



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

## **SY21-22 Employee Policies**

### **Statesmen College Preparatory Academy for Boys PCS**

#### **EEO**

**Non-Discrimination Policy** - Statesmen College Preparatory Academy for Boys PCS seeks diversity in its student/parent body, faculty, Board of Trustees, staff and administration. While Statesmen Academy for Boys is a single gender academy, it is an organization deeply committed to diversity, equity and inclusion and it is therefore the policy and commitment of the organization not to make employment decisions based on race, color, ethnicity, religion, sex, gender, sexual orientation, disability, age or any other personal or professional status.

**Equal Opportunity Employment Policy** - Statesmen College Preparatory Academy for Boys PCS is committed to being a diverse, equitable and inclusive work environment. As such, we additionally commit to a policy of equal employment opportunity and will not discriminate in the terms, conditions, or privileges of employment on account race, color, ethnicity, religion, sex, gender, sexual orientation, disability, age or any other personal or professional status as may be prohibited by federal and state law.

Any employee, board member, volunteer or client who believes that s/he or any other affiliate of Statesmen College Preparatory Academy for Boys PCS has been discriminated against is strongly encouraged to report this concern promptly to the Founder & CEO.

#### **Drug Free Workplace**

**Substance Abuse Policy** - Statesmen College Preparatory Academy for Boys PCS is committed to providing a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding alcohol and drugs of abuse have been established for all staff members, regardless of position, including both regular and temporary employees. The rules apply during working hours to all employees of Statesmen Academy for Boys while they are on school premises or elsewhere on the business of Statesmen Academy for Boys.

- The manufacture, distribution, possession, sale, or purchase of controlled substances of abuse on the property of Statesmen Academy for Boys is prohibited.
- Being under the influence of illegal drugs, alcohol, or substances of abuse on the property of Statesmen Academy for Boys is prohibited.
- Working while under the influence of a prescription or non-prescription drug that impairs performance is prohibited.

Please note the following definitions:



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

- School property/ Statesmen Academy for Boys property: All Organization owned or leased property used by employees.
- Controlled substance of abuse: Any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act, as amended.
- Drug: Any chemical substance that produces physical, mental, emotional, or behavioral change in the user.
- Drug paraphernalia: Equipment, a product, or material that is used or intended for use in concealing an illegal drug, or otherwise introducing into the human body an illegal drug or controlled substance.
- Illegal drug:
  - Any drug or derivative thereof whose use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under any federal, state, or local law or regulation.
  - Any drug, including – but not limited to – a prescription drug, used for any reason other than that prescribed by a physician.
  - Inhalants used illegally.
- Under the influence: A state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage, drug, or substance of abuse.

Consistent with the rules listed above, any of the following actions constitutes a violation of the Statesmen Academy for Boys policy on drugs and may subject an employee to disciplinary action, up to and including termination.

Using, selling, purchasing, transferring, manufacturing, or storing an illegal drug or drug paraphernalia, or attempting to or assisting another to do so, while in the course of employment. Working or reporting to work, conducting business or being on the property of Statesmen Academy for Boys while under the influence of an illegal drug or alcohol, or in an impaired condition.

**Smoking Policy** - The use of tobacco products is not permitted anywhere on the premises of Statesmen Academy for Boys.

## **Staff Complaints & Resolutions**

**Informal Reporting Procedure** - If for any reason an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual should notify his/her immediate supervisor and/or the Director of Operations who may, if the individual so requests, talk to the alleged offender on the individual's behalf. In addition, there may be instances in which an individual seeks only to discuss matters with one of the Statesmen Academy for Boys designated representatives, and such discussion is encouraged. An individual



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

reporting harassment, discrimination or retaliation should be aware; however, that Statesmen Academy for Boys may decide it is necessary to address such conduct beyond an informal discussion. This decision will be discussed with the individual. The best course of action in any case will depend on many factors and, therefore, the informal procedure will remain flexible. Moreover, the informal procedure is not a required first step for the reporting individual.

