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| <b>Mission Hope Foundation</b> | <b>Policy Title:</b>                          | <b>General Board Authorized:</b> | YES      |
|                                | Non-Discrimination and Anti-Harassment Policy | <b>ESERN:</b>                    | OP200-11 |

## STATEMENT OF POLICY

Mission Hope Foundation is committed to maintaining an environment that encourages and fosters appropriate conduct among all persons and respect for individual values. Accordingly, the organization is committed to enforcing this Non-Discrimination and Anti-Harassment Policy and Complaint Procedures at all levels in order to create an environment free from discrimination, harassment, retaliation and/or sexual assault. Discrimination or harassment based on race, gender and/or gender identity or expression, color, creed, religion, age, national origin, ethnicity, disability, veteran or military status, sex, sexual orientation, pregnancy, genetic information, marital status, citizenship status, or on any other legally prohibited basis is unlawful and undermines the character and purpose of the organization. Such discrimination or harassment violates organizational policy and will not be tolerated.

Any form of retaliation against anyone who has complained of or formally reported discrimination, harassment, or sexual assault, or has participated in an investigation of such a complaint, regardless of whether the complaint relates to the complaining person or someone else, will not be tolerated, and violates both this policy and applicable law.

Mission Hope Foundation prohibits discrimination, harassment, retaliation, and sexual assault. The organization expects management level personnel to serve as models of appropriate conduct for other employees and will hold them to a higher standard of accountability. Management personnel must not only refrain from actions that violate this policy, but also refrain from any activity that would give the appearance of impropriety.

This policy applies to all employees, contractors, and volunteers of Mission Hope Foundation, and applies regardless of whether the alleged wrongdoer is an employee, contractor, or volunteer.

## DEFINITIONS

A. **Discrimination** is adverse treatment of any employee, contractor, and volunteer based on the protected class or category of persons to whom he/she belongs, rather than on the basis of his/her individual merit, with respect to the terms, conditions, or privileges of employment including, but not limited to hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that individual.

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I.

B. **Harassment** is unwelcome verbal or physical conduct prohibited by law directed toward, or differential treatment of, an employee because of his/her membership in any protected group or on any other prohibited basis (e.g., race, gender and/or gender identity or expression, color, creed, religion, age, national origin, ethnicity, disability, veteran or military status, sex, sexual orientation, pregnancy, genetic information, marital status or citizenship status. The harasser can be the employee's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the organization, such as a client or customer.

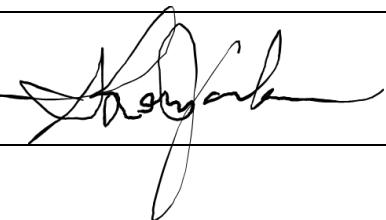
Examples of such conduct include, but are not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, degrading or ridiculing another person or group;
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols;
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes, epithets or demands;
- Physical assault or stalking;
- Displays or electronic transmission of derogatory, demeaning or hostile materials; and
- Unwillingness to train, evaluate, assist, or work with an employee.

A **hostile work environment** results from harassing conduct that has the purpose or effect of unreasonably interfering with an employee's work performance, or creates an intimidating, hostile or offensive working environment.

**Sexual harassment** is a form of harassment that consists of making unwelcome sexual advances or requests for sexual favors, or engaging in other verbal or physical acts of a sexual or sex-based nature where such conduct interferes with the employee's work performance or creates an intimidating, hostile or offensive working environment.

Sexual harassment may also occur where a supervisor/manager demands that an employee/subordinate satisfy sexual demands in order to receive job benefits, to continue employment, or as a basis for making any other employment decision. Such

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sexual harassment occurs between a manager/supervisor and an employee due to the nature of the manager/subordinate relationship. A manager/supervisor for this purpose is someone who can affect or impact an employee's terms, conditions, or privileges of employment because he/she can take or impact action such as hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that individual.

C. **Retaliation** is any adverse action taken against an individual (applicant or employee) because he or she filed a charge of discrimination, complained to the organization or a government agency about discrimination on the job, or participated in an employment discrimination proceeding (such as an internal investigation or lawsuit), including as a witness. Retaliation also includes adverse action taken against someone who is associated with the individual opposing the perceived discrimination, such as a family member.

Examples of retaliation include termination, demotion, refusal to promote, or any other adverse action that would discourage a reasonable person from opposing perceived discrimination.

D. **Sexual assault** is a sexual act against the will and without the consent of the employee-victim or where the employee-victim is incapable of giving consent. Discrimination, harassment, retaliation, and sexual assault are unacceptable in the workplace. Regardless of the legal outcome, this behavior violates organizational policy even when it does not constitute a violation of law and the perpetrator will be subject to disciplinary action up to termination or contract dissolution.

## II. REPORTING DISCRIMINATION, HARASSMENT, RETALIATION, OR SEXUAL ASSAULT

Any employee who believes that he or she has been a victim of discrimination, harassment, retaliation or sexual assault prohibited by this policy, or any employee who has witnessed such discrimination, harassment, retaliation or sexual assault, should immediately report the circumstances in accordance with the procedure set forth below. The organization may investigate any conduct that violates this policy, even in the absence of a complaint, and take remedial action where appropriate.

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An employee, contractor or volunteer may make a complaint to any of the individuals listed below:

- a) The Office of Equal Opportunity (“OEO”); or
- b) The Human Resources Officer of the relevant School or Administrative Department; or
- c) Any supervisor; or

Complaints may be submitted to OEO by any of the following methods:

- By phone at 844-573-3396
- By e-mail at hr@mymhf.org;

- b) All complaints under this policy will be referred to the Human Resources Officer. If Human Resources Officer has a personal relationship with the accused individual or otherwise has a conflicting interest, he or she must forward it to the Board Chairman.

