

Introduction

Welcome to Hawthorn Academy

Welcome to Hawthorn Academy ("the School"). This Employee Handbook provides important information about the School's mission, expectations, and policies governing employment. Employees are expected to read and understand this handbook and follow the policies contained within it.

The policies contained in this handbook are guidelines only and may be revised by the School's Board of Directors as needed. This handbook is not a contract of employment.

The School maintains a professional employer organization (PEO) relationship with Helpside Benefits, Inc. In this co-employment relationship, Helpside administers certain payroll, benefits, and HR functions while Hawthorn Academy maintains operational and supervisory authority over employees.

At-Will Employment

Employment with Hawthorn Academy is voluntary and at-will. Either the employee or the School may terminate the employment relationship at any time, with or without cause or notice, provided that the termination does not violate applicable law.

Governance and Organizational Structure

Hawthorn Academy is a Utah public charter school governed by a Board of Directors. The Board establishes policies and oversees the strategic direction of the School.

Board of Directors

The Board has ultimate authority for governance, policy approval, and strategic oversight of the School.

Superintendent

The Superintendent serves as the chief executive officer of the School and is responsible for implementing Board policies, managing operations, and supervising campus leadership.

Campus Principals

Campus Principals are responsible for day-to-day campus operations, instructional leadership, and supervision of faculty and staff.

Employees are expected to support the mission, curriculum, and policies of the School and its governing board.

Equal Employment and Professional Standards

Equal Employment Opportunity

Hawthorn Academy is committed to equal employment opportunity. The School does not discriminate on the basis of race, color, religion, sex, national origin, disability, age, or any other protected classification under applicable law.

Individuals with Disabilities

The School complies with the Americans with Disabilities Act and will provide reasonable accommodations to qualified employees with disabilities unless doing so would create undue hardship.

Professional Conduct

Employees are expected to conduct themselves professionally and respectfully when interacting with students, families, colleagues, and community members.

Employees must:

- Support the School's mission and policies
- Maintain professional conduct both on and off campus
- Avoid conduct that reflects negatively on the School

Employees must maintain confidentiality regarding student and employee information.

Behavior Intervention and Student Safety

Hawthorn Academy is committed to maintaining a safe and supportive learning environment through positive behavior supports, de-escalation strategies, and trauma-informed practices.

Employees are expected to use preventive and non-physical interventions whenever possible to address student behavior concerns.

Physical restraint shall be used only when:

- A student's behavior presents an immediate danger of serious physical harm to the student or others;
- Less restrictive interventions have been ineffective or are not feasible under the circumstances;
- The restraint is necessary to maintain safety.

Only employees who have successfully completed School-approved MANDT System training or other Board-approved crisis intervention training may implement physical restraint procedures, except in rare emergency situations where immediate action is necessary to prevent serious injury.

Physical restraint shall never be used:

- As a form of discipline or punishment;
- For staff convenience;
- As retaliation;
- To coerce compliance;
- In a manner prohibited by Utah law or School policy.

All incidents involving physical restraint shall be documented and reported in accordance with School policy, Utah State Board of Education requirements, and applicable law. Employees must immediately notify administration following any restraint event.

Employees required to participate in behavior intervention procedures shall maintain current certification and participate in refresher training as required by the School.

Ethics Policy (Integrated)

Hawthorn Academy requires employees and Board members to adhere to the highest standards of ethical conduct.

Employees may not:

- Solicit or accept bribes in violation of Utah Code 76-8-105
- Improperly disclose confidential information obtained through their position
- Use their official position to secure privileges or benefits for themselves or others
- Accept employment or financial arrangements that impair independence of judgment
- Accept gifts of substantial value intended to influence official decisions

These standards are consistent with Utah Public Officers' and Employees' Ethics Act (Utah Code 67-16-1).

All licensed educators must comply with Utah State Board of Education Educator Standards (R277-515).

Violations of ethical standards may result in disciplinary action, including termination.

Employment Practices**Hiring and Background Checks**

All employees must successfully complete required background checks prior to beginning work.

Personnel Files

We seek to keep up-to-date records on all employees. These files contain work-related information necessary to maintain your employment and benefits history and to comply with

various legal and regulatory requirements. These files are the School's property and also are treated as confidential; however, they may be made available to you, appropriate Hawthorn Academy employees or to third parties as required by law.