**Formal Procedure** - As noted above, individuals who believe they have been the victims of conduct prohibited by this policy statement or believe they have witnessed such conduct should discuss their concerns with the Director of Operations. Statesmen Academy for Boys encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as Statesmen Academy for Boys believes appropriate under the circumstances. If a party to a complaint does not agree with its resolution, that party may appeal to the Chief Executive Officer of Statesmen Academy for Boys. False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

**Harassment Reporting Retaliation** - Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

**Harassment Conclusion** - This policy was developed to ensure that all employees can work in an environment free from harassment, discrimination and retaliation. Statesmen Academy for Boys will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately. Any employee who has any questions or concerns about these policies



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

should talk with the Director of Operations. Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of Statesmen Academy for Boys prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them. \_

**Grievance Policy** - The grievance procedure is a process by which an employee of Statesmen College Preparatory Academy for Boys PCS can bring workplace concerns to upper levels of management. This is a formal process and requires rules be strictly followed. Failure to follow procedures will forfeit your right to this process. In the event of a dispute involving employment practices or the enforcement of the personnel policies contained in this Employee Handbook, and after a good faith effort with the supervisor to thoroughly resolve the dispute, all employees may submit their grievance following the procedures outlined below. The good faith effort shall be documented, including problem identification, possible solutions, selection of resolution, timeline for implementation, and follow-up. This documentation will be included in the personnel file. Failure to follow the procedures and timelines below constitutes a waiver of the employee's right to grieve.

**Non-Grievance Issues:** The following issues are not eligible for processing through the Statesmen Academy for Boys Employee Grievance Procedure.

- Issues which are pending or have been concluded by the District of Columbia Commission on Equal Opportunity, or through other administrative or judicial procedures.
- Performance responsibilities, expectations, and evaluations.
- Temporary work assignments.
- Budget and organizational structure, including the number or assignments of positions in any organizational unit.
- The selection of an individual to fill a position, unless it is alleged that the selection is in violation of an agency's written policy.
- Termination, demotion, reassignment, furlough, layoff from duties because of lack of work, or other actions resulting from a reduction in the workforce or job abolition.

If the subject of your grievance is related to any of the areas listed above, your grievance cannot be processed through the Employee Grievance Procedure.



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

A grievance can have up to four steps: (1) grievance statement; (2) qualification for hearing; (3) hearing; and (4) review of the hearing decision. Not all grievances are qualified for hearing.

- **Step 1:** The employee may submit his/her grievance in writing either by email or pre-printed grievance forms to the Statesmen Academy for Boys Director of Operations within seven calendar days of a failed good faith effort to resolve the dispute.
- **Step 2:** Within fourteen calendar days of receipt of the written grievance, the Director of Operations will inform the employee of the decision to schedule a formal meeting. If a formal meeting is scheduled, it will be scheduled at a mutually convenient time and place for discussion of the complaint with all parties involved, but no event later than twenty days after receipt of the written grievance and after notification to the employee.
- **Step 3:** The Personnel Committee (Director of Operations and CEO designees) will hold a hearing and render a decision, as established by a majority vote of the members of the Personnel Committee. If the Director or any member of the Personnel Committee is an involved party, he/she will be precluded from hearing the grievance and participating in the decision. The decision shall be rendered within seven calendar days of the completion of the final hearing. Any such proceedings shall be conducted in closed session, unless otherwise requested by the employee. The employee may not have counsel present at the hearing. In the event that additional information, investigation, or hearings are necessary after the initial hearing, the hearing may continue and the final decision shall be made within seven calendar days of the last committee hearing.
- **Step 4:** The decision of the Personnel Committee shall be final unless appealed by the employee to the Chief Executive Officer, who may review and modify the decision of the Personnel Committee if it finds that the Committee failed to properly follow the grievance process described above. A request for an appeal must be submitted to the CEO within seven calendar days of the decision of the Personnel Committee. After receiving an appeal request, the Chief Executive Officer shall schedule a meeting with the Personnel Committee to consider such an appeal as soon as administratively practical. Any employee or affiliate, who is an interested party, shall excuse themselves from any reviews of Personnel Committee decisions. Any such proceedings shall be conducted in closed session, unless requested otherwise by the employee. The employee may not have counsel participate in any such proceedings. Written notice of the result of the review shall be sent to the employee and the members of the Personnel Committee within 7 calendar days.

## **Sexual Harassment**

### **Sexual Harassment Policy**

Statesmen College Preparatory Academy for Boys PCS recognizes that harassment of students, staff and certain non-employees (including but not limited to contractors,



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

subcontractors, vendors, consultants and other persons) on the basis of sex, gender, gender identity, gender expression and/or sexual orientation is abusive and illegal behavior that harms victims and negatively impacts the school culture by creating an environment of fear, distrust, intimidation and intolerance. Statesmen College Preparatory Academy for Boys PCS further recognizes that preventing and remedying such harassment in schools is essential to ensure a healthy, nondiscriminatory environment in which students can learn and employees can work productively.

