

Diocese of Harrisburg Holy Name of Jesus School Appeal Process

Appeal Process:

Complaints and conflicts, which warrant intervention by administrative authorities, can and do arise. The following procedure is to be followed in investigating complaints and/or in resolving conflicts other than those involving student or employee discipline:

1. The person who has the complaint or conflict is to attempt, where possible, to resolve it with the person with whom the complaint or conflict exists; e.g., student with teacher, parent/guardian with teacher/principal, teacher with teacher, employee with employee, employee with the Principal, Principal with the Pastor, etc.
2. If the person is unable to resolve the complaint or conflict with another, the person who has the complaint or conflict is to bring it to the most immediate supervisory authority not involved with the issue. The complaint or conflict shall be properly investigated and every attempt will be made to resolve the situation at this level. The following order of recourse shall be followed:
 - a. Principal
 - b. Pastor/Executive Pastor (elementary schools only)
 - c. Superintendent of Schools
 - d. Secretary for Education
 - e. Diocesan Office of Mediation Services
3. The proper administrative authority to whom the unresolved issue is brought is to conduct a confidential investigation of the situation promptly, fairly, and impartially, with due regard to the rights of both parties. Both parties shall be regularly informed of the progress of the investigative process.
4. In order to keep the Schools Office informed of any serious or potentially serious complaint or conflict, the proper administrative authority involved in the investigation of the complaint or the resolution of the conflict is to submit a copy of the written report to the Superintendent of Schools indicating:
 - a. the findings of the investigation;
 - b. whether or not any disciplinary action was taken;
 - c. whether the conflict was resolved to the satisfaction of both parties;
 - d. what steps were taken to prevent a recurrence of the present situation or any other similar incident or other conflict situation.
5. If attempts by the local administrative authority to resolve the situation are unsuccessful and/or unsatisfactory to one or both parties, the following steps shall be followed:
 - a. The person who has the complaint or conflict shall submit the complaint or conflict in writing to the Superintendent of Schools as soon as possible.

- 1) This action shall be taken within ten working days after the local administrative authority has informed both parties of the attempt to resolve the issue.
 - 2) This documentation should include the complainant's name and address with a brief description of both the situation of the local administrative authority's response to the complaint or conflict.
 - 3) The complainant may request a meeting with the Superintendent of Schools to present the written complaint or conflict situation.
 - b. The Superintendent of Schools shall review and investigate the situation and attempt to resolve it within thirty calendar days of receiving the appeal. The Superintendent of Schools will make a written report of the investigation and the resolution, if any, to both parties and to the Secretary for Education.
6. If the Superintendent of Schools is unable to satisfactorily resolve the complaint or conflict, the person who has the complaint or conflict may appeal in writing to the Secretary for Education within ten working days for a resolution. This written appeal will include documentation of: (1) the attempted resolution of the two individuals who had the conflict; (2) the results of the local administrative authority's attempt at resolution; (3) the Superintendent's investigative results and attempted resolution.
- a. The individual may request a meeting with the Secretary for Education to present the written complaint or conflict.
 - b. The Secretary for Education may engage members of the Diocesan Board of Education to assist with the investigation of the complaint and/or with the resolution of the conflict.
 - c. The Secretary for Education will give a written report of the solution to both parties within thirty calendar days.
7. If the Secretary for Education cannot resolve the issue to the satisfaction of both parties, the complainant may appeal to the Diocesan Office of Mediation Services. Retaliation in any form against any employer, employee, volunteer, parent, or student who exercises his/her right to file or participate in the resolution of a complaint or conflict is strictly prohibited and will itself be cause for appropriate disciplinary action.
8. For this policy to be invoked, the person who has the complaint or conflict must file it with the local administrative authority within 30 calendar days from the date of the initial incident. No legal action or claim against the Employer or the Diocese may be brought in any court, government agency or arbitration forum after 180 days have elapsed from the date on which the claim arose.