

EMPLOYMENT POLICIES

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 Employee Relations or the Chief Academic Officer (“CAO”). 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.

AMERICANS WITH DISABILITIES ACT

It is the policy of DC Prep to comply with all the relevant and applicable provisions of the Americans with Disabilities Act of 1990, as amended. DC Prep will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person’s disability.

IMMIGRATION LAW COMPLIANCE

All offers of employment are contingent on verification of the employee’s right to work in the United States. Before the employee commences employment, the employee will be asked to provide original documents verifying the employee’s right to work and, as required by Federal law, to sign Federal Form I-9, Employment Eligibility Form within three (3) business days of hire date. If the employee, at any time, cannot verify the employee’s right to work in the United States, DC Prep will terminate the employee’s employment.

VISA SPONSORSHIP

DC Prep may sponsor an employee for permanent residence as described in this paragraph. The decision to sponsor an employee for permanent residence is made by DC Prep in its sole discretion. The conditions under which DC Prep will sponsor a non-U.S. citizen employee for employment-based permanent residence will be reviewed by the Director of People Operations, CTO, and CEO. Each foreign national employed at DC Prep must be authorized to work in the United States by the applicable agencies and departments of the federal government including the U.S. Citizenship and Immigration Services (“USCIS”).

ENTERING AND LEAVING THE PREMISES

Team members will be advised about the proper entrances and exits for DC Prep facilities, as well as unauthorized areas, if any. DC Prep prohibits unauthorized visitors in DC Prep's facilities. If a team member is expecting visitors, s/he should notify his/her supervisor.

SECURITY CHECKS

DC Prep may exercise its right to inspect all packages and parcels entering and leaving any DC Prep premises.

WEAPONS

We are deeply committed to the safety of our DC Prep community. To that end, we prohibit all persons, including team members, who enter DC Prep property from carrying a handgun, firearm, knife, or other weapon of any kind regardless of whether the person is licensed to carry the weapon or not.

The only exception to our weapons policy will be police officers and security guards or other persons who have been given written consent by DC Prep to carry a weapon on DC Prep property.

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

PROPERTY AND EQUIPMENT CARE

Each team member is responsible for being familiar with the equipment and machines needed to perform their duties and acting as a responsible steward of DC Prep's resources (e.g., using machines carefully, conserving resources when possible). If a team member finds that a piece of equipment or machine is not working properly or appears unsafe in any way, they should notify the Operations Site Leader immediately so that repairs or adjustments may be made. Under no circumstances should a team member start or operate a piece of equipment or machine they deem unsafe, nor should they adjust or modify the safeguards provided.

Team members should not attempt to use any machine or equipment that they do not know how to operate or have not completed training on the proper use of the machine or equipment.

RESTRICTED AREAS

In the interest of safety and security, certain portions of DC Prep's facilities may be restricted to authorized personnel only. Such areas will be clearly marked. Employees shall work safely, observe all safety rules and keep the DC Prep premises clean and neat.

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 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.

SMOKE-FREE ENVIRONMENT

For the health and comfort of our students, team members and families, smoking, vaping, and the use of tobacco products are not permitted on the premises of DC Prep.

COMPUTER SOFTWARE (UNAUTHORIZED COPYING)

DC Prep forbids the illegal duplication of software.

1. DC Prep licenses the use of computer software from a variety of outside companies. DC Prep does not own this software or its related documentation and, unless authorized by the software manufacturer, does not have the right to reproduce it.
2. With regard to use on local area networks or on multiple machines, DC Prep employees shall use the software only in accordance with the software publisher's license agreement.
3. DC Prep employees learning of any misuse of software or related documentation within DC Prep shall notify their supervisor immediately.

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 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 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.

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 Director of Employee Relations.

In addition, all management and supervisory personnel at DC Prep have an affirmative duty to report promptly to DC Prep's Director of Employee Relations 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.

The Director of Employee Relations 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 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 Executive 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.

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, Schools.

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 also 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:

Tara O'Flaherty
Senior Director, Schools
toflaherty@dcprep.org
707 Edgewood St NE
Washington, DC 20017

WORKPLACE VIOLENCE

DC Prep prohibits workplace violence. Consistent with this policy, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect DC Prep or which occur on DC Prep property will not be tolerated.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at DC Prep, or to create a hostile, abusive, or intimidating work environment for one or more employees.

DC Prep's prohibition against threats and acts of violence applies to all persons involved in DC Prep's operations, including but not limited to, employees, contractors, agents, temporary employees and anyone else on DC Prep's property.

Every employee shall promptly report incidents of threats or acts of physical violence of which the employee is aware. The report should be made to the employee's supervisor or the Principal. If the Principal or Supervisor is involved in the conduct, then complaints should be made to the Chief Talent Officer.