Please promptly notify the School of any changes in personal data such as home and/or mailing addresses, telephone numbers, emergency contacts, wage withholding and (for benefits purposes) marital status and the names of your dependents. Employee information should be accurate and current at all times, and only you can be the source of the information that is required.

Performance Expectations

Employees are expected to perform the duties associated with their positions and to act in the best interests of the School.

Required Training and Compliance

Hawthorn Academy is committed to maintaining a safe, ethical, and legally compliant educational environment. Employees are required to complete assigned training programs as a condition of employment.

A. New Employee Training

All employees must complete required onboarding training within timelines established by the School. Training may include:

- Employee Handbook and Policy Review
- Professional Ethics and UPPAC Reporting Obligations
- Mandatory Child Abuse and Neglect Reporting
- Child Sexual Abuse Prevention and Human Trafficking Awareness
- FERPA and Student Record Confidentiality
- Data Privacy and Cybersecurity Awareness
- Title IX and Nondiscrimination Reporting Responsibilities
- School Safety and Emergency Procedures
- Behavior Response Training
- Emergency Safety Intervention (ESI) Awareness

B. Annual Training Requirements

Employees may be required to complete annual refresher training on topics including:

- Ethics and Professional Conduct
- Mandatory Reporting Requirements
- Bullying, Cyberbullying, Harassment, and Hazing Prevention
- Student Privacy and Confidentiality
- Data Security and Technology Use
- School Safety Procedures

- Behavior Support Practices
- Emergency Response Procedures

C. Role-Specific Training

Certain positions may require additional training, certifications, or continuing education, including:

- MANDT or behavior intervention certification
- Special Education and Section 504 compliance training
- Title IX Coordinator training
- Medication administration training
- CPR, First Aid, and AED certification
- Concussion awareness training
- Suicide prevention training
- Board governance and ethics training

Failure to complete required training within established deadlines may result in disciplinary action, reassignment of duties, suspension of responsibilities, or other corrective measures.

Work Expectations

Work Hours

Work schedules are determined by campus administrators and may vary depending on the position. Some positions require additional hours for school activities or meetings.

Employees are expected to communicate with parents in a timely manner and respond to messages within approximately 24 hours when appropriate.

Employee Attendance and Punctuality

Regular attendance and punctuality are essential to the effective operation of Hawthorn Academy and to the success, safety, and educational experience of students. Employees are expected to report to work as scheduled, arrive on time, remain at work during scheduled hours, and fulfill their assigned duties. Unexcused absences, tardiness, and early departures can become a problem requiring closer attention and corrective action on an individual basis.

The School recognizes that employees may occasionally need to be absent for legitimate reasons and will administer attendance expectations in a manner consistent with applicable federal and Utah laws, including leave laws, disability accommodation requirements, military leave protections, workers' compensation laws, and other legally protected absences.

Employees are expected to give reasonable notice if they are going to be absent or tardy. Please review your local attendance practices for specific requirements and who you should contact if you will be absent or tardy.

Professional Dress

Employees are expected to maintain professional attire appropriate for an educational environment.

Compensation and Benefits

Payroll, benefits administration, and certain employment services are administered through Helpside Benefits, Inc.

Employees should consult Helpside or School administration regarding benefits, payroll, and leave policies.

Leave policies may include:

- Sick leave
- Personal leave
- Family and medical leave
- Parental leave

The School complies with Utah parental leave requirements.

Workplace Policies

Confidentiality

Employees must maintain confidentiality regarding student records and employee information.

Technology Use

School technology systems are intended for educational and professional use and may be monitored by the School.

Drug-Free Workplace

The School maintains a drug-free workplace and prohibits the unlawful use or possession of controlled substances on School property.

Safety and Student Protection

Employees are responsible for maintaining safe learning environments and supervising students appropriately.

Employees must immediately report safety concerns to school administration.

Employees must maintain professional boundaries with students and avoid conflicts of interest or inappropriate relationships.

Conflict of Interest and Outside Employment

Employees may not engage in outside employment that interferes with their duties or reflects negatively on the School.

Employees may not use the School's name for outside purposes without authorization from the Superintendent or Board of Directors.

Positive Employee Relations and Grievance Resolution

Positive Employee Relations

Hawthorn Academy values open communication, mutual respect, and collaborative problem-solving. The School believes that workplace concerns are best resolved through direct communication between employees and School leadership whenever possible.

Employees are encouraged to raise concerns promptly so that issues may be addressed fairly, professionally, and efficiently.

