

**THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL
EMPLOYEE POLICIES 2022-23**

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Sexual Harassment and/or Discrimination Prohibition Policy

Harassment and/or Discrimination Prohibition Policy

Statement of Policy

It is the policy of Thurgood Marshall Academy to maintain a working environment that does not discriminate on the basis of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or other protected category. Harassment in any manner or form is expressly prohibited. It is the policy of Thurgood Marshall Academy that all Thurgood Marshall Academy personnel, contractors, and applicants 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 his or her race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or other protected category. Further, no Thurgood Marshall Academy personnel shall engage in unwelcome and offensive conduct towards any individual that is motivated by the individual's race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, 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, Thurgood Marshall Academy 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 Sexual Harassment

This policy extends to sexual and other forms of harassment. For purposes of this policy, sexual harassment 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 (female, male, or other protected category) may create a hostile environment. Racial, age-based, religious, ethnic, disability, sexual orientation, and other forbidden forms of harassment may occur when there is conduct which is motivated by or relates to an individual's race, color, national origin, sex, age, religion, marital status, personal

appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, 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 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.

Both types of harassment are prohibited in all work interactions regardless of location. That is, the "work environment" in which hostile and/or quid pro quo harassment is prohibited refers not only to the organization's facilities but also to any location or occasion during which employees interact, including but not limited to off-site activities, conferences, school-sponsored employee social events, and vehicles.

Conduct Prohibited by the Policy

Thurgood Marshall Academy'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 based on race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or other protected category.
- 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 race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or other protected category.
- The display in the workplace or on Thurgood Marshall Academy property of objects or pictures—whether print or electronic—that expressly or implicitly degrade individuals or groups on the basis of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or other protected category.
- Offering, promising, or granting preferential treatment to any employee or applicant (i) because of that individual's race, color, national origin, sex, age, religion, marital

status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or other protected category; or (ii) 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 Thurgood Marshall Academy e-mail, voice-mail, Internet access, or other school-sponsored communications services or devices for any purpose which reasonably is or should be known to be offensive because of its treatment of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or other protected category. Note: no Thurgood Marshall Academy personnel shall use Thurgood Marshall Academy 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 race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, 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.

Harassment and/or Discrimination Complaint Procedure

Notification Procedures

Any Thurgood Marshall Academy personnel 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 the Executive Director or the Chief Operating Officer. If the person's concerns are about the Executive Director, that person should report the matter to the Chair of the Board of Trustees.

In addition, all management and supervisory personnel at Thurgood Marshall Academy have an affirmative duty to report promptly to one of the individuals designated above 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 Thurgood Marshall Academy will conduct a confidential investigation and that

Thurgood Marshall Academy will take appropriate corrective action if harassment is found to have occurred.

Thurgood Marshall Academy 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 Thurgood Marshall Academy 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.

Thurgood Marshall Academy expects Thurgood Marshall Academy 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 Thurgood Marshall Academy'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, Thurgood Marshall Academy 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, Thurgood Marshall Academy will normally communicate its findings to both the complainant and the alleged offender. 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 Thurgood Marshall Academy'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 Thurgood Marshall Academy's Executive Director, 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, Thurgood Marshall Academy may take appropriate disciplinary and/or other corrective action.

No Retaliation

No individual who, in good faith, reports or complains about harassment or unacceptable conduct, or who assists Thurgood Marshall Academy 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.

Equal Opportunity in Hiring & Employment—Nondiscrimination Policy

In accordance with Title VI of the Civil Rights Act of 1964 (“Title VI”), Title IX of the Education Amendments of 1972 (“Title IX”), Section 504 of the Rehabilitation Act of 1973 (“Section 504”), Title II of the Americans with Disabilities Act of 1990 (“ADA”), and the Age Discrimination Act of 1975 (“The Age Act”), and applicable District of Columbia laws and regulations applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Thurgood Marshall Academy are hereby notified that Thurgood Marshall Academy does not discriminate on the basis of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or veteran status in admission or access to, or treatment or employment in, its programs and activities. The School provides equal access to designated youth groups (e.g., when applicable, the Boy Scouts).

Students, parents and/or guardians having inquiries concerning Thurgood Marshall Academy’s compliance with Section 504, ADA, Title VI, Title IX, and/or the Age Act as they apply to students or who wish to file a complaint regarding such compliance should contact:

Director of Special Education
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020

who has been designated by Thurgood Marshall Academy to coordinate its efforts to comply with the regulations implementing Section 504, ADA, Title VI, Title IX, and the Age Act as they relate to students.

