

EMPLOYEE POLICIES

#1 HARASSMENT/SEXUAL HARRASSMENT

It is the policy of FPCS to maintain a professional business environment and a workplace that is free from harassment and intimidation of any kind.

Harassment consists of unwelcome conduct, whether verbal, non-verbal or physical, that threatens, intimidated or coerces often where the conduct is based on gender (including pregnancy, childbirth, or related medical condition), race, color, citizenship status, national origin, ancestry, age, genetic information, disability or perceived disability, sexual orientation, marital status, family care leave status, veteran status, religion, or any other characteristic protected by law. Verbal harassment includes, but is not limited to, derogatory comments, epithets, slurs, taunting and negative stereotyping. Non-verbal harassment includes, but is not limited to, touching, assaulting, blocking movements; the distribution, display or discussion or any written or graphic materials that ridicules, denigrates insults, belittles or shows hostility or aversion towards an individual or group.

A subset of harassment is sexual harassment. It is illegal and strictly against the FPCS's policy for any employee, male or female, to harass another employee by making or subjecting any person to unwelcome sexual advances or unwelcome requests for sexual favors, or to engage in any unwelcome or other verbal or non-verbal or physical conduct of a sexual nature that is persistent and offensive, where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or submission to or rejection of such conduct is used as the basis for an employment decision affecting the individual exposed or subjects to such conduct, or
- Such conduct has the purpose of effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. This includes, but is not limited to, the distribution, display or discussion of any written or graphic materials that has a sexual overtone.

Reporting

Any person who feels he or she is being subjected to harassment/ sexual harassment is encouraged to report the harassment/ sexual harassment promptly, regardless of whether the harassment/ sexual harassment is by a fellow employee, or one of FPCS's outside vendors, consultants, customers, students, or clients.

Further, anyone who believes that an employee is harassing/ sexual harassing a fellow employee, or one of FPCS's outside vendors, consultants, customers, students, or clients should report this immediately to Human Resources, the employee's supervisor or to FPCS Chief of Staff, Compliance Officer or General Counsel with whom the employee feels comfortable. Individuals who believe they are being subjected to harassing/ sexual harassing or retaliatory conduct may also choose to promptly advise the offender that his or her behavior is unwelcome and request that the offensive behavior be discontinued.

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-

related social events. This behavior is unacceptable on company time and/ or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking sites or other means.

To ensure that an employee wishing to report harassment/ sexual harassment do not have to report the incident to the person alleged to be the person harassing/ sexually harassing the employee, FPCS's policy provides that reports of sexual or other harassment may be made to any of the following, at the employee's choice: the employee's supervisor; Human Resources, Chief of Staff, Compliance Officer or General Counsel with whom the employee feels comfortable.

Investigation

Your complaint will be promptly and carefully investigated and FPCS will take the appropriate action. In addition, your complaint will be kept confidential to the extent possible consistent with a fair investigation. FPCS will not condone or tolerate the harassment/ sexual harassment of its employees by its co-workers, managers or any other individual under our control, or by persons with whom we do business. All employees, regardless of position or title, will be subject to severe discipline, up to and including termination, should the Company determine that the employee is engaged in the harassment/ sexual harassment of another individual.

#2 EQUAL OPPORTUNITY

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at FPCS. FPCS's policy is to provide equal employment opportunity to all qualified applicants and employees regardless of their race, color, religion, sex, age, national origin, disability, sexual orientation, gender identity or expression, marital status, genetic information, veteran status, status as a special disabled veteran, or any other protected criteria as established by federal, state, or local laws. This policy applies to recruitment and hiring, training, promotion, compensation, benefits, transfer, layoff, termination and all other terms and conditions of employment. Employment decisions at FPCS are based solely upon relevant criteria, including an individual's capabilities, qualifications, training, experience and suitability.

FPCS will not tolerate any unlawful discrimination and prohibits any such conduct. Employees are required to report any situations they believe involve illegal discrimination. They should be brought to the attention of their supervisor, Human Resources, Chief of Staff, Compliance Officer or General Counsel with whom the employee feels comfortable. Reports also can be made anonymously through the ERS hotline at (888) 281-8436.