Statesmen College Preparatory Academy for Boys PCS is committed to providing an educational and working environment that promotes respect, dignity and equality and that is free from all forms of sexual harassment. To this end, Statesmen College Preparatory Academy for Boys PCS condemns and strictly prohibits all forms of sexual harassment on school grounds, school buses and at all school-sponsored activities, programs and events including those that take place at locations outside of Statesmen College Preparatory Academy for Boys PCS.

**Sexual Harassment Defined:**

Sex-based harassment can be comprised of two types of behavior: sexual harassment and/or gender-based harassment.

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature.

"Gender-based harassment" means verbal, non-verbal or physical aggression, intimidation or hostility that is based on actual or perceived gender/sexual stereotypes, gender identity or expression.

Sexual or gender-based harassment can deny or limit an individual's ability to participate in or to receive benefits, services, or opportunities from Statesmen College Preparatory Academy for Boys PCS.

Sexual or gender-based harassment occurs when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of an employee's or "non-employees'" employment or a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education); or
2. submission to or rejection of that conduct or communication by an individual is used



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

as a factor in decisions affecting an employee's or "non-employees" employment or a student's education; or the conduct or communication has the purpose or effect of substantially or unreasonably interfering with an employee's or "non-employee's" work performance or a student's

3. academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive working or educational environment.

"Sexual violence" means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A person may be incapable of giving consent due to age, drug or alcohol use, or an intellectual or other disability. Sexual violence includes, but is not limited to, acts such as rape, sexual assault, sexual battery and sexual coercion. All such acts of sexual violence are forms of sexual harassment.

Under various DC and federal laws, students, employees and "non-employees" have legal protections against sexual harassment in the school environment as described above. Those laws are identified below. Statesmen College Preparatory Academy for Boys PCS Student and Family Handbook also addresses appropriate behavior in the school environment. Where alleged sexual harassment involves discrimination, harassment, and/or bullying .

### **Prohibited Conduct:**

School-related conduct that Statesmen College Preparatory Academy for Boys considers unacceptable and which may constitute sexual harassment is prohibited. Such conduct includes, but is not limited to, the following:

1. rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature;
2. unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities or job assignments, homework, etc.;
3. unwelcome and offensive public sexual display of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of one's self or others, sexually suggestive dancing, and massages;
4. any unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual jokes; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files, messages or games, etc.;
5. unwelcome and offensive name calling or profanity that is sexually suggestive,



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

- sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual preference;
6. unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, spanking, pinching, following, stalking, frontal body hugs, etc.;
  7. unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "nuggies" or "wedgies" (pulling underwear up at the waist so it goes in between the buttocks) bra-snapping, skirt "flip-ups," "spiking"/"panting" (pulling down someone's pants); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.;
  8. unwelcome leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or imply sexual motives or intentions;
  9. clothing with sexually obscene or sexually explicit slogans or messages;
  10. unwelcome and offensive skits, assemblies, and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes;
  11. unwelcome written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, Internet material, etc.;
  12. any other unwelcome gender-based behavior that is offensive, degrading, intimidating, demeaning, or that is based on sexual stereotypes and attitudes.

For purposes of this policy, action or conduct shall be considered "unwelcome" if the student, employee or non-employee did not request or invite it and regarded the conduct as undesirable or offensive.

### **Determining if Prohibited Conduct is Sexual Harassment:**

Complaints of sexual harassment will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the above definition of sexual harassment and should therefore be treated as sexual harassment. Not all unacceptable conduct with sexual connotations may constitute sexual harassment. In many cases (other than quid pro quo situations where the alleged harasser offers academic or employment rewards or threatens punishment as an inducement for sexual favors), unacceptable behavior must be sufficiently severe, pervasive and objectively offensive to be considered sexual harassment.

### **Reporting Complaints:**

Since sexual harassment can occur staff to staff, student to student, staff to student, student to staff, male to female, female to male, male to male or female to female, it shall be a





**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student, employee, or “non-employee”.

In order for Statesmen College Preparatory Academy for Boys PCS to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims of sexual harassment and persons with knowledge of sexual harassment report the harassment immediately. Statesmen College Preparatory Academy for Boys PCS will promptly investigate all complaints of sexual harassment, either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner.