For inquiries or to file a complaint regarding Thurgood Marshall Academy’s compliance with ADA, Section 504, Title VI, Title IX, and/or the Age Act as they relate to employees or third parties, contact:

COO
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020

who has been designated by Thurgood Marshall Academy to coordinate its efforts to comply with the regulations implementing Section 504, ADA, Title VI, Title IX, and the Age Act as they relate to employees or third parties.

Consult also the Grievance Procedures, which appears later in this *Personnel Policy Manual* or may be obtained by request through the individuals identified above.

Under this policy, Thurgood Marshall Academy is an Equal Opportunity Employer, and is committed to providing equal employment opportunity in recruitment, hiring, training and development, promotion, termination, compensation, benefits, and all other terms, conditions, and privileges of employment as required by applicable law.

Thurgood Marshall Academy also requires our employees to abide by applicable federal and state nondiscrimination laws in their dealings with all members of the Thurgood Marshall Academy community—including visitors, vendors, and suppliers.

Reasonable Accommodations

As stated in the Nondiscrimination Policy, above, it is the policy of Thurgood Marshall Academy to comply with all laws concerning the employment of persons with disabilities, including the Americans with Disabilities Act, as amended, the DC Human Rights Act, and the DC Protecting Pregnant Workers Fairness Act. Thurgood Marshall Academy will not discriminate against qualified individuals with physical or mental disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions and privileges of employment.

An individual requesting a reasonable accommodation to a disability, including known limitations relating to pregnancy, childbirth, a related medical condition or breastfeeding, should present the request to the Executive Director, who will engage in an interactive process with the applicant or employee to identify an appropriate reasonable accommodation. Thurgood Marshall Academy may require medical documentation certifying the disability and the related limitations. If a reasonable accommodation can be made that will enable the applicant or employee to perform the essential functions of the job without undue hardship to the school, Thurgood Marshall Academy will provide that accommodation. If more than one such accommodation is available, Thurgood Marshall Academy will determine which accommodation will be offered.

Thurgood Marshall Academy also recognizes the importance of individually held religious beliefs to persons within its workforce. Thurgood Marshall Academy will reasonably accommodate an employee's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the Executive Director.

Drug and Alcohol Policy—Drug-Free Workplace

Statement of Policy

It is the policy of Thurgood Marshall Academy to create and maintain a drug- and alcohol-free environment in the workplace, as required by the Drug-free Workplace Act of 1988. The abuse of alcohol or controlled substances (including the misuse or abuse of prescription drugs) or the use of illegal drugs, including but not limited to marijuana, cocaine, heroin, morphine, synthetic marijuana, cannabis, barbiturates, or amphetamines is inconsistent with the professional and responsible behavior we expect of employees, subjects all employees and visitors to unacceptable safety risks and undermines Thurgood Marshall Academy's ability to operate effectively and efficiently.

It is important to note that federal law and School 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, Thurgood Marshall Academy 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, the School will still continue to prohibit its use or possession at work—or reporting to work under its influence—as is the case with alcohol.

Therefore, the employees of Thurgood Marshall Academy are strictly prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances or illegal drugs, as defined above, on Thurgood Marshall Academy's premises or while conducting Thurgood Marshall Academy business off Thurgood Marshall Academy's premises.

Such conduct and/or use of illegal drugs or controlled substances is also prohibited during non-working time to the extent that it, in the opinion of the management of Thurgood Marshall Academy (1) impairs the employee's ability to perform his or her job; (2) affects Thurgood Marshall Academy's reputation or threatens its integrity; and (3) jeopardizes the employee and/or others in the workplace. Reporting to work while under the influence of illegal drugs, controlled substances, or alcohol is prohibited.

Employees who are convicted of offenses involving controlled substances or alcohol (including DUI) in the workplace must inform the Executive Director within five (5) days of the conviction or plea.

Employees who violate any aspect of this policy are subject to disciplinary action, up to and including immediate termination from Thurgood Marshall Academy.

An employee who is undergoing medical treatment with any controlled substance that may impair his/her physical or mental ability, even if a licensed physician has legally prescribed it, is strongly advised to report such treatment to her or his immediate supervisor so that an appropriate response can be made in the event of a reaction or emergency. Thurgood Marshall Academy will determine whether the employee constitutes a direct threat to himself/herself or

others. If so, as permitted by applicable laws, the employee shall not be permitted to work while undergoing such treatment.

