

- sexual harassment

## **HARASSMENT POLICY**

Richard Wright PCS will not tolerate harassment or intimidation of any employee (or student) on any basis prohibited by law, including race, color, sex, age, religion, national origin, handicap, disability, marital status, or veteran status. Moreover, any suggestions made to any employee (or student) requesting sexual favors, will affect any term or condition of employment, or school related evaluations and will result in immediate discipline, up to and including termination.

Sexual harassment is defined as any type of sexually-oriented conduct, whether intentional or not, that is unwelcome and has the purpose or effect of creating a work environment that is hostile, offensive or coercive. The following are examples of conduct that, depending upon the circumstances, may constitute sexual harassment:

- Unwanted sexual jokes, language, epithets, advances or propositions;
- Sexually degrading or vulgar words to describe an individual written or verbal;
- Unwanted comments about an individual's body;
- The display of sexually suggestive objects, pictures, posters or cartoons;
- Asking questions about sexual practices;
- Demanding sexual favors in exchange for favorable reviews, assignments, grades, promotions, or continued employment, or promises of the same.
- Unwanted touching, leering, brushing against the body, whistling or suggestive, insulting or obscene comments or gestures;
- Cornering or blocking of normal movements

Racial harassment is defined as when a person or group repeatedly uses discriminatory remarks, behaviors or practices to show racial intolerance against a co-worker or their color, descent, culture, language or religion.

- Making jokes, insinuations, humiliating comments or racially oriented remarks.
- Criticizing and being intolerant in regards to the victim's differences: his or her accent, clothing, hairdo, customs and beliefs.
- Acting seemingly disgusted or showing contempt in the victim's presence.
- Finding excuses for not working with the victim.
- Stereotyping the victim with subordinate tasks or case-loads.
- Trying to hinder or stop the victim's chances for a promotion.
- Showing comic strips, pictures or images that are racially degrading.

Sexual orientation discrimination refers to harassment or differential treatment based on someone's perceived or actual gay, lesbian, bi-sexual, or heterosexual orientation.

- Making a person feel humiliated, offended or degraded because of their sexual orientation

## Non-sexual Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that derogates or shows hostility or aversion toward an individual because of:

- his/her race, color, religion, national origin, ancestry, citizenship status, sex, sexual orientation, gender identity, marital status, age, disability, military service or veteran status, pregnancy, childbirth or related conditions
- any other characteristic protected by law, and that:
- is sufficiently severe, pervasive, and persistent such that it adversely affects an individual's education, or such that it creates a hostile or abusive educational environment.

Harassing conduct includes, but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating or hostile acts; derogatory jokes; and written or graphic material that derogates or shows hostility or aversion toward an individual or group or that is placed on walls or elsewhere on the school premises.

Employees must report any violation(s) of this policy to the Human Resource Officer. Claims of harassment will be investigated with due regard for the privacy of the individuals involved. Any employee who knowingly retaliates against an employee who has reported workplace harassment or discrimination shall be subject to immediate disciplinary action, up to and including termination.

Network administrators will review files and communications to maintain system integrity and to ensure that staff members are using the system responsibly. Employees are reminded that any email sent using a Richard Wright PCS email account contains the address identification of the school district. This is analogous to an employee using school letterhead.

These policies apply to all students and employees of RWPCS community, including persons hired to provide contracted services and persons volunteering at school activities. Conduct prohibited by these policies is unacceptable in all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs occur on campus, on a bus, or at another location away from campus. Individuals who violate these policies will be subject to disciplinary action, up to and including suspension or expulsion (if a student) or suspension or termination of employment (if an employee), and in egregious situations, law enforcement officials will be notified.

## **Professional Boundaries (Staff/Student Interaction)**

### **Boundaries Defined**

This policy is intended as a guide to all School faculty and staff in conducting themselves in a way that reflects the high standards of behavior and professionalism required of school employees and to specify boundaries between students and staff. The term “Boundaries” is defined as acceptable professional behavior by employees while interacting with a student. Trespassing beyond the Boundaries of a student/teacher or student/educator relationship is deemed an abuse of power and a betrayal of public trust.

