



## **GRIEVANCE POLICY AND PROCEDURES**

The procedures presented here are an attempt to provide mechanisms by which alleged violations of rights, rules or policies in the operation of and the services provided by Cedar Tree Academy PCS may be resolved in an orderly and timely manner.

Cedar Tree Academy PCS provides assistance through its grievance process to help the individual with a complaint to understand the various procedures and to pursue the most direct channel to be heard and seek satisfactory resolution. Complainants are encouraged to use this assistance during the informal and formal phase of problem solving.

### **1. What May Be Grieved**

The CTA grievance process should be used for the following **Categories of Grievances**:

- a. To deal with complaints and concerns pertaining to the educational environment, employment arrangements, or interpersonal conflicts;
- b. To resolve conflicts of discrimination and harassment based upon, race, color, religion, creed, sex, national origin, age, disability, veteran status, sexual orientation, or otherwise.

### **2. Who May Grieve**

Employees, students, parents, and visitors who believe they have been discriminated against or been the subject of harassment based on race, color, national origin, sex, age, or disability in admission or access to, or treatment in programs and activities of CTA may use the procedures as set forth below to file an informal or formal complaint.

### **3. Informal Grievance**

CTA works to resolve disputes with due diligence and understands that in many instances resolution may be obtained through proving a means of communication between the person(s) who believe that they have been discriminated against or have been a subject of harassment and the school administration. CTA encourages but does not require that any person who has a grievance speak directly with the designated CTA administrator in an effort to resolve the concern(s).

### **4. Formal Grievance**

#### **Step 1: Filing**

A written notice must be completed and signed by the grievant and submitted to the designated CTA administrator at the particular campus within ninety (90) days of the alleged discrimination or harassment. A complaint form may be obtained from the school's main office. The written notice must identify the subject of the complaint, the time frame/date(s) of the occurrence and the resolution or relief sought. The written notice must be signed and dated.

#### **Step 2: Investigation**

The designated CTA administrator will promptly conduct a thorough and impartial investigation of the complaint. The investigation will include 1) obtaining written evidence, 2) interviewing witnesses, and 3) allowing parties to present evidence. All matters relating to the investigation and/or the alleged discrimination or harassment are considered confidential and will not be disclosed to persons not involved in the investigation except as required by law.

#### **Step 3: Response**

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Within thirty (30) days of receiving the written notice, the designated CTA administrator will 1) respond to the grievant in writing summarizing the information obtained from the investigation, 2) determine whether the grievance is substantiated, and if so, 3) propose and appropriate resolution. If the grievance is substantiated, immediate action will be taken to resolve.

#### **Step 4: Appeal**

If the grievant is not satisfied with the decision of the designated CTA administrator, he/she may appeal the decision through a signed written statement to the Executive Director (or designee) at 701 Howard Road, SE, Washington, DC 20020, 202.610.4193 (telephone) or 202.610.2845 (fax) within ten (10) days of the meeting.

A grievant who would like to appeal the findings or remedy or does not wish to utilize this process may file a complaint with the Office of Civil Rights at any time before or during the grievance procedures. The regional office for the District of Columbia is located at 400 Maryland Avenue, SW, Washington, DC 20020 and can be reached at (202) 453 -6020 (telephone) or (202) 453-6021 (fax).

If the issue cannot be resolved between the family and school-based leadership alone, please contact the following:

**Carla Bailey, Board President, Cedar Tree Academy**  
**[cbailey@cedartree-dc.org](mailto:cbailey@cedartree-dc.org)**

#### **PROHIBITION AGAINST RETALIATION**

CTA does not tolerate or permit retaliation against a grievant who *files* a complaint pursuant to this policy. Immediate action will be taken against any person found to have retaliated against a grievant that has made a complaint.

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### Complaint Form

Please complete every appropriate item and submit within ninety (90) days after the incident of alleged discrimination or harassment to:

**Cedar Tree Academy**  
**Attn: Business Office**  
**701 Howard Road SE**  
**Washington, DC 20020**  
**Phone: 202-610-4193 Fax: 202-601-2845**

A complaint must be filled within 90 (ninety) days of the event which is the subject of the complaint.

