



## Sexual Harassment

### STATEMENT OF POLICY AND PROCEDURE ON HARASSMENT

#### **Statement of Policy**

It is the policy of DC Prep to maintain a working environment free from sexual, racial, age-based, religious, ethnic, disability, sexual orientation, and any other form of harassment of any DC Prep employee or applicant. Such harassment in any manner or form is expressly prohibited. It is the policy of DC Prep that all DC Prep employees, contractors, applicants and students are to be treated in a respectful and professional manner. Also, no individual is to be subjected to any unwelcome conduct that is or should be known to be offensive because of their sex, gender, race, age, religion, ethnicity, disability, sexual orientation, or other protected category. Further, no DC Prep employee shall engage in unwelcome and offensive conduct towards any individual that is motivated by the individual's gender, race, age, religion, ethnicity, disability, sexual orientation, or other protected category. The term "harassment" in this policy includes conduct which is contrary to this policy, even if it does not meet the legal definitions for harassment.

This policy applies to all employees, volunteers, Board members, contract workers, and all applicants for such positions.

All reported or reasonably suspected occurrences of harassment will be investigated in a confidential manner and as promptly and thoroughly as is practicable and necessary. Where harassment has occurred, DC Prep will take appropriate disciplinary and/or other corrective action, up to and including termination.

There will be no retaliation against an individual who has in good faith complained about or reported alleged harassment or who has cooperated with an investigation of alleged harassment.

#### **Types of Workplace Sexual Harassment**

For purposes of this policy, harassment in the workplace includes the following:

Hostile Environment Harassment: Hostile environment sexual harassment may occur when there are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Also, non-sexual conduct that is unwelcome and offensive and which is directed at an individual because of the individual's gender may create a hostile environment. Racial, age-based, religious, ethnic, disability, sexual orientation, gender identity and expression and other forbidden forms of harassment may occur when there is conduct which is motivated by or relates to an individual's race, age, religion, ethnicity, disability, sexual orientation, or other legally protected characteristics. In all such cases, hostile environment harassment occurs when such conduct is sufficiently severe or pervasive to and does: (1) unreasonably interfere with an



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individual's work performance, or (2) create an intimidating, hostile or offensive work environment.

"Quid Pro Quo" Sexual Harassment: "Quid Pro Quo" sexual harassment may occur in the workplace when there are unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when:

- (1) submission to such conduct is an explicit or implicit condition of employment; or
- (2) submission to or rejection of such conduct is used as the basis for employment decisions.

### **Conduct Prohibited by the Policy**

DC Prep's policy also prohibits any unwelcome harassing conduct, even if the conduct is not sufficiently severe or pervasive enough to create a hostile environment or is not "quid pro quo" harassment.

It is not possible to list all the conduct that may violate this policy or is otherwise unacceptable. The following are examples only:

- All unwelcome and offensive jokes, stories, comments, or verbal abuse of a sexual, age-based, religious, racial, or ethnic nature, or relating to or motivated by gender, race, age, religion, sexual orientation, or disability
- Use of any degrading or derogatory words or language to describe or refer to any person, or any harsh or unfair conduct towards another person that is motivated by the person's gender, race, religion, or other protected category.
- The display in the workplace or on DC Prep property of objects or pictures – whether print or electronic – that expressly or implicitly degrade individuals or groups on the basis of race, age, gender, religion, ethnicity, sexual orientation, or disability.
- Offering, promising, or granting preferential treatment to any employee or applicant because of that individual's age, religion, race, ethnicity, gender, sexual orientation, or disability, or as a result of, or in anticipation of, that individual's engaging in or agreeing to engage in sexual or romantic conduct, even if the conduct is consensual.
- Using DC Prep e-mail, voicemail, or Internet access for any purpose which reasonably is or should be known to be offensive because of its sexual, religious, racial or ethnic content, or its relationship to gender, sexual orientation, or disability. Note: no DC Prep personnel shall use DC Prep equipment to access media sites – including but not limited to Internet Web sites – known to contain material that is sexually prurient or



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graphic, or that promotes or advocates sexism, racism, or other forms of bigotry based on gender, race, religion, or other protected category. Refer to the technology policy for more information.