### **Unacceptable And Acceptable Behavior**

Some activities may seem innocent from an employee’s perspective, but some of these can be perceived as flirtation or sexual insinuation from a student or parental point of view. The purpose of the following lists of acceptable and unacceptable behaviors is not to restrain innocent, positive relationships between employees and students but to prevent relationships that could lead to, or may be perceived as, misconduct.

Employees must understand responsibilities for ensuring that employees do not cross the Boundaries. Disagreeing with the wording or intent of the established Boundaries will be considered irrelevant for any required disciplinary purposes. Thus, it is critical that all employees study this policy thoroughly and apply its spirit and intent in daily activities. Although sincere, professional interaction with students fosters the charter mission of academic excellence, employee-student interaction has Boundaries regarding the activities, locations, and intentions.

### **Unacceptable Behavior**

The following is an illustrative list of unacceptable behavior, which includes but is not limited to:

- Remarks about the physical attributes or physiological development of anyone.
- Excessive attention toward a particular student.
- Sending emails, text messages, instant messages, social media messages, or letters to students if the content is not about School activities and not in accordance with applicable School policies or in violation of the School’s Social Media Policy.
- Communicating with students or parents/guardians in violation of the School’s Social Media Policy.
- Engaging in inappropriate and/or unprofessional communications.
- Using profanity with or to a student.
- Involving students in non-educational or non-school related issues, including, but not limited to, the employee’s employment issues.
- Unfit for service, including the inability to appropriately instruct or associate with students.

## Acceptable Behavior

**The following is an illustrative list of acceptable and recommended behavior, which includes, but is not limited to:**

- Obtaining parents' written consent for any after-school activity on or off campus (exclusive of tutorials).
- Obtaining formal approval (School and parental) to take students off School property for activities such as field trips or competitions.
- E-mails, text messages, phone conversations, and other communications to and with students must be professional and pertain to School activities or Classes.
- Keeping the door open when alone with a student.
- Keeping reasonable space between the employee and the students.
- Stopping and correcting students if students cross the employee's own personal boundaries.
- Keeping parents informed when a significant issue develops regarding a Student.
- Seeking advice from senior staff (such as administrators, managers, or Human Resources) if an employee finds himself or herself in a difficult situation related to Boundaries.
- Involving an employee's supervisor if conflict arises with a student.
- Informing Human Resources or the Superintendent/Executive Director about situations that have the potential to become more severe.
- Making detailed notes about an incident that could evolve into a more serious situation later.
- Recognizing the responsibility to stop unacceptable behavior of students and/or coworkers.
- Asking another adult to be present if an employee will be alone with any Student.
- Giving students praise and recognition without touching them in questionable areas; giving appropriate pats on the back, high fives, and handshakes.
- Keeping professional conduct a high priority during all moments of student Contact.

## Reporting Violations

When any employee reasonably suspects or believes that another staff member may have violated the items specified in this policy, he or she must immediately report the matter to Human Resources or the Superintendent/Executive Director. All reports shall be kept as confidential as possible. Prompt reporting is essential to protect students, the suspected employee, any witnesses, and the School as a whole. Employees must also report to the administration any awareness of, or concern about, student behavior that crosses boundaries or any situation in which a student appears to be at risk for sexual abuse.

- equal opportunity

## **EQUAL EMPLOYMENT OPPORTUNITY**

The Richard Wright PCS is an equal opportunity employer. Under the laws enforced by Equal Employment Opportunity Commission (EEOC), RWPCS does not discriminate against someone (applicant or employee) because of that person's race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability or genetic information

- drug-free workplace

## **ALCOHOL AND DRUG-FREE WORKPLACE**

Richard Wright PCS will not tolerate the presence of alcohol, illegal drugs or the illegal use of legal drugs in our workplace. The use, possession, distribution, or sale of controlled substances such as drugs or alcohol, or being under the influence of such controlled substances is strictly prohibited while on duty, while on school premises or driving for school purposes. If you need to take a prescription drug that affects your ability to perform your job duties, you are required to discuss possible accommodations with the Head of School. Violation of this policy will result in disciplinary action, up to and including termination.

