



Public Charter High School

GRIEVANCE, PROCEDURAL SAFEGUARDS & NOTICE OF RIGHTS

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, Associate Head of School
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, Associate Head of School
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 Mark Harrison a boardchair@tmapchs.org

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, Associate Head of School
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, Associate Head of School
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, Associate Head of School
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.