**STAFF GRIEVANCE POLICY**

**Section 1. General**

**Section 1.1** Hawthorn Leadership School for Girls is interested in employee concerns and ideas for improving the school. Hawthorn employees are encouraged to discuss concerns with supervisors and the administrative staff so that issues may be addressed in a timely fashion.

**Section 1.2** Because violations of policies and procedures are particularly problematic, the Board has developed this formal process for addressing these grievances. Grievance processing should be viewed as a positive and constructive effort to establish the facts upon which the grievance is based and to accurately implement Hawthorn policies or procedures. Hawthorn prohibits discrimination or retaliation of any kind against any party in interest, any witness, any representative or any other participant in the grievance process by reason of such participation.

**Section 2. Definitions**

**Section 2.1** *Days* – Calendar days, whether occurring during the regular school year or during the summer, but excluding: weekends; Hawthorn-designated holidays (whether on the original school calendar or designated thereafter); winter and spring breaks and other Board-designated breaks; and closings due to inclement weather, illness, natural disaster, or other emergencies. (In reference to deadlines cited in this policy, the day of occurrence or delivery of responses will not be counted as the first day. The last day will end at the close of the normal business day.)

**Section 2.2** *Grievance* – An allegation by an individual employee that a specific, written, Hawthorn policy or procedure has been violated or misinterpreted. A grievance does not include concerns regarding the content of performance evaluations or remedial documents, nonrenewal of contracts when applicable, employee discipline, or termination. This policy does not apply if another Board policy or state or federal law provides due process, a hearing or a different method for addressing the issue. The employee initiating the grievance must sign the grievance form at each level.

**Section 2.3** *Grievant* – An employee of Hawthorn Leadership School for Girls who has filed a grievance.

**Section 2.4** *Performance Evaluations or Remedial Documents* – Any assessment of employee performance including, but not limited to, evaluation instruments, job targets, professional development plans and professional improvement plans.

**Section 2.5** *Supervisor* – The grievant’s immediate departmental supervisor.

**Section 3. Grievance Process Overview**

**Section 3.1** Grievances must be filed within ten days of the occurrence that is the basis of the grievance. The grievance must be in writing, on the forms provided by Hawthorn, and include a copy of the specific Hawthorn policy alleged to be violated or misinterpreted, as well as a statement of the relief requested.

**Section 3.2** Grievances will be processed according to the step-by-step process outlined below, with the following exceptions. If a person designated to hear a grievance is the subject of the grievance, the grievance process will begin at the next highest level. If a grievance is directly based on official Board action, the grievance shall be directed to the Board secretary. The grievance may be heard by the Board at the sole discretion of the Board.

**Section 3.3** No new information may be added and no new claims may be made after Step One. Each subsequent appeal will address only the facts and issues presented at Step One.

**Section 3.4** The deadlines established under this policy may be extended upon the written request of the grievant or the supervisor, but the final decision regarding any extension shall be made by the Head of School at his or her sole discretion. Investigation and reporting deadlines will be extended when more time is necessary to adequately conduct an investigation and to render a decision. The Head of School will grant or deny a request for extended time within two days of the relevant request for extension. The grievant and supervisor will be notified of the decision.

**Section 3.5** Failure of the school to reply or render a decision at any step except Step Three (final appeal) shall result in the grievance being advanced to the next level.

**Section 3.6** Failure of the grievant at any step of this process to appeal a grievance to the next level within the specified time limits shall be deemed as acceptance of the findings and remedial action taken. Hawthorn will not consider late appeals.

**Section 3.7** All communications, notices and papers required to be in writing shall be served personally or by registered (certified) United States Postal Services.

**Section 3.8** Once a decision is rendered under this grievance process, the decision is final. Grievance decisions cannot be the subject of a new grievance.

**Section 3.9** Because the point of a grievance is to provide resolution outside the court system, an employee is not entitled to bring an attorney to grievance proceedings. If an attorney becomes involved in the process, the Head of School or designee will refer the matter to the school’s private attorney and the grievance process will end.

**Section 4. Grievance Procedure**

**Section 4.1 Immediate Supervisor (Step One)**

1.         An employee with a grievance shall first discuss it with his/her immediate supervisor as may be appropriate with the objective of resolving the matter informally. However, before an aggrieved employee can move to Step Two, he/she must submit to his/her immediate supervisor a written statement on the grievance form. The immediate supervisor shall have a period of not less than five days during which he/she shall hold a conference with the grievant.

2.         Following the conference, but not later than ten days from the date of filing of the grievance, the supervisor shall tender a written response to the grievant.

3. If the employee’s direct supervisor is the Head of School, the employee may begin the grievance procedure by submitting a written statement on the grievance form to the Head of School.

**Section 4.2 Head of School (Step Two)**

1.         If the grievance is not satisfactorily resolved at Step One within 15 days after the grievant filed a written grievance, the grievant may submit the written grievance, the extent and conditions of which may not be expanded from Step One, to the Head of School. The Head of School or his/her designee shall schedule and hold a conference relative to such grievance within five days of receipt of such grievance.

2.         Within three days of such meeting, the Head of School or his/her designee shall communicate a decision in writing to the grievant.

**Section 4.3 Board of Directors or Board Committee (Step Three – Final Appeal)**

1.         If the grievance is not satisfactorily resolved at Step Two within 15 days after the grievant filed a grievance at Step Two, the grievant may submit the written grievance, the extent and conditions of which may not be expanded from Step Two, to the Board of Directors. The Board shall set a date to hear the dispute. The Board shall determine the procedures of the hearing.

2.         Within five days of such meeting, the Board shall render a written decision to the grievant, which shall be final.

**Section 5. Documentation**

**Section 5.1** A grievant will receive a written response or report regarding his or her grievance, but the grievant and persons investigated in the course of the grievance are not entitled to view or receive copies of the investigation file or notes taken during the investigation, unless required by law.

**Section 5.2** All documents, communications and records dealing with the processing of a grievance shall be filed separately from the personnel file of the participants. However, if an employee is disciplined as a result of a grievance, the discipline may be recorded in the employee's personnel file and discussed with the employee. Information recorded in an employee's personnel file will not be shared except as provided in Board policy or required by law.