- staff complaint resolution process

## **GRIEVANCE AND COMPLAINTS**

RWPCS believes that employees can resolve most problems that occur without damaging relationships. However, in the event that an issue is not solved, all questions or concerns should be discussed with Human Resources. If the problem is still not resolved, the employee may file a grievance with the Board of Trustees Grievance Committee.

## **Complaint Procedures for Programs And Competitive Grants**

The purpose of this policy is to describe the administrative procedures of the District of Columbia's Office of the State Superintendent of Education (OSSE) for handling and resolving complaints about the operations of programs administered under the Elementary and Secondary Education Act (ESEA) and other applicable District laws in a fair and timely manner.

An internal (non-OSSE) process for resolving parent/student complaints will be conducted by the Principal or Executive Director. The ECA board of governance may be contacted if you have any concerns related to school governance, management or school policy that are not addressed to your satisfaction by the Principal or Executive Director. Complaints must be addressed to:

Mr. Derwin Ross, Board of Trustees Vice-President  
**[dross@richardwright.pcs.org](mailto:dross@richardwright.pcs.org)**

Parents, teachers, individuals, private schools, local education agencies, and other organizations may file a complaint alleging that a federal statute or regulation has been violated in the administration of ESEA programs at Early Childhood Academy PCS. OSSE shall investigate all allegations of non-compliance with state or federal law, rules or regulations.

This policy serves as the grievance procedures for all ESEA programs and state administered competitive grants, excluding the complaints and hearing process under Part B and Part C of the Individuals with Disabilities Education Act, 20 USC 1400 et seq. administered pursuant to Title 5, Chapter E-30 of the District of Columbia Municipal Regulations available at <http://www.dcregs.org>.

This policy replaces all previously issued complaint procedures for ESEA programs. This policy is not intended to be a substitute for any federal statutes, regulations or non-regulatory guidance.

### **Authority**

The Office of the State Superintendent of Education has the authority to hear complaints and appeals regarding programs administered under the Elementary and Secondary Education Act (ESEA) pursuant to: EDGAR Sec. 76.401, 76.783; Title IX, Sec. 9304 (20 USC 7844); Title IX, Sec. 9503 (20 USC 7883). This policy shall serve as the grievance procedure for all ESEA programs and state administered competitive grants, excluding the complaints and hearing process under Part B and Part C of the Individuals with Disabilities Education Act, 20 USC 1400 et seq. administered pursuant to Title 5, Chapter E-30 of the District of Columbia Municipal Regulations available at <http://www.dcregs.org>.

### **Purpose**

The purpose of this guidance is to describe the administrative procedures of the District of Columbia's Office of the State Superintendent of Education (OSSE) for handling and resolving complaints regarding the operations of programs administered under the Elementary and Secondary Education Act (ESEA) and other applicable District laws in a fair and timely manner. These procedures describe:

How individuals or organizations may register a complaint that the state education agency (SEA), local education agency (LEA), or other grant recipient has violated laws and/or regulations governing state-administered programs funded under ESEA;

- When private schools may register a complaint with OSSE against the District of Columbia Public Schools (DCSPS);
- When eligible applicants and subgrantees may request a hearing on an action taken by the state education agency.

The following procedures govern the receipt and resolution of a complaint alleging that the OSSE as the SEA, a District of Columbia LEA or other grant recipient is in violation of any federal statute or regulation that applies to a state-administered ESEA funded program listed in section III, Complaints. Guidance for subgrantees requesting a hearing and the reasons for requesting a hearing are described in section V, Subgrantee Complaints and Hearings.

If you believe that Richard Wright PCS has failed to comply with the Individuals with Disabilities Education Improvement Act (IDEA) or with a requirement of District of Columbia law regarding special education under Part B of IDEA or a public agency or private service provider with regard to early intervention services under Part C of the IDEA, you may file a complaint to initiate an investigation of the matter in accordance with the IDEA complaint policy. A copy of this policy can be found at:

<http://osse.dc.gov/service/policies-and-regulations>:

## Complaints

OSSE shall investigate all allegations of non-compliance with state or federal law, rules or regulations. When appropriate, every effort should be made to resolve the issue at the local level before filing a formal complaint with OSSE. This can include meeting with the principal, school head, or central office staff to address the alleged violation. Only once all local remedies have been exhausted should a formal complaint be submitted to OSSE.