#3 DRUG AND ALCOHOL-FREE WORKPLACE

Consumption or being under the influence of alcoholic beverages during working or school hours or the manufacture, distribution, dispensing, possession, or use of illegal drugs is strictly prohibited. This policy does not prohibit moderate alcohol consumption at school-sponsored events where alcohol is served.

FPCS is committed to providing an alcohol-free and drug-free work environment at all FPCS locations. FPCS is also committed to providing assistance to employees who voluntarily seek

help with alcohol and/or substance abuse problems. If you believe you need help with such problems, you are encouraged to contact the Employee Assistance Program (888/281-8436).

Where a leave of absence is necessary to address your problem, you should follow FPCS's procedures to request time off. If you are an employee who is convicted of a criminal drug statute, you must immediately notify the Director of Human Resources.

Searches

FPCS may conduct announced or unannounced searches for illegal drugs or alcohol on FPCS-controlled premises. Searches of employees and their personal property may be conducted when circumstances or workplace conditions justify them. Your consent to a search or investigation is required as a condition of employment, and an employee's refusal to consent to and fully cooperate in a search or investigation may result in disciplinary action, including termination, even for a first refusal.

Legal Drugs

The use or being under the influence of any legally obtained drug by any employee during work hours, while performing FPCS business, or while on School-controlled premises is prohibited to the extent such use or influence may cause you to pose a direct threat to your safety or the safety of others. If a legally prescribed medication negatively impacts your ability to perform the essential functions of your position, you should contact Human Resources to determine whether an accommodation is necessary.

"Legal drugs" include lawfully prescribed drugs and over-the-counter drugs that have been legally obtained by you and that are being used by you for the purpose for which they were prescribed or manufactured.

Testing

FPCS reserves the right to test all employees who have direct contact with students to detect illegal drug, alcohol, and/or substance use when there is reasonable suspicion that an employee is using illegal drugs or is under the influence of alcohol; when an employee has been involved in a vehicular or other type of accident resulting in personal and/or property damage; as part of a follow-up to counseling or rehabilitation for illegal drug use; or in any circumstances in which FPCS determines in its discretion that an employee is unable to perform satisfactorily his or her job duties due to the use of drugs or alcohol. Employees who do not have direct contact with students may be required to submit to a drug or alcohol test based on a job-related reason that is consistent with business necessity.

The results of any urine, blood, or other appropriate test are treated as confidential, with distribution of information limited to those having a strict need to know or right to know as determined by law, and the Director of Human Resources or designee.

Counseling and Rehabilitation

If you voluntarily seek help for substance abuse, FPCS will attempt to accommodate this opportunity for counseling and rehabilitation. However, to the extent, a comparable position is

available, you may be reassigned if reassignment is deemed appropriate, taking into consideration the nature of your current position. Continued unacceptable job performance, attendance or behavior problems, or other rules violations due to substance abuse may result in disciplinary action, including termination of employment.

Even if FPCS grants you leave to allow you access to counseling and rehabilitation, that approval does not necessarily substitute for discipline following a violation of this policy or guarantee you continued employment. FPCS makes available to employees information about counseling and rehabilitation through its Employee Assistance Program. If you are undergoing counseling and rehabilitation, you may utilize available sick or vacation/annual leave, unpaid leave, or, if eligible, family and medical leave while undergoing treatment.

If a condition of your return to work is follow-up drug testing and testing yields confirmed positive test results, you are ineligible for further participation in a counseling and rehabilitation program and are subject to disciplinary action, including termination of employment.

#4 STAFF COMPLAINT RESOLUTION PROCESS

FPCS may decide in its sole and complete discretion to warn, discipline, suspend or discharge employees with or without progressive disciplinary actions. The appropriate action will depend on the severity of the unsatisfactory performance or behavior, the employee's past performance or the needs of FPCS. As stated, employment at FPCS is at-will and employment may terminate at any time for any reason.

Where progressive discipline is considered to be the appropriate response, FPCS may follow a course of action that may include verbal counseling, followed by a written warning and performance improvement plan that designates action steps to be taken and timing for such action steps. If during the period that a performance improvement plan is in place, job performance/behavior continues to be below standard, the employee may be dismissed from the employ of FPCS, which may be prior to the end of the performance improvement plan period. Progressive discipline does not alter the at-will employment relationship.