- Unwelcome flirtation, sexual advances, propositions, or pressures for sexual favors, and unwelcome inquiries into someone's sexual experience or activity, including but not limited to sexually foul language, leering and whistling, or other unwelcome sexually suggestive conduct.
- Unwelcome and unnecessary physical contact, other than incidental and/or innocuous contact.

### **Sexual Harassment, Sexual Abuse and Dating Violence of, Against and/or Between Students/Title IX Violations**

Sexual harassment of students consists of verbal or physical conduct of a sexual nature against an employee, agent, or student of DC Prep and that denies, limits, or conditions the provision of aid, benefits, services, or treatment protected under Title IX of the Education Amendments of 1972 on the basis of sex. Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education; or
2. such conduct has the purpose or effect of unreasonably interfering with the individual's education creating an intimidating, hostile, or offensive environment.

Such actions include, but are not limited to, the following conduct directed at students:

1. unwelcome sexual flirtations, advances, or propositions;
2. verbal or written abuse of a sexual nature
3. graphic verbal comments about the student's body
4. sexually degrading words used to describe a student; and
5. unwelcome and non-consensual physical touching of a sexual nature.

Dating violence is defined as abusive or coercive behavior where a dating partner uses threats of, or actually uses, physical, emotional, economic, technological, or sexual abuse to exert power or control over a current or former dating partner.



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Given the special nature of the relationship between students and DC Prep employees, extreme caution should be exercised by DC Prep employees to avoid any situation involving comments of a sexual nature, particularly in the presence of students. It is recognized that discussions involving sexual relations and the human body are part of mandated curriculum on certain areas (e.g., health education) and are, therefore, not restricted by this policy. Nonetheless, there is no conflict between this policy and any curriculum mandates to which DC Prep must adhere. Thus, the teaching of the DC Prep's curriculum will not constitute a charged violation of this policy.

Sexual harassment, sexual abuse/assault and dating violence are strictly prohibited on school grounds, property immediately adjacent to school grounds, at school sponsored or school related activities, functions or programs whether on or off school grounds, on or off school bus or other vehicles owned, leased or used by the school, or through the use of technology or an electronic device owned, leased or used by DC Prep.

Sexual harassment, sexual assault and dating violence are also prohibited at a location, activity, function or program that is not school related or through the use of technology or an electronic device that is not owned, leased or used by the school, if the act or acts in question create a hostile environment at school for the victim, infringe on the rights of the victim at school or materially and substantially disrupt the education process or the orderly operation of DC Prep's educational, recreational and/or extracurricular activities.

### **Sexual Harassment and/or Discrimination Complaint Procedure for Employees**

Notification Procedures: Any DC Prep employee or applicant who feels that he or she is being or has been subjected to harassment or who knows of or suspects the occurrence of harassment should promptly and in confidence inform his/her supervisor or Principal. If for any reason a person does not feel comfortable reporting to one of these individuals, that person should report the matter to any member of DC Prep's People Operations Team.

In addition, all management and supervisory personnel at DC Prep have an affirmative duty to report promptly to DC Prep's People Operations Team any harassment that they observe, that is made known to them by others, or that they reasonably suspect has occurred.

Investigation Procedure: All reported occurrences of harassment will be investigated as promptly and thoroughly as is practicable and as is required under the circumstances. The individual who makes the report or is the target of the alleged harassment will be assured that all forms of harassment are expressly prohibited, that DC Prep will conduct a confidential investigation and that DC Prep will take appropriate corrective action if harassment is found to have occurred.

DC Prep will designate the individual who will be responsible for conducting the investigation of reported incidents of harassment. The timing, scope, and extent of the investigation will be determined by DC Prep on a case-by-case basis, considering the circumstances of the alleged



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harassment. All investigations will be conducted to protect, as much as practicable, the privacy of, and minimize the suspicion toward, all persons concerned.

DC Prep expects DC Prep personnel who are contacted in connection with an investigation to cooperate fully.

Procedure Pending Investigation: Pending the outcome of an investigation, reasonably necessary and prudent interim measures, such as separation of the complainant and the alleged offender, suspension of the alleged offender, temporary leave for the complainant, etc., will be taken at DC Prep's discretion, taking into consideration the complainant's wishes, the seriousness of the accusations, the background of the situation, and any other relevant information.