### Complaints from the Public

Parents, teachers, other individuals or organizations may file a complaint alleging the SEA or LEA is violating a federal statute or regulation that applies to any of the programs administered under the Elementary and Secondary Education Act (ESEA), as amended. These programs include, but are not limited to:

Title I, Part A, Improving the Academic Achievement of the Disadvantaged;

Title I, Part B, Subpart 3, Even Start Family Literacy;

Title I, Part D, Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent, or At-Risk;

Title II, Part A, Teacher and Principal Training and Recruiting Fund

Title II, Part B, Mathematics and Science Partnerships;

Title II, Part D, Enhancing Education through Technology;

Title III, Part A, English Language Acquisition, Language Enhancement, and Academic Achievement;

Title IV, Part A, Safe and Drug-Free Schools and Communities;

Title IV, Part B, 21st Century Community Learning Centers;

Title V, Part D, Subpart 6, Gifted and Talented Students; and

Competitive grants administered with local funds.

## **Process for Submitting Complaints**

1. Complaints must be in writing and should contain:

A statement that Early Childhood Academy PCS has violated a requirement of a federal statute or regulation that concerns a covered program; the facts on which the statement is based; a recommendation on how OSSE would resolve the complaint; the specific requirement of law or regulation allegedly violated, if possible; and be signed and dated by the complainant.

2. Complaints must be mailed or hand-delivered to:

Assistant Superintendent of Elementary and Secondary Education Office of the State  
Superintendent of Education 810  
First Street, NE – 9th Floor  
Washington, DC 20002

OSSE may, at its own discretion, redirect a complaint which should have been properly filed under the Individuals with Disabilities Education Act (IDEA) complaint policy.

A copy of this complaint policy can be found online at:

<http://osse.dc.gov/publication/state-complaints-policy-and-procedure>

## **Complaint Resolution Process**

OSSE shall issue a Letter of Acknowledgement to the complainant within fifteen (15) business days of receipt of a complaint. If the complaint involves an LEA, OSSE shall send a copy of the Letter of Acknowledgement to the DCPS Chancellor, or corresponding administrator of the LEA.

The letter will include the following information:

- the date the office received the complaint;
- how the complainant may provide additional information;
- the name and contact information of the assigned complaint investigator; and
- timelines for the resolution of the complaint.

OSSE shall investigate the complaint, reviewing the facts and circumstances of the complaint and may request further information from the complainant.

OSSE in its discretion may conduct an onsite monitoring visit.

Once OSSE has determined whether a violation of law or regulation has occurred, the complaint investigator shall develop a Letter of Findings to address whether or not the program in question is in compliance. The Letter of Findings, stating either the need for corrective action or that OSSE does not sustain the complaint, shall be sent to the complainant and DCPS or other subject

of the complaint. Each party shall have the right to respond in writing to the Letter of Findings within ten (10) business days from the date of issuance. A party filing a response shall deliver a copy to OSSE as well as each party subject to the complaint.

OSSE shall issue a Final Agency Decision based upon its Letter of Findings and any additional information provided in the responses, as deemed appropriate within sixty (60) business days after the date of issuance of its Letter of Findings.

If OSSE determines a violation has occurred, the subject of the complaint shall submit a corrective action plan. The plan and timelines for its completion must be approved by OSSE. The Final Agency Decision issued by OSSE may be appealed in accordance with the appeals process.

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- whistle blower policy

## **WHISTLE BLOWER POLICY**

Richard Wright PCS requires directors, officers and employees to observe high standards of business and personal ethic in the conduct of their duties and responsibilities. As employees and representatives of the Organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

### **Reporting Responsibility**

It is the responsibility of all directors, officers and employees to comply and to report violations or suspected violations in accordance with this Whistleblower Policy.

### **No Retaliation**

No director, officer or employee who in good faith reports a violation shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the Organization.

### **Reporting Violations**

The organization's open-door policy suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is the first person to report a violation. If you are not satisfied with your

supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations to Human Resources, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with following the Organization's open-door policy, individuals should contact the Organization's Board of Trustees.

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. 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.

### **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.