If, in the opinion of FPCS, an employee's action(s) or alleged action(s) warrant immediate dismissal or suspension (with or without pay), FPCS reserves the right to act in a manner that it deems appropriate to the situation, without following the disciplinary procedure described above.

FPCS offers employees access to its EAP in the event that such a resource may be helpful in improving the employee's performance/behavior. Refer to the EAP policy for further information.

Internal Problem Resolution

FPCS is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from FPCS supervisors and management.

FPCS strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

GENERAL

Problem Resolution Procedure

If you disagree with established rules of conduct, policies, or practices, you may express your concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a good faith complaint with FPCS in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs in which you believe that a condition of employment or a decision affecting you is unjust or inequitable, you are encouraged to make use of the following steps. You may discontinue the procedure at any step. **If you believe that you are being discriminated against or harassed, you should follow the steps in the Equal Employment Opportunity policy or Complaint Procedure for Claims of Unlawful Harassment.**

- Present your concern to your immediate supervisor or the School Business Manager at your school within five calendar days after an incident occurs. If your supervisor or School Business Manager is unavailable or if you believe it would be inappropriate to contact that person, you may present the problem to the Director of Human Resources or any other member of management.
- Your supervisor or School Business Manager is to respond to the problem during the initial discussion or within five calendar days, after consulting with appropriate management when necessary. Your supervisor or School Business Manager will document the discussion.
- If you maintain that the problem remains unresolved after discussion, you may present the problem to the Director of Human Resources within five calendar days after the discussion with your supervisor or School Business Manager.
- Human Resources will counsel and provide a resolution to the problem consistent with the supporting facts, applicable policies, precedence, business practices and state and federal law. If the solution provided by Human Resources does not resolve the issue then you will be directed to the Chief Operating Officer or Chief of Staff for further resolution.
- If you are directed to the Chief Operating Officer or Chief of Staff for further resolution, you should present the problem to the Chief Operating Officer or Chief of Staff in writing within five (5) days of your meeting with Human Resources.
- After careful review of the information presented, the Chief Operating Officer or Chief of Staff will inform you of a final decision regarding the problem presented within five calendar days from the date of submission, and will forward a copy of the written response to your file. The Chief Operating Officer or Chief of Staff has full authority to make any adjustment deemed appropriate to resolve the problem.

WHISTLEBLOWER PROTECTION POLICY

Friendship Public Charter School (“FPCS”) requires directors, officers, and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of FPCS, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

FPCS is committed to lawful and ethical behavior in all of its activities and requires the board, advisors, employees and volunteers to act in accordance with all applicable laws, regulations and policies and observe high standards of business and personal ethics in the conduct of their duties and responsibilities.

The objectives of FPCS’s Whistleblower Protection Policy are to establish policies and procedures to:

- Prevent or detect and correct wrongdoing, including violation of public policies expressed in statutes, regulations, or constitutional provisions;
- Encourage each director, officer, employee and volunteer (“Individual”) to report what he or she in good faith believes to be a material violation of law or policy or questionable accounting or auditing matter by FPCS;
- Ensure the receipt, documentation, retention of records, and resolution of reports received under this policy; and
- Protect Individuals from retaliatory action.

Reporting Responsibility

This Whistleblower Protection Policy is intended to provide protections for you if you raise concerns regarding FPCS, such as concerns regarding incorrect financial reporting, unlawful activity, activities that are in violation of FPCS policy, or activities which otherwise amount to serious improper conduct. This Policy is intended to encourage and enable employees and others to raise serious concerns internally so that FPCS can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees, and volunteers to report concerns about violations of law or regulations that govern FPCS operations.