The School supports employees' rights under applicable law while encouraging the resolution of workplace concerns through established internal processes before seeking intervention from external agencies or third parties whenever appropriate.

Open-Door Communication

Employees are encouraged to discuss questions, concerns, or workplace issues with their immediate supervisor. Supervisors are expected to listen respectfully, investigate concerns when appropriate, and work toward reasonable solutions.

Grievance Resolution Process

Employees should generally follow the chain of authority outlined below:

1. Immediate Supervisor
 - o Employees should first discuss concerns with their direct supervisor whenever appropriate.
2. Campus Principal or Department Administrator
 - o If the concern is not resolved, or if the concern involves the direct supervisor, the employee may bring the matter to the appropriate administrator.
3. Superintendent
 - o Concerns that remain unresolved may be submitted to the Superintendent for review.
4. Board of Directors
 - o Matters involving the Superintendent, significant policy concerns, or issues not resolved through administrative channels may be submitted to the Board Chair in accordance with Board policy.

Nothing in this policy prevents an employee from reporting concerns directly to law enforcement, child protection authorities, licensing agencies, or governmental entities when required or protected by law.

Non-Retaliation

Hawthorn Academy prohibits retaliation against any employee who, in good faith:

- Reports a concern or policy violation;
- Participates in an investigation;
- Makes a legally protected disclosure;
- Exercises rights protected by law.

Employees who believe they have experienced retaliation should report the matter immediately through the grievance process described above.

Employee Handbook Acknowledgement

(This page should be read, signed and returned to your supervisor. A copy of this signed acknowledgement will be maintained in the employee's personnel file.)

I acknowledge that I have received access to and reviewed the Hawthorn Academy Employee Handbook. I understand that it is my responsibility to read, understand, and comply with the policies, procedures, expectations, and standards contained in the handbook, as well as any future revisions issued by the School.

I understand that the Employee Handbook is intended to provide general information regarding employment, workplace expectations, employee responsibilities, and School policies. I further understand that the handbook does not create a contract of employment or guarantee employment for any specific duration.

I acknowledge that my employment with Hawthorn Academy is at-will, which means that either I or the School may terminate the employment relationship at any time, with or without cause and with or without notice, subject to applicable law.

I understand that the School reserves the right to modify, revise, suspend, interpret, or discontinue any policy, benefit, procedure, or provision contained in the handbook at any time, with or without notice, as permitted by law.

I understand that questions regarding handbook policies should be directed to my supervisor, Human Resources, or School administration.

By signing below, I acknowledge that I have received, reviewed, and understand the Hawthorn Academy Employee Handbook and agree to comply with its provisions as a condition of my employment.

Employee Printed Name: _____

Employee ID Number: _____

Employee Signature: _____

Date Signed: _____

Received By (School Representative): _____

Title: _____

Date Received: _____

Appendix

- Employee Training Matrix
- Employee Attendance and Punctuality Policy
- Non-Discrimination and Equal Employment Opportunity Policy
- Anti-Harassment Policy
- Title IX and Employee Harassment Complaint Procedure
 - Reporting Obligations of Employees Regarding Student Harassment, Discrimination, Abuse, and Safety Concerns
- Leaves of Absence
 - Family and/or Medical Reasons Policy
 - Parental Leave and Postpartum Recovery Leave Policy
 - Military Leave of Absence Policy
- Job Descriptions
- Record of Revisions

Employee Training Matrix

Training	Required Audience	Frequency	Documentation
Ethics & UPPAC	All Employees	Annual	LMS Certificate
Child Abuse Reporting	All Employees	Annual	LMS Certificate
Child Sexual Abuse Prevention	All Employees	Every 3 Years (Annual Preferred)	LMS Certificate
FERPA	All Employees	Annual	LMS Certificate
Cybersecurity	All Employees	Annual	LMS Certificate
Behavior Response	All Employees	Annual	LMS Certificate
ESI Awareness	All Employees	Annual	LMS Certificate
MANDT	Designated Staff	Certification Cycle	Certification Record
Suicide Prevention	Licensed Staff	3-Year Cycle	Certificate
Title IX	Coordinators/Administrators	As Required	Certificate
CPR/First Aid	Designated Staff	Certification Cycle	Certification Record

Employee Attendance and Punctuality Policy

Purpose

Regular attendance and punctuality are essential to the effective operation of Hawthorn Academy and to the success, safety, and educational experience of students. Employees are expected to report to work as scheduled, arrive on time, remain at work during scheduled hours, and fulfill their assigned duties.