Policy Violations

For any violation of this Drug and Alcohol Policy (including, without limitation, the unlawful manufacture, distribution, dispensation, possession, use or misuse of illegal drugs, alcohol, or controlled substances on Thurgood Marshall Academy's premises or while on Thurgood Marshall Academy business), Thurgood Marshall Academy, in its sole discretion, may subject the offending employee to disciplinary action up to and including immediate termination of employment.

Tobacco-&-Smoke Free Workplace

Thurgood Marshall Academy is a non-smoking facility and all forms of tobacco and smoking products are prohibited for all employees, students, visitors, contractors, and other occupants. This policy prohibits all forms of tobacco and smoking products, including but not limited to cigarettes, cigars, e-cigarettes, smokeless tobacco (chew), marijuana, and any other smoke or smoke-free tobacco product. Use of tobacco and similar products is not allowed anywhere in the buildings or the grounds, or by chaperones, guests, and others attending Thurgood Marshall Academy-sponsored events on or off campus. This policy is intended to comply with applicable District of Columbia and federal laws. Failure to abide by the policy may result in disciplinary action up to and including termination.

Staff Complaint Resolution Process—Grievance Procedure

Complaint Process—General

Thurgood Marshall Academy takes measures to maintain a harmonious environment as set forth in the “Work Environment” section of the handbook. **Thurgood Marshall Academy expressly prohibits any form of unlawful employee harassment, retaliation, discrimination, or inharmonious behavior as covered by the policies set forth in the “Work Environment” section of this manual.** It is incumbent upon every employee to abide by such environmental policies. Any employee who feels that the conduct of management or another employee is inappropriate or not in compliance with set policies is obligated to report their complaint in writing to their immediate supervisor. If the complaint is against the immediate supervisor, the employee should share their concerns with the next level of management. If the complaint entails discrimination or violation of laws protecting against discrimination, see “Notice of Procedural Safeguards” and “504 Grievance Procedure,” below.

All complaint reports will be thoroughly addressed by management and be subject to the determination of timing, scope, and extent by Thurgood Marshall Academy management on a case-by-case basis considering the nature of the complaint. In order to reach a fair resolution, all involved parties of the complaint will be requested to provide their interpretation of the complaint.

TMA officials responding to any incident that required reports to authorities will coordinate with the authorities to make sure the school's investigation doesn't interfere with their investigation.

Complaint Resolution Process—General

Except when otherwise indicated in the “Notice of Procedural Safeguards” and “504 Grievance Procedures” sections, below, Thurgood Marshall Academy follows the complaint resolution process described in this section. Following an investigation, Thurgood Marshall Academy will take such action that it deems necessary to reach a resolution:

- **No Violation.** In the event that the investigation discloses no violation of policy or is inconclusive, all parties deemed necessary by Thurgood Marshall Academy, including the complainant and the alleged offender, will be so advised.
- **Violation.** In the event that the investigation discloses a violation of policy, Thurgood Marshall Academy will normally communicate its findings to both the complainant and the alleged offender. 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 Thurgood Marshall Academy's discretion to determine the appropriate corrective action. While Thurgood Marshall Academy may choose to inform the complainant about the outcome of its investigation, the school is under no obligation to inform the complainant about any disciplinary action taken.

If the complainant or alleged offender is not satisfied with the resolution, he or she is encouraged to contact Thurgood Marshall Academy's Executive Director, who will render a final decision.

In the event an investigation of a complaint fails to reveal a violation of policy and instead reveals that any person, including the complainant, 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, Thurgood Marshall Academy may take appropriate disciplinary and/or other corrective action.

Notice of Procedural Safeguards

Any person who believes that Thurgood Marshall Academy has engaged in discrimination and/or harassment on the basis of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, veteran status, or otherwise may submit a complaint pursuant to Thurgood Marshall Academy's Grievance Procedures. A copy of the grievance procedures can be obtained by request through:

Elena Roberts, Director of Special Education
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202) 563-6862

Notice of Grievance Procedures for Employees

Any employee who believes that Thurgood Marshall Academy has engaged in discrimination and/or harassment on the basis of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, or veteran status, or otherwise may submit a complaint pursuant to Thurgood Marshall Academy's Grievance Procedures. A copy of the grievance procedures can be obtained by request through:

David Schlossman, COO
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202) 563-6862

Title IX

The Chief Operating Officer—David Schlossman, whose contact information appears immediately above—serves as the Primary Contact for Title IX matters. Contact the COO to reach additional contacts, particularly the Special Education Title IX contact and the Athletics Coordinator.