Each Individual has an obligation to report what he or she believes is a material violation of law or policy or any questionable accounting or auditing matter by FPCS, its directors, officers, advisors, employees, volunteers, or other representatives. The types of concerns that should be reported include, for purposes of illustration and without being limited to, the following:

- Providing false or misleading information on FPCS financial documents, grant reports, tax returns or other public documents;
- Providing false information to or withholding material information from FPCS auditors, accountants, lawyers, directors or other representatives responsible for ensuring FPCS compliance with fiscal and legal responsibilities;
- Embezzlement, private benefit, or misappropriation of funds;
- Material violation of FPCS policy, including among others, confidentiality, conflict of interest, whistleblower, ethics and document retention;

- Discrimination based on any protected class;
- Sexual harassment or abuse;
- Retaliation against an employee who has engaged in protected activity;
- Facilitating or concealing any of the above or similar actions.

No Retaliation

It is contrary to the values of FPCS for anyone to retaliate against any board member, officer, employee, or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of FPCS. An employee or volunteer who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. Furthermore, harassment or victimization for reporting concerns under this policy will not be tolerated. Every effort will be made to treat the complainant's identity with appropriate regard for confidentiality. Most importantly, no director, advisor, or employee or volunteer who, in good faith, reports a concern shall be threatened, discriminated against, or otherwise subject to retaliation, or in the case of an employee, adverse action as a result of such report.

Reporting Procedure

FPCS has an open door policy and suggests that employees share their questions, concerns, or suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with Human Resources, the Chief of Staff, Compliance Officer or General Counsel. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to FPCS's Compliance Officer or General Counsel who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the organization's Compliance Officer.

- ***Reporting Concerns***

- **Employees**

- Whenever possible, an employee should seek to resolve concerns by reporting issues directly to his/her supervisor or the next level of management as needed until matters are satisfactorily resolved.
- As indicated above, if an employee is uncomfortable speaking to a supervisor or does not believe the issue is being properly addressed, the employee may contact Human Resources, the Chief Executive Officer (or Chief of Staff?), or General Counsel.
- If an employee does not believe that these channels of communication can or should be used to express his/her concerns, an employee may contact the chair of the Finance Committee.
- Whenever practical, reports should be in writing.

- **Board Members, Advisors, and Other Volunteers**

- Board members, advisors, and other volunteers may submit concerns to the Chief Executive Officer. If the volunteer, advisor, or board member is not comfortable reporting to the Chief Executive Officer or if he/she does not

believe the issue is being properly addressed, he/she may report directly to the chair of the Board.

Compliance Officer

The FPCS Compliance Officer is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer will advise the Chief Executive Director and the Board of Directors of all complaints and their resolution and will report at least annually to the [Treasurer/Chair of Finance Committee/Audit Committee] on compliance activity relating to accounting or alleged financial improprieties.

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Handling of Reported Violations

The FPCS Compliance Officer will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. The action taken by FPCS in response to a report of concern under this policy will depend on the nature of the concern. The amount of contact between the complainant and the person or persons investigating the concern will depend on the nature of the issue and the clarity of information provided. Further information may be sought from or provided to the person reporting the concern.

FPCS will promptly investigate all reports filed in accordance with this policy with due care. Matters reports internally without initial resolution will be investigated to determine if the allegations are true, whether the issue is material, and what actions, if any, are necessary to correct the problem. FPCS staff will use a full report of all matters raised under this policy to the Finance Committee. The Finance Committee may conduct a further investigation upon receiving the report from the Chief Executive Officer.

Reporting Financial Concerns

Concerns relating to financial reporting, unethical or illegal conduct may be reported directly to FPCS's Chief Financial Officer. Employees are encouraged to continue to report employment-related concerns through their supervisor, Human Resources, the Chief of Staff, Compliance Officer or General Counsel.

Acting in Good Faith

Anyone reporting a concern must act in good faith and have reasonable grounds for believing that the matter raised is a violation of law or policy or of accounting or auditing procedures. Although you are not expected to prove the truth of an allegation, you should be able to demonstrate to the person contacted that the report is being made in good faith. The act of making allegations that prove to be unsubstantiated and that prove to have been made maliciously, recklessly, with gross negligence, or with foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer

position or termination of employment. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

FPCS will treat all communications under this policy as confidentially as possible, but may need to disclose information for business reasons, including:

1. To conduct a complete and fair investigation, or
2. For review of FPCS operations by FPCS's board, Finance Committee, independent public accountants, and/or legal counsel