- > Please **print clearly** all requested information.
- > Attach additional pages and supporting documentation if necessary.
- > Anonymous complaints will not be accepted.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Student Name (if complaint is being filed by a parent):  
\_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone/Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

School/Work Location: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Supervisor's Name (for employee complaints only):  
\_\_\_\_\_

**1. Circle below why you believe you were discriminated against:**

- Age
- Race

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- Color
- Disability
- Marital Status
- Gender/Sexual Harassment/Pregnancy
- Religion
- Retaliation\*(for complaint)
- Ethnicity/National Origin/Nationality
- None of the above

\* Retaliation is defined as adverse action taken in response to an individual's participation in a protected activity. A protected activity is opposing discriminatory action (e.g. filing a complaint, etc.) or participating in a discrimination-related proceeding.

**2. Name/Title/Location of person(s) you believe discriminated against you.**

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Location: \_\_\_\_\_  
 \_\_\_\_\_  
 Name: \_\_\_\_\_ Title: \_\_\_\_\_ Location: \_\_\_\_\_  
 \_\_\_\_\_  
 Name: \_\_\_\_\_ Title: \_\_\_\_\_ Location: \_\_\_\_\_  
 \_\_\_\_\_

**3. Date(s) on which alleged act(s) of discrimination occurred:**

1<sup>st</sup> occurrence happened from \_\_\_\_\_ to \_\_\_\_\_  
 2<sup>nd</sup> occurrence happened from \_\_\_\_\_ to \_\_\_\_\_

**4. Where did it take place?**

\_\_\_\_\_

**5. Explain what happened. (Cite names and evidence, if any, and attach extra pages if needed)**

\_\_\_\_\_  
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The Rehabilitation of 1973, commonly known as "Section 504" (§504), is a federal law passed by the United States Congress with the purpose of prohibiting discrimination against persons with disabilities who may participate in, or receive benefits from, programs receiving federal financial assistance. In the school setting §504 applies to ensure that eligible students with disabilities are provided with educational benefits and opportunities equal to those provided to non-disabled students. You are receiving this document because you are either an adult student or the parent of a minor student who has or is suspected of having a disability under §504.

Under §504, a student is considered "disabled" if he or she suffers from a physical or mental impairment that substantially limits one or more of their major life activities, such as learning, walking, seeing, hearing, breathing, working, caring for oneself, eating, sleeping, standing, lifting, bending, speaking, reading, concentrating, thinking, communicating, and performing manual tasks. Section 504 also applies to students with a record of having a substantially limiting impairment, or who are regarded as being disabled even if they are truly not disabled. Students can be considered disabled, and can receive accommodations and/or services under §504, even if they do not qualify for, or receive, special education services.

The purpose of this Notice is to inform parents and student of the rights granted to them under §504. The federal regulations that implement §504 are found at Title 34, Part 104 of the Code of Federal Regulations (CFR). They include the following rights:

1. You have a right to be informed about your rights under §504. [34 CFR 104.32]. The public school that you or your child attends must provide you with written notice of your rights under §504 (this document represents written notice of rights as required under §504). If you need further explanation or clarification of any of the rights described in this notice, please contact the 504 Coordinator for the school that you or your student is attending. (Building 504 Coordinator for Cedar Tree Academy is the Behavior Intervention Specialist).
2. A child who has a physical or mental impairment that substantially limits a major life activity ("eligible child") has the right to a free appropriate public education designed to meet his or her educational needs as adequately as the needs of nondisabled students are met. [34 CFR 104.33].
3. An eligible child has the right to free educational services, with the exception of certain costs normally also paid by the parents of non-disabled students.
4. To the maximum extent appropriate, an eligible child has the right to be educated with children who are not disabled. The eligible child will be placed and educated in regular classes, unless the Academy demonstrates that his or her educational needs cannot be adequately met in the regular classroom, even with the use of supplementary aids and services. [34 CFR 104.34].
5. The eligible child has the right to services, facilities, and activities comparable to those provided to non-disabled students. [34 CFR 104.34].
6. The Academy must undertake an evaluation of your child prior to determining eligibility under Section 504 and developing his or her appropriate educational placement or program of services under §504, and also before any subsequent

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significant change in placement. [34 CFR 104.35].