Victims of sexual harassment are urged to come forward and to make reports of such sexual harassment to the Title IX Coordinator without fear of retaliation or intimidation. In addition, Statesmen College Preparatory Academy for Boys PCS will designate an alternate individual for compliance with this policy so that individuals who believe that they have been subjected to sexual harassment will have a second avenue of complaint, if the alleged harasser is a Title IX Coordinator.

In order to assist investigators, victims should document the harassment as soon as it occurs and with as much detail as possible including: the nature of the harassment; dates, times, places it has occurred; name of harasser(s); witnesses to the harassment; and the victim's response to the harassment.

**Confidentiality:**

Due to the sensitive and serious nature of these complaints, investigations or allegations of sexual harassment will be conducted with due regard for confidentiality. It is Statesmen College Preparatory Academy for Boys PCS policy to respect the privacy of all parties and witnesses to complaints of sexual harassment.

**Corrective Action:**

If, after appropriate investigation, Statesmen College Preparatory Academy for Boys PCS finds that a student, an employee or a third party has violated this policy, prompt corrective action will be taken.

**Retaliation Prohibited:**

All complainants and those who participate in the investigation of a complaint of sexual harassment have the right to be free from retaliation of any kind. Any act of retaliation against any person who complains of sexual harassment, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

testified, assisted, or participated in any manner in an investigation, proceeding, or hearing concerning a sexual harassment complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination.

### **Discipline/Penalties:**

Any individual who violates the sexual harassment policy by engaging in prohibited sexual harassment will be subject to appropriate disciplinary action. Sexual harassment by employees is considered employee misconduct. Disciplinary measures available to school authorities include, but are not limited to the following:

- Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the student conduct and discipline policy and applicable law.
- Employees: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights. Discipline may also be imposed upon management and administration who knowingly allow prohibited behavior(s) to continue.
- Volunteers: Penalties may range from a warning up to and including loss of volunteer assignment.
- Vendors: Penalties may range from a warning up to and including loss of Statesmen College Preparatory Academy for Boys PCS business.
- Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

### **False Complaints:**

False or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the complainant.



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

### **Training:**

In addition, training programs shall be established employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment including but not limited to the following:

1. All new employees shall receive information about the policy and procedures concerning the prohibition against sexual harassment. All other employees shall be provided information at least once a year regarding this policy and Statesmen's commitment to a harassment-free learning and working environment. The Title IX Coordinator, CEO, Director of Instruction, and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive a yearly training on this policy, procedures and related legal developments.
2. The Director of Operations and Deans in each school shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including procedures established for investigation and resolution of complaints, general issues surrounding sexual harassment, the rights and responsibilities of students and employees, and the impact of sexual harassment on the victim.

Annual employee training programs shall be interactive and include: (i) an explanation of sexual harassment consistent with guidance issued by the DC Office of Human Rights; (ii) examples of conduct that is unlawful sexual harassment; (iii) information on federal and state laws about sexual harassment and remedies available to victims of sexual harassment; and (iv) information concerning employees' right to make complaints and all available forums for investigating complaints.

This policy shall be published in the Statesmen College Preparatory Academy for Boys PCS employee handbook.

### **Legal Protections and External Remedies:**

Education Amendments of 1972, Title IX, 20 U.S.C. §1681 *et seq.*

Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 *et seq.*

### **Whistle Blower Policy**

**Whistleblower Policy**- Statesmen College Preparatory Academy for Boys PCS is committed to maintaining a workplace where employees are free to raise good faith concerns regarding the



**STATESMEN**  
COLLEGE PREPARATORY ACADEMY FOR BOYS  
*Build Strong Boys*

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 Statesmen Academy policy, specifically the policies contained in Statesmen Academy Employee Handbook.

An employee who wishes to report a suspected violation of law or Statesmen Academy for Boys policy may do so confidentially by contacting the Director of Instruction or the Director of Operations.

Statesmen Academy for Boys 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 Statesmen Academy for Boys. 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 subjected 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 the Director of Operations. Supervisors, managers, and Operations staff who receive complaints of retaliation must immediately inform the Chief Executive Officer.

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 Operations and a member of Statesmen Academy for Boys 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.