retaliation will be investigated promptly and, in a manner, intended to protect confidentiality, consistent with a full and fair investigation. The Director of Human Resources and a member of CTAPCS management will conduct or designate other internal or external parties to conduct the investigations. The investigating parties will notify the concerned individuals of their findings directly.

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