The School recognizes that employees may occasionally need to be absent for legitimate reasons and will administer attendance expectations in a manner consistent with applicable federal and Utah laws, including leave laws, disability accommodation requirements, military leave protections, workers' compensation laws, and other legally protected absences.

1. General Attendance Expectations

Employees are expected to:

- Report to work on time and prepared to perform assigned duties;
- Maintain regular and dependable attendance;
- Follow established procedures for requesting leave and reporting absences;
- Provide required documentation when requested;
- Communicate promptly regarding attendance issues;
- Return to work promptly following approved leave.

Excessive absenteeism, excessive tardiness, repeated early departures, failure to report absences, or abuse of leave privileges may result in disciplinary action.

2. Instructional Staff Responsibilities

Teachers and other instructional employees play a critical role in maintaining continuity of instruction and student supervision.

In addition to general attendance expectations, instructional staff are expected to:

- Minimize avoidable absences during student instructional days;
- Submit substitute plans and instructional materials whenever an absence is foreseeable;
- Maintain lesson plans that allow for continuity of instruction;
- Notify administration as soon as possible when an absence will affect classroom coverage;
- Cooperate with substitute assignment procedures established by the School.

The School may place restrictions on discretionary leave during critical instructional periods, state testing windows, professional development events, or other operationally significant periods, subject to applicable law.

3. Administrative and Support Staff Responsibilities

Administrative, operational, and support personnel are expected to maintain reliable attendance to ensure continuity of School operations.

Employees in leadership positions may be required to arrange coverage or delegate responsibilities during planned absences.

4. Reporting Absences

Employees who are unable to report to work must notify their supervisor or designated administrator as soon as reasonably possible.

Unless emergency circumstances prevent notice, employees should provide notice:

- Prior to the beginning of their workday;
- In accordance with School procedures;
- Through designated reporting systems or personnel.

Notification should include:

- The reason for the absence, when appropriate;
- The anticipated duration of the absence; and
- Any information necessary to ensure operational continuity.

Failure to properly report an absence may result in the absence being considered unexcused.

5. Planned Absences

Employees should request foreseeable absences in advance through established leave procedures.

Approval of personal leave requests may depend upon:

- Staffing needs;
- Student supervision requirements;
- Availability of substitutes;
- School operational needs; and
- Applicable leave policies.

Approval of leave requests is not automatic and may be denied when operational needs require employee presence, unless the leave is protected by law.

6. Tardiness and Early Departures

Employees are expected to arrive at their assigned work locations before the beginning of their scheduled workday and remain through the end of their scheduled workday unless authorized otherwise.

Repeated tardiness or unauthorized early departures may result in corrective action, including disciplinary measures.

7. Unscheduled Absences

Occasional unscheduled absences may occur due to illness, emergencies, or unforeseen circumstances.

Employees should notify their supervisor as soon as possible when an unexpected absence occurs.

The School may require documentation supporting an absence when permitted by law.

8. Medical Documentation

The School may request medical certification or other supporting documentation when:

- An employee has repeated absences;
- A pattern of absenteeism exists;
- Leave qualifies under FMLA or another protected leave law;
- A return-to-work certification is necessary; or
- Documentation is otherwise permitted by law.

Medical information shall be maintained confidentially as required by law.

9. Protected Absences

The School recognizes that certain absences are protected by federal or Utah law.

Protected absences may include:

- Family and Medical Leave Act (FMLA) leave;
- Military leave;
- Workers' compensation leave;
- Jury duty;
- Witness duty;
- Approved disability accommodations;
- Pregnancy and related medical leave;
- Postpartum recovery leave;
- Parental leave;
- Leave required by law; and
- Other legally protected absences.

Employees will not be disciplined for absences protected by applicable law.

10. Job Abandonment

An employee who fails to report to work and fails to notify the School for three (3) consecutive scheduled workdays may be considered to have voluntarily resigned employment, unless extraordinary circumstances prevented communication.

The School reserves the right to investigate the circumstances before making a final determination.

11. Attendance Concerns and Corrective Action

When attendance concerns arise, the School may utilize progressive corrective action, including:

- Verbal counseling;
- Written warnings;
- Performance improvement plans;
- Suspension; or
- Termination of employment.