7. If formal assessment instruments are used as a part of an evaluation, procedures used to administer assessments and other instruments must comply with the requirements of §504 regarding test validity, proper method of administration, and appropriate test selection. [34 CFR 104.35]. The Academy will consider information from a variety of sources in making its determinations, including, for example:
8. Placement decisions regarding your child must be made by a group of persons (a 504 Committee or Team) knowledgeable about your child, the meaning of the evaluation data, possible placement options, and the requirement that to the maximum extent appropriate, children with disabilities should be educated with non-disabled children. [34 CFR 104.35].
9. If your child is eligible for services under §504, he or she has a right to periodic reevaluations to determine if there has been a change in educational need. Generally, a reevaluation will take place at least every three years. [34 CFR 104.36].
10. You have the right to be notified prior to any action (be it a proposal or refusal) regarding the identification, evaluation, or placement of your child. [34 CFR 104.36].
11. You have the right to examine relevant documents and records regarding your child (generally documents relating to identifications, evaluation, and placement of your child under 504). [34 CFR 104.36].
12. You have the right to request an impartial due process hearing if you wish to contest any Academy action with regard to your child's identification, evaluation, or placement under 504. [34 CFR 104.36]. You have the right to participate personally at the hearing and to be represented by an attorney, if you wish to hire one.
13. If you wish to request an impartial due process hearing, you must submit a written Request for Hearing to the Academy 504 Coordinator at the address below.
14. An impartial hearing officer will be appointed. You will be notified in writing of the hearing date, time, and place. Further details about the hearing process are set forth in the Academy's 504 procedures. The 504 procedures are available from the school the Director of Special Education.
15. If you disagree with the decision of the hearing officer, you have a right to seek a review of that decision before a court of competent jurisdiction.
16. If you feel that the Academy has violated an express term of its §504 policies and procedures, you have the right to present a grievance to the Academy 504 Coordinator (or Executive Director). Further details about the grievance process are set forth in the Academy's 504 procedures. The 504 procedures are available from the Executive Director.

If you feel the Academy has violated Section 504, you also have a right to file a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education. The address of the OCR Regional Office that covers the District of Columbia is:

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**Office for Civil Rights**  
**Section 504 & ADA Coordinator, Rebecca Yerman**  
**707 Edgewood Street, NE**  
**Washington, DC 20017**  
**202-635-4590**

### **Section 504 Grievance Procedures**

If any person believes that Cedar Tree Academy PCS has violated the regulations of Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act, he/she may submit a complaint to Cedar Tree Academy PCS's Section 504/ADA coordinator.

Complaints involving students, employees, parents, and visitors of Cedar Tree Academy PCS may be submitted to:

**Robinette Lewis Breedlove, ED D**  
**Director of Business Operations**  
**701 Howard Road SE**  
**Washington, DC 20020**  
**(202) 610-4193**

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.

Any person who believes they have been discriminated against based on disability or otherwise wishes to bring a complaint related to Cedar Tree Academy PCS's application of Section 504 or ADA may file a complaint by following the steps outlined below:

#### **Step 1**

A complaint form must be completed and signed by the complainant and submitted to the Director of Operations who will investigate the matters of grievance outlined in the complaint and reply in writing to the complainant within ten (10) business days.

#### **Step 2**

If the complainant wishes to appeal the decision of the Director of Operations, he/she may submit a signed statement of appeal to the Executive Officer within ten (10) business days after receipt of the response from the Director of Operations. The Executive Director will meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days of the meeting with the parties.

#### **Step 3**

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If the complainant is not satisfied with the decision of the Executive Officer 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 Officer's response. In an attempt to resolve the grievance, the Board shall 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 ten (10) business days of this meeting.

**Step 4**

The complainant may file a complaint with the Office for Civil Rights at any time before or during the grievance procedures. The regional office for the District of Columbia is located at 400 Maryland Avenue, SW, Washington, DC 20202 and can be reached at 202.453.6020 (telephone) or 202.453.6021 (fax).

**Section 504/ADA Complaint Form**

**Date:** \_\_\_\_\_

I. Name of Person Whose Behalf Complaint is Being Brought: \_\_\_\_\_

N a m e                    o f                    P e r s o n                    B r i n i n g                    C o m p l a i n t :

\_\_\_\_\_

R e l a t i o n s h i p / T i t l e :

\_\_\_\_\_

A d d r e s s :

\_\_\_\_\_

\_\_\_\_\_

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