Resolution and Outcome of Investigation: Following an investigation, DC Prep will take such action that it deems necessary or appropriate under the circumstances:

- No Violation. In the event that the investigation discloses no violation of this policy or is inconclusive, all necessary parties will be so advised.
- Violation. In the event that the investigation discloses a violation of this policy, DC Prep will, to the fullest extent practicable, use discretion regarding the dissemination of information regarding complaints, related investigations and the terms of their resolution. Based upon the totality of the circumstances, appropriate disciplinary and/or other corrective action, up to and including termination, will then be taken. The action taken will be reasonably calculated to prevent any further unacceptable conduct. It is within DC Prep's discretion to determine the appropriate corrective action.
- If the complainant or the alleged offender is not satisfied with the resolution, he or she is encouraged to contact DC Prep's Chief Talent Officer, who will render a final decision.

In the event an investigation of a reported or suspected occurrence of harassment fails to reveal harassment and instead reveals that any person has abused the policy by lodging a knowingly false or frivolous complaint, by fabricating facts, by failing to tell the truth, or by knowingly omitting important facts, DC Prep may take appropriate disciplinary and/or other corrective action.

No Retaliation: No individual who reports or complains about harassment or unacceptable conduct, or who assists DC Prep in its investigation, will be subjected to retaliation. Anyone who feels that he or she has been the victim of, or threatened with, retaliation, should immediately inform one of the individuals identified above for purposes of receiving reports or complaints.



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### **Sexual Harassment/Sexual Abuse/Dating Violence Complaint Procedure for Students**

This procedure applies to conduct that occurs between students; if the conduct is between an adult and a student, refer to the “Reporting Guidelines” and “Reporting Child Abuse or Neglect” sections in this manual. District of Columbia law requires schools to investigate and address sexual harassment, sexual abuse and dating violence when one knows or has reasonable cause to suspect that such conduct has occurred. In all cases, employees should report the instance to the Principal.

DC Prep encourages students who believe they are being harassed, abused and/or subject to dating violence to clearly and promptly notify the offender that his or her behavior is unwelcome. If for any reason a student does not wish to confront the offender directly, or if such discussion does not successfully end the harassment, the student should submit a formal complaint to their Principal. Any student who is uncomfortable for any reason in bringing the matter to the attention of his/her Principal should report the matter directly to the DC Prep’s Senior Director of Student Support or the Chief Talent Officer.

Upon receipt of a formal complaint, DC Prep will provide information both to the complainant and the accused about the investigation process. The investigation process is maintained in compliance with the School Safety Omnibus Amendment Act of 2018 (“School Safety Act”) and is available for review upon request from the Director of People Operations.

#### **Recordkeeping and Questions:**

Where Title IX investigations and other formal allegations of student sexual abuse or other harassment are concerned, DC Prep shall maintain a written record of all such complaints for a three (3) year period. DC Prep will also document the steps taken with regard to such investigations, as well as conclusions reached and disciplinary action (if any) taken. DC Prep shall also maintain these documents for, a minimum, three (3) years. Any questions regarding sexual harassment and compliance with Title IX of the Education Amendments of 1973 may also be brought to the attention of the Office of Civil Rights, Department of Education, Washington, D.C. 20202.

DC Prep's Title IX Coordinator is:

Laura Maestas  
lmaestas@dcprep.org  
707 Edgewood St NE  
Washington, DC 20017



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### Equal Opportunity

#### EQUAL EMPLOYMENT OPPORTUNITY

DC Prep is committed to providing equal employment opportunity to all applicants and employees in full compliance with all District of Columbia and Federal laws prohibiting discrimination on the basis of race, color, religion, sex, national origin, pregnancy, genetic information, age, disability, marital status, sexual orientation, gender identity or expression, veteran status, political affiliation or any other status protected by law. This policy applies to all aspects of employment including recruitment, hiring, promotion, transfer, benefits, layoff, demotion, discipline, and discharge. This policy also applies to the use of all DC Prep facilities and participation in all DC Prep sponsored activities. Supervisors as well as all employees will be expected to comply with this policy in every respect.