The School reserves the right to bypass progressive steps when circumstances warrant.

Each attendance situation will be evaluated based on:

- Frequency of absences;
- Patterns of absenteeism;
- Impact on School operations;
- Employee communication;
- Applicable legal protections; and
- Prior attendance history.

12. Reasonable Accommodation

Employees who require attendance-related accommodations due to a disability, pregnancy-related condition, religious observance, or other protected circumstance should notify Human Resources or administration.

The School will engage in an interactive process and provide reasonable accommodations as required by law.

13. Non-Retaliation

The School prohibits retaliation against employees who:

- Request legally protected leave;
- Use protected leave benefits;
- Request accommodations;
- Exercise rights under federal or state law; or
- Report concerns regarding attendance-related rights.

14. Policy Administration

The Superintendent or designee is responsible for administering this policy.

This policy shall be interpreted and applied in accordance with applicable federal and Utah law.

Nothing in this policy creates contractual rights or alters the at-will nature of employment.

Non-Discrimination, Equal Employment Opportunity, and Anti-Harassment Policy

Purpose

Hawthorn Academy is committed to providing a workplace free from unlawful discrimination, harassment, and retaliation. The School seeks to recruit, hire, develop, promote, and retain qualified employees based on merit, qualifications, performance, and the needs of the School.

The School is committed to compliance with all applicable federal and Utah laws governing equal employment opportunity and employment practices.

Equal Employment Opportunity

Hawthorn Academy is an Equal Employment Opportunity employer.

The School prohibits discrimination in all aspects of employment, including recruitment, hiring, assignment, compensation, benefits, promotion, transfer, discipline, training, termination, and all other terms and conditions of employment. The School does not discriminate against applicants, employees, volunteers, interns, or other individuals based upon any legally protected characteristic, including:

- Race
- Color
- National origin
- Ancestry
- Religion
- Creed
- Sex
- Pregnancy
- Childbirth
- Pregnancy-related conditions
- Sexual orientation
- Gender identity
- Age
- Disability
- Genetic information
- Veteran status
- Military service
- Citizenship status where protected by law
- Any other classification protected under federal, state, or local law

Employment decisions shall be based upon legitimate educational, operational, and business considerations consistent with applicable law.

Prohibition Against Harassment

Harassment based upon a protected characteristic is prohibited. Harassment may include verbal, physical, visual, written, electronic, or other conduct that:

- Creates an intimidating, hostile, or offensive work environment;
- Unreasonably interferes with an individual's work performance; or
- Adversely affects employment opportunities or working conditions.

Examples of prohibited conduct may include:

- Offensive jokes or slurs;
- Derogatory comments;
- Unwanted physical contact;
- Offensive images or materials;
- Threats or intimidation;
- Repeated unwelcome comments regarding protected characteristics;
- Other conduct prohibited by law.

Harassment may occur between supervisors and employees, among coworkers, between employees and students, or between employees and third parties.

Sexual Harassment

The School prohibits sexual harassment in all forms.

Sexual harassment may include:

- Unwelcome sexual advances;
- Requests for sexual favors;
- Sexual comments, jokes, gestures, or communications;
- Display of sexually explicit materials;
- Unwelcome physical conduct of a sexual nature; or
- Other verbal, nonverbal, or physical conduct of a sexual nature that violates applicable law.

No employee shall condition employment opportunities, benefits, assignments, evaluations, promotions, or other employment decisions on an individual's submission to sexual conduct.

Disability Accommodations

Hawthorn Academy will provide reasonable accommodations to qualified individuals with disabilities as required by the Americans with Disabilities Act (ADA), the ADA Amendments Act (ADAAA), and applicable Utah law.

Employees seeking accommodations should notify Human Resources, the Superintendent, or a designated administrator.

The School will engage in an interactive process to determine appropriate accommodations.

Reasonable accommodations may be denied only when the accommodation would create an undue hardship or otherwise is not required by law.

Pregnancy and Related Accommodations

The School will comply with all federal and Utah laws regarding pregnancy, childbirth, lactation, postpartum recovery, and related medical conditions.

Reasonable accommodations will be provided when required by law.

Employees seeking accommodations should contact Human Resources or administration as soon as practicable.

Religious Accommodations

The School will reasonably accommodate an employee's sincerely held religious beliefs, observances, and practices unless doing so would create an undue hardship on School operations or otherwise is not required by law.