TREATMENT OF STUDENTS

DC Prep employees are held to the highest standard regarding their treatment of students. DC Prep's mission includes educating students to their highest potential. Verbal or physical abuse and demeaning or harsh treatment are not only wrong but can damage a child's development. Treatment of students by all employees must at all times be above reproach. The following types of actions are some of the actions that are not permissible at DC Prep:

- Using scare tactics to intimidate and/or control children
- Pulling children by their arms, ears, or in any other manner. If children need to be restrained, proper restraint techniques should be used as referenced in the Faculty Handbook

- Isolating children from the learning environment in a manner to punish them or in a manner that harms or endangers children
- Making harsh and demeaning statements to students
- Engaging in corporal punishment. Until and if revised, for this “Treatment of Students Policy,” DC Prep uses the definition of corporal punishment in the District of Columbia Municipal Regulations:

“the use, or attempted use, or physical force upon, or against, a student, either intentionally or with reckless disregard for the student’s safety, as a punishment, or discipline.”

CORPORAL PUNISHMENT

No employee of DC Prep shall engage in corporal punishment, condone its use, or seek permission from another (including a parent) to administer it. Some examples of corporal punishment include, but are not limited to:

- Shoving
- Striking
- Grabbing
- Shaking
- Hitting
- Throwing of objects
- Unreasonable restraint
- Directing others to inflict any of the above on a student
- Pinching

There may be times when a DC Prep employee may need to use physical contact with a student. This should only be done for reasons of:

- Self-defense or defense of another and the action must be:
 - Proportional to the student’s conduct; and
 - The least intrusive means of controlling the situation.

- Protecting the educational environment or regaining or maintaining order and the action must be:
 - A last resort after all other reasonable means have been exhausted; and
 - The least intrusive means of controlling the situation.

Each situation will be reviewed by DC Prep.

APPROPRIATE STAFF-STUDENT BOUNDARIES

General

Fostering healthy, supportive relationships between staff and students is vital to DC Prep's success. Trespassing the boundaries of a student/DC Prep employee relationship and violation of this policy can lead to disciplinary consequences up to and including termination of employment. In addition, criminal penalties and sanctions against an educator's certificate may result for certain conduct with students.

All staff must carefully review this policy along with each of the examples given in the policy related to acceptable and unacceptable employee behavior (see examples section below). Although this policy gives specific examples of acceptable and unacceptable behaviors, it is each staff member's obligation to avoid situations, whether or not explicitly listed, that could lead parents, students, colleagues, or school leaders to suspect that one is engaging with a student in an inappropriate manner. If you are ever unsure if certain conduct is acceptable, ask yourself: "Would I be engaged in this conduct if my family member or supervisor were standing next to me?"

Note that some activities may seem innocent from a staff member's perspective but can be perceived as flirtatious or sexually suggestive from a student or parent point of view. The objective of providing the examples of acceptable and unacceptable behaviors listed below is not to restrain innocent, positive relationships between staff and students, but to prevent relationships from becoming, or being perceived as, sexual or otherwise inappropriate.

Staff members must understand their own responsibility for ensuring that they do not cross the boundaries as written in this policy. Disagreeing with the wording or intent of the established boundaries will be considered irrelevant for disciplinary purposes.

Safe Touch

In general, staff members should not touch students or ask students to touch them. This general rule is not designed to preclude staff members from showing appropriate affection, but to ensure staff members do not inadvertently hurt a student, make students or parents uncomfortable, or engage in conduct that casts doubt on their good intentions. If you have questions about how you should interact with a student in a given circumstance, please consult your supervisor and the examples of unacceptable and acceptable behaviors listed below.

- Giving gifts that are not intimate in nature to students, so long as gifts are not given in secret.
- Stopping and correcting students if they cross your own personal boundaries.
- Asking for advice from fellow staff or administrators if you find yourself in a difficult situation related to boundaries.
- Involving your supervisor if conflict arises with a student.
- Informing your school leader about situations that have the potential to become more severe.
- Recognizing the responsibility to stop unacceptable behavior of students or coworkers.
- Giving students praise and recognition without touching them.
- Giving students required physical support (e.g., necessary assistance with toileting).
- Side hugs, if student is comfortable with such touch.
- Pats on the back, high fives and handshakes, if student is comfortable with such touch.

Duty to Report

Any employee who witnesses or suspects staff misconduct that endangers the safety, interests, or rights of all of our students and alumni, including inappropriate behavior between students and staff members, parents, volunteers, or other DC Prep affiliated personnel (whether or not such behavior is explicitly listed in this policy), shall immediately report such conduct to their Principal. If the Principal is involved in the incident or suspected incident, the employee should report this to the Senior Director of Schools. All reports shall be regarded as confidential and will only be disclosed to those with a legal right to such information. Known or suspected abuse must be reported in accordance with DC Prep's Policy on Reporting Child Abuse or Neglect.

Failure to Follow This Policy

Failure to follow this policy is subject to disciplinary action, up to and including termination, depending on the severity of the violation. Additionally, the violation may be reported to the appropriate law enforcement agency, as required by law. Any questions regarding this policy should be directed to People Operations.

REPORTING GUIDELINES

If a DC Prep employee knows or reasonably suspects that another DC Prep employee - be it a teacher, administrator or any other employee - is possibly abusing a student or violating DC Prep's policies regarding "Treatment of Students," "Corporal Punishment," or "Appropriate