504 Grievance Procedures

Any person who believes that Thurgood Marshall Academy has violated the regulations of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, Title VI, Title IX, and/or the Age Act may submit a complaint to the designated individuals below.

Complaints involving students who attend Thurgood Marshall Academy may be submitted to:

Elena Roberts, Director of Special Education
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202)563-6862

Complaints involving employees of Thurgood Marshall Academy may be submitted to:

David Schlossman, COO
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202)563-6862

The grievance procedures outlined below establish how complaints will be investigated and resolved. These grievance procedures are intended to provide for a prompt and equitable resolution of complaints. These grievance procedures may be used by employees, students, parents, or third parties. These grievance procedures do not bar individuals from filing claims in other forums to the extent permitted by state or federal law.

Thurgood Marshall Academy encourages individuals to discuss their concerns with appropriate school officials before resorting to a formal complaint. However, individuals are not required to do so before filing a formal complaint.

Thurgood Marshall Academy prohibits retaliation against individuals who file a complaint or participate in a complaint investigation.

A formal complaint may be filed by following the steps outlined below:

Step 1

Within 90 days of the alleged discrimination or harassment, written notice of the complaint must be filed with the individual designated above. Complainants may use the complaint form attached to the grievance procedure. The written notice must include the nature of the complaint, the date(s) of the occurrence, the desired result, and must be signed and dated by the person making the complaint.

Upon receipt of the written notice of the complaint, the designated individual to whom the complaint was submitted will immediately initiate an adequate, reliable and impartial investigation of the complaint. Each investigation will include, as necessary, interviewing witnesses, obtaining documents and allowing parties to present evidence.

All documentation related to the investigation will remain confidential.

Within thirty (30) business days of receiving the written notice of the complaint, the individual investigating the complaint will respond in writing to the complainant. The response will summarize the course and outcome of the investigation, and identify an appropriate resolution. If, as a result of the investigation, it is determined that discrimination or harassment have occurred, appropriate corrective and remedial action will be taken.

Step 2

If the complainant wishes to appeal the decision from Step 1, he/she may submit a signed statement of appeal to the Executive Director within ten (10) business days after receipt of the response. The Executive Director will review all relevant information and meet with the parties involved, as necessary. Within twenty-one (21) business days of receiving the statement of appeal, the Executive Director will respond in writing to the complainant summarizing the outcome of the appeal and any corrective or remedial action to be taken.

Step 3

If the complainant is not satisfied with the decision of the Executive Director he/she may appeal through a signed written statement to the school Board of Trustees within ten (10) business days of the receipt of the Executive Director's response. In an attempt to resolve the grievance, the Board shall review all relevant information and meet with the concerned parties and their representatives within thirty (30) days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within fifteen (15) business days of this meeting.

Grievants can contact the Thurgood Marshall Academy Board of Trustees via Board Chair Jonathan Stoel at 202-637-5600.

Grievants also have the right to file a complaint with the Office for Civil Rights by: (1) mailing the complaint to Director, District of Columbia Office, Office for Civil Rights (OCR), U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475; (2) faxing it to (202) 453-6021; or (3) filing it electronically at: www.ed.gov/ocr/complaintprocess.html.

For more information, you can contact OCR at (202) 453-6020 (voice), (877) 521-2172 (TDD), or ocr.dc@ed.gov.

Notice of Procedural Safeguards and Grievance Procedures for Parents and Students

Thurgood Marshall Academy places a high value on the input of family and guardians and encourages parents to offer feedback on any aspect of the school program. If you become aware of a parent/guardian who has a grievance, you are expected to contact the appropriate school staff to address the concern. Note that parents who feel their complaint, whether administrative or programmatic, is not properly addressed at the school level may consider submitting a

complaint via the Office of the State Superintendent of Education. Parents are informed that information about how to submit a complaint can be found at:

<https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/ESEA%20Complaint%20Procedure.pdf>.