Any employee who has a question or concern about any type of discrimination or harassment is encouraged to bring it to the attention of the Principal or their supervisor. Complaints about the actions of a Principal or supervisor in this regard should be made to the Director of People Operations, Chief Academic Officer (“CAO”), Chief Talent Officer (“CTO”), or Chief Executive Officer (“CEO”). Complaints about the actions of the CEO in this regard should be made to the Chair of the Board of Directors of DC Prep. There will be no retaliation, harassment or intimidation of any employee who makes a good-faith complaint.

### Drug-Free Workplace

#### DRUG-FREE WORKPLACE

Team members, agents and contractors shall not engage in the unauthorized use, possession or sale of alcohol or illegal drugs during work hours, within DC Prep property or in a DC Prep vehicle or any time when conducting DC Prep business, nor shall they report to work under the influence of such substances, or display evidence of having used such substances. Further, as role models for DC Prep’s students and as representatives of DC Prep, its employees, agents and contractors shall not engage in the unlawful use, possession or sale of controlled substances during their off-duty hours.

When appropriate, in addition to any disciplinary actions that may be taken in accordance with the Disciplinary Action section of this Employee Manual, violators of this policy may be referred to the appropriate police and legal authorities for prosecution.

Although marijuana is decriminalized in Washington, D.C. and in several other states, it remains a controlled substance under federal law. It is therefore important to note that federal law and



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DC Prep policy continue to treat marijuana and cannabis as illegal and prohibited despite changes in some state laws. Federal laws that prohibit any use of marijuana and other cannabis products, including medical use, have not changed and take precedence over laws in States that have chosen to legalize either medical or recreational use of marijuana or other cannabis products. In addition, DC Prep receives federal funding and as such must abide by additional regulations requiring that recipients prohibit use or possession of drugs in the workplace. Finally, note that if an illegal drug is legalized even at the federal level and even for medical use, DC Prep will still continue to prohibit its use or possession at work – or reporting to work under its influence – as is the case with alcohol.

Candidates for employment may be asked to submit to alcohol, drug and controlled substance testing prior to hiring or any time during their employment with DC Prep. Team members who fail a drug test either prior to hiring or any time during their employment with DC Prep may be terminated for cause from DC Prep.

### **Staff Complaint Resolution Process**

#### **OPEN COMMUNICATION AND DISPUTE RESOLUTION**

##### **OPEN COMMUNICATION POLICY**

Employees should discuss any interpersonal issue with a co-worker directly. If a resolution is not reached, the employees should arrange a meeting with the Principal or their supervisor to discuss any concern, problem, or issue that arises during the course of employment. Retaliation against any employee for good-faith usage of open communication channels is unacceptable. In the event that the Principal or the employee’s supervisor is unable to resolve the employee’s questions or problems, or if an employee feels uncomfortable discussing this problem with the Principal or the employee’s supervisor, an appointment may be made with the CTO.

While the Open Communication Policy is intended to promote conflict resolution through respectful employee dialogue, any employee who has a question, concern or feels that he/she has been subject to any type of discrimination, harassment or other inappropriate workplace behavior should immediately inform either the Principal or the Director of Talent Management.

##### **DISPUTE RESOLUTION POLICY**

For matters not involving concerns about harassment, discrimination or other inappropriate workplace behavior, if an employee has a complaint about a particular situation or person, the employee, if comfortable in doing so, should talk to the person who seems to be causing the situation or with whom the employee has the complaint. If the employee is unable to resolve the employee’s complaint through a conversation with that individual, the employee should notify



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the offending employee’s supervisor in writing that the employee wishes to begin a complaint process and would like a meeting with the supervisor. If the conversation with the supervisor does not resolve the complaint, the employee may present the complaint in writing to the Director of Talent Management. If the conversation with the Director of Talent Management does not address the concern, a final appeal may be made in writing to the CTO of DC Prep. Complaints from individuals that have not followed these previous steps will not be acknowledged. Each individual will have 48 hours from the receipt of the written information to respond to the complaint, and the employee bringing the complaint must wait until the end of that period before contacting the next person.