The Organization encourages prompt reporting of complaints so that it may respond appropriately and conduct an investigation while the matter is freshest in witnesses' memory and other evidence is most likely to be available. There is no fixed deadline for reporting discrimination, harassment, retaliation, or sexual assault complaints. Because it is not always easy to interpret words or actions, employees, contractors, volunteers are further encouraged to bring forward any concerns under this policy before they rise to the level of violating the law.

#### Responsibilities of Managers and Supervisors

It is imperative that managers and supervisors set the tone for the enforcement of this policy. Managers and supervisors have a special obligation not to engage in discrimination, harassment, retaliation or sexual assault. All management and supervisory personnel have an affirmative duty and are required to promptly report any discrimination, harassment, retaliation or sexual assault that they observe, learn about from others, or reasonably suspect has occurred with respect to an employee.

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### III. INVESTIGATION AND DISPOSITION OF COMPLAINTS

#### (a) The Investigation

The organization will conduct a prompt, thorough and impartial investigation of a complaint as necessary and appropriate. The organization will make every effort to complete its investigation within thirty (30) days of a report of discrimination or harassment. The investigator may find it necessary to extend the time period for completing an investigation in some circumstances. The investigator will provide the complainant, the alleged wrongdoer, and the business unit head with notice of any extension and give them a new timetable for completion of the investigation.

The investigation will include an interview with the alleged employee-victim. It also may include interviews with the person who made the initial report, the complainant (if not the alleged victim), the alleged wrongdoer and/or any other person who may have information regarding the incident, each of whom is encouraged to cooperate with any investigation. The investigator may also review relevant documents.

The investigation process is strictly internal to Mission Hope Foundation

#### (b) Findings and Recommendations

The investigator will report his or her findings to the person who made the initial report, the alleged victim of discrimination, harassment, retaliation or sexual assault, the alleged wrongdoer, and relevant managers and supervisors.

Where the investigator concludes that a violation of this policy has occurred, the relevant President will take prompt and appropriate remedial action, including disciplinary action. Depending on the circumstances, disciplinary action may include (but is not limited to): reprimand/verbal counseling, training, censure, removal of privileges, letters of warning or suspension, and dismissal. Discipline for a violation of this policy need not be progressive, so a first violation of this policy may warrant suspension or discharge.

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**(c) The Investigatory File**

Every complaint will trigger the creation of an investigatory file. The investigatory file will consist of the initial complaint, the final investigative report, including a record of the remedial action to be taken, if any, and any documents created or used during the investigation.

For the duration of the investigation, the Human Resource Officer will maintain the investigatory file. Upon completion of the investigation, the Human Resource Officer will transfer the file to the President. Additionally, the President will record and maintain complaints in a database management file consistent with the Mission Hope Foundation's fiscal year (July 1st – June 30th). The President will maintain records of all complaints for a period of seven (7) years after the conclusion of an investigation.

**(d) Responsibilities of Managers and Supervisors**

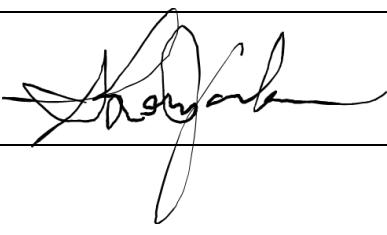
In cases where an investigation confirms a violation of this policy, management in the appropriate are must ensure that the prescribed remedial action, including disciplinary action, is implemented. Managers must provide confirmation to their Human Resources Officer within 14 days that the recommended action has occurred. Only upon such confirmation will the Human Resource Officer close the investigatory file and forward it to the President. Management is also responsible for regular monitoring to ensure that all remedial and/or disciplinary steps are completed, and no further discrimination or harassment occurs in the work environment.

**IV. CONFIDENTIALITY**

The organization will maintain the confidentiality of the complaint, and the privacy of the persons involved, to the greatest extent possible, consistent with its goal of conducting a thorough and complete investigation and to the extent permitted by law.

**V. NON-RETALIATION**

The organization will not in any way retaliate against an individual who reports a perceived violation of this policy, participates in any investigation, or otherwise opposes perceived discrimination, harassment, or retaliation, including as a witness. It will also

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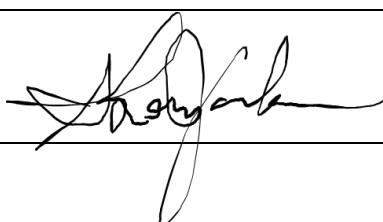
not retaliate against anyone associated with the individual who engages in such protected conduct, such as a family member. Mission Hope Foundation will not tolerate retaliation by any employee. Retaliation is a serious violation of this policy, as well as federal, state, and local law. Anyone who believes he/she is a victim of retaliation should report the matter immediately according to the same procedure provided in this policy for making complaints of discrimination, harassment, or sexual assault. Any person found to have retaliated against another individual will be subject to the same disciplinary action provided under this policy for other violations.

c) **VI. SEXUAL ASSAULT**

The medical, emotional, and legal needs of a sexual assault victim may differ from those of other harassment complainants. Sexual assault victims who are employees should, therefore, in addition to filing a complaint under this policy, report the assault to the police and pursue counseling and other services available at the organization.

**VII. CONSENSUAL RELATIONSHIPS**

Consensual relationships involving sexual behavior that is welcome and voluntary do not constitute sexual harassment under the law. Romantic relationships in situations where one individual has greater power or authority over another, however, frequently result in claims of harassment when the relationship ends, and perceptions of favoritism while they continue. Such relationships are inappropriate. A "consensual" relationship between a supervisor and a subordinate is an example of an inappropriate relationship. If a consensual relationship occurs, any situation of authority must be discontinued, and appropriate action may be taken.

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