Parents and guardians who want to learn more about their rights under Section 504 of the Rehabilitation Act can obtain a copy of their procedural safeguards from the Section 504 Coordinator:

Elena Roberts, Director of Special Education
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202)563-6862

Any person who believes that Thurgood Marshall Academy has engaged in discrimination and/or harassment on the basis of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, source of income, disability, veteran status, or otherwise may submit a complaint pursuant to Thurgood Marshall Academy's Grievance Procedures. A copy of the grievance procedures can be obtained by request through:

Elena Roberts, Director of Special Education
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202)563-6862

Notice of Grievance Procedures for Employees

Any employee who believes that Thurgood Marshall has engaged in discrimination and/or harassment on the basis of race, color, national origin, sex, age, religion, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibilities, matriculation, political affiliation, genetic information disability or otherwise may submit a complaint pursuant to Thurgood Marshall Academy's Grievance Procedures. A copy of the grievance procedures can be obtained by request through:

David Schlossman, COO
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202)563-6862

Section 504 - Notice of Parental Rights *

This is a notice of your rights under Section 504. These rights are designed to keep you fully informed about the school's decisions about your child and to inform you of your rights if you disagree with any of those decisions.

If your child is in the process of being considered for Section 504 eligibility or has been identified for Section 504 accommodations/services, you may have the right to the following:

- Have your child participate in and benefit from the school's education program without discrimination based on disability.
- Receive notice with respect to any action taken regarding the identification, evaluation, or placement of your child.
- Refuse consent for the initial evaluation and initial placement of your child.
- Have your child receive a free appropriate public education. This includes your child's right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school provide related aids and services to allow your child an equal opportunity to participate in school activities.
- Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
- Have evaluation, educational, and placement decisions for your child based upon information from a variety of sources, by a group of persons who know your child, your child's evaluation data, and placement options.
- Have your child be provided an equal opportunity to participate in non-academic and extracurricular activities offered by the school.
- Have educational and related aids and services provided to your child without cost except for those fees imposed on the parents/guardians of non-disabled children.
- Examine your child's education records and obtain a copy of such records at a reasonable cost unless the fee would effectively deny you access to the records.
- A response to your reasonable requests for explanations and interpretations of your child's education records.
- Request the school to amend your child's education records if you believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school refuses this request, you have the right to challenge such refusal.
- Request mediation or an impartial due process hearing to challenge actions regarding your child's identification, evaluation, or placement. You and your child may take part in the hearing and have an attorney represent you. Hearing requests can be made pursuant to the school's grievance procedure.
- File a local grievance or a complaint with the District of Columbia Office for Civil Rights within the U.S. Department of Education. The regional office is located at 400 Maryland Avenue, SW, Washington, DC 20202 and can be reached at 202-453-6020

(phone), 202-453-6021 (fax), OCR.DC@ed.gov (email), and
<http://www2.ed.gov/about/offices/list/ocr>.

The Section 504 Coordinator for Thurgood Marshall Academy who is responsible for Section 504 compliance is:

Elena Roberts, Director of Special Education
Thurgood Marshall Academy
2427 MLK Jr. Ave SE
Washington, DC 20020
(202)563-6862

* The “Notice of Parental Rights” applies to guardians of students rather than employees but is included in this *Personnel Policy Manual* in order to provide the complete 504 Grievance Procedures.

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Date: _____

- I. Name of Person on Whose Behalf Complaint is Being Brought: _____
Name of Person Bringing Complaint: _____
Relationship/Title: _____
Address: _____
Phone: _____
Alternate Phone: _____ Email Address: _____

SUMMARY OF COMPLAINT:

II.

If others are affected by the possible violation, please give their names and/or positions: _____

Your suggestions on resolving the complaint: _____

- III. Please describe any corrective action you wish to see taken with regard to the possible violation. You may also provide other information relevant to this complaint.

Signature of Complainant

Date

Signature of Person Receiving Complaint

Date

Whistle-Blower Policy

Thurgood Marshall Academy is committed to maintaining a workplace where employees are free to raise good faith concerns regarding the School's business practices, specifically:

- 1) reporting suspected violations of law on the part of the School, 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 Thurgood Marshall Academy policy, specifically the policies contained in the School's *Faculty & Staff Handbook* or this *Personnel Policy Manual*.

Thurgood Marshall Academy expressly prohibits any form of retaliation, including harassment, intimidation, adverse employment actions, or any other form of retaliation, against employees who raise in good faith suspected violations of law, cooperate in inquiries or investigations, or in good faith identify potential violations of School policies. Any employee who engages in retaliation will be subject to disciplinary action.

Detailed procedures for reporting and resolving issues at the School—including issues covered by this policy—appear under “Grievance Procedure.” In addition, any employee who wishes to report a suspected violation of law or policy may:

- report it to her or his supervisor;
- report it to the next level of management if the issue involves a supervisor;
- report issues anonymously to the mailbox of either the Executive Director or the Chief Operating Officer.