## Whistle Blower Policy

### ANTI-FRAUD POLICY

#### OVERVIEW

Fraud is defined as any unsafe, dishonest, or illegal act or the intentional, false representation or concealment of a material fact for the purpose of misleading another to act upon it to cause harm to DC Prep or its employees, agents, Board of Directors, officers, students, families, suppliers, or visitors. DC Prep requires its Board of Directors, Officers, and Employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of DC Prep, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

As stewards of the financial and other resources of DC Prep, each employee has the responsibility for preventing fraud and safeguarding those assets.

#### FRAUD PREVENTION

The prevention of fraud requires each employee to be alert and vigilant in the performance of the employee’s job responsibilities. Each employee is expected at a minimum to:

1. Act with honesty, integrity and the promotion of ethical behavior.
2. Become familiar with DC Prep’s system of internal controls and policies in place to ensure the safeguarding of assets.
3. Identify assets for which the employee has responsibility including budgets, intellectual property, office supplies, computers, petty cash, amounts collected as revenue, inventoried items, etc.



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4. Establish a positive control environment by ensuring that all employees are aware of that employee's attention to potentially fraudulent activities.
5. Not use DC Prep's funds or assets for any personal or unlawful purpose.
6. Not use DC Prep's identification, stationery, supplies, equipment, etc. for personal or political matters.
7. Use good judgment when expending DC Prep's funds to ensure value received for each expenditure.
8. Not engage in false advertising, deceptive marketing practices or other misleading representations.

### FRAUD DETECTION

To detect fraud, each employee must be aware of actions constituting fraud, which may include, but are not limited to:

- Forgery or alteration of any document or account belonging to DC Prep
- Dishonest reporting of DC Prep activities
- Forgery or alteration of a check, bank draft, or any other financial document
- Fraudulent financial reporting, billing for services not performed or for goods not delivered
- Using DC Prep's name or resources for personal gain
- Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value (i.e., collectively in excess of \$100) from contractors, vendors, or persons providing services/materials to DC Prep
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment without the appropriate permission of DC Prep
- Any similar or related inappropriate or dishonest conduct.

If there is any question as to whether an action constitutes fraud, employees should promptly contact either the CFO or the CEO.



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### FRAUD REPORTING

In the event of an alleged incident of fraud, each employee is responsible for immediately bringing the information to any one of the following confidential resources:

1. The employee's immediate supervisor;
2. The CFO or CEO; or
3. The Chair of DC Prep's Board of Directors.

Employees must exercise caution and sound judgment in reporting suspicions of fraud in good faith. A good faith complaint is one in which the employee reasonably believes that an act of fraud has occurred. Employees may not intentionally file a false report of wrongdoing. In addition, employees who are aware of fraud shall promptly report it as described above.

An employee who suspects a violation of this policy should not discuss the case, facts, suspicions, or allegations with anyone, including the individual suspected of fraud, unless specifically asked to do so by the CEO, CFO, or a member of the Board of Directors. An employee should not investigate the activity or determine fault or corrective measures.

The party receiving the information will treat such information with discretion and, to the extent possible, confidential, but may share it with the CEO, the CFO, the Chair, the Secretary, or the Treasurer to ensure prompt action. DC Prep will then take the actions it deems appropriate to resolve the situation.

The authorized employees of DC Prep performing the investigation shall have full access to:

- All company records and premises.
- All or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who may use any such items or facilities.

When appropriate, in addition to any disciplinary actions that DC Prep may take in accordance with the Disciplinary Action section of its Employee Manual, violators of this policy may be referred to the appropriate police and legal authorities for prosecution and restitution may be required.

### NO RETALIATION

It is contrary to DC Prep's values for anyone to retaliate against any Board Member, Officer, employee, vendor or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation



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of any regulation governing DC Prep's operations. Any employee who retaliates against any individual who has reported a violation of this policy in good faith is subject to discipline, up to and including termination.

### CONTACTS

Questions related to the interpretation of this fraud policy should be directed to the CEO, CFO, or the Chair of the Board of DC Prep.

Laura Maestas  
CEO  
[lmaestas@dcprep.org](mailto:lmaestas@dcprep.org)

Dan Englender  
CFO/COO  
[denglender@dcprep.org](mailto:denglender@dcprep.org)

Patrick Clowney  
Board Chair  
[board.feedback@dcprep.org](mailto:board.feedback@dcprep.org)