Employees seeking religious accommodations should submit requests to Human Resources or administration.

Complaint Reporting Procedure

Employees who believe they have experienced discrimination, harassment, retaliation, or other violations of this policy are encouraged to report concerns promptly.

Reports may be made to:

- The employee's supervisor;
- The Campus Principal;
- Human Resources;
- The Superintendent; or
- The Board Chair if the complaint involves the Superintendent.

Employees are not required to report concerns to a supervisor who is the subject of the complaint.

The School encourages prompt reporting so that concerns can be investigated and addressed appropriately.

Investigation of Complaints

The School will promptly review and investigate complaints of discrimination, harassment, or retaliation.

Investigations may include:

- Interviews with involved individuals;
- Review of documents and communications;
- Collection of relevant evidence; and
- Other investigative measures deemed appropriate.

Employees are expected to cooperate with investigations.

The School will maintain confidentiality to the extent reasonably possible while conducting a thorough investigation and complying with legal obligations.

Corrective Action

If the School determines that a violation of this policy has occurred, appropriate corrective action will be taken.

Corrective action may include:

- Counseling;
- Training;
- Written warnings;
- Suspension;
- Reassignment;
- Termination of employment; or
- Other appropriate measures.

The level of corrective action will depend upon the circumstances and severity of the violation.

Protection Against Retaliation

Retaliation against any individual who:

- Reports discrimination or harassment in good faith;
- Participates in an investigation;
- Requests a reasonable accommodation;
- Opposes conduct reasonably believed to be unlawful; or
- Exercises rights protected by law

is strictly prohibited.

Employees who believe they have experienced retaliation should immediately report the matter through the reporting procedures outlined in this policy.

Retaliation may result in disciplinary action up to and including termination of employment.

False or Malicious Complaints

The School encourages good-faith reporting of concerns.

Knowingly making false allegations, intentionally providing false information, or acting in bad faith during an investigation may result in disciplinary action.

A complaint made in good faith will not be considered false merely because an investigation does not substantiate the allegation.

Policy Administration

The Superintendent or designee is responsible for administering this policy.

The School reserves the right to interpret, revise, and administer this policy consistent with applicable federal and Utah law.

Nothing in this policy is intended to create contractual rights or alter the at-will nature of employment.

Title IX and Employee Harassment Complaint Procedure

Purpose

Hawthorn Academy is committed to maintaining an educational and employment environment free from sex discrimination, sexual harassment, unlawful harassment, retaliation, and other prohibited conduct.

The School prohibits discrimination and harassment based on sex and all other legally protected classifications and will promptly investigate and respond to complaints in accordance with applicable federal and state law.

This policy applies to employees, applicants, volunteers, contractors, vendors, board members, and other individuals participating in School programs, activities, or employment.

1. Designation of Title IX Coordinator

The Superintendent shall designate at least one Title IX Coordinator.

The Title IX Coordinator is responsible for:

- Receiving reports and complaints;
- Coordinating investigations;
- Implementing supportive measures;
- Monitoring compliance with Title IX;
- Maintaining required records;
- Coordinating training requirements; and
- Overseeing complaint resolution procedures.

The School shall publish current Title IX Coordinator contact information on its website and in employee notices.

2. Policy Statement

Hawthorn Academy prohibits:

- Sex discrimination;
- Sexual harassment;
- Gender-based harassment;
- Sexual assault;
- Dating violence;

- Domestic violence;
- Stalking;
- Retaliation;
- Harassment based on any protected characteristic;
- Any conduct prohibited by federal or Utah law.

Employees are expected to maintain professional boundaries with students, parents, coworkers, and members of the public.

3. Definitions

Harassment

Harassment means unwelcome conduct based upon a protected characteristic that is sufficiently severe, pervasive, or objectively offensive to interfere with employment opportunities, create a hostile work environment, or otherwise violate applicable law.

Sexual Harassment

Sexual harassment may include:

- Unwelcome sexual advances;
- Requests for sexual favors;
- Sexual comments or jokes;
- Unwelcome physical contact;
- Sexually explicit communications;
- Display of sexually offensive materials;
- Quid pro quo harassment;
- Other conduct prohibited by Title IX or applicable law.

Retaliation

Retaliation means any adverse action taken against an individual because the individual:

- Reported misconduct;
- Participated in an investigation;
- Requested accommodations;
- Assisted another individual in exercising rights; or
- Opposed conduct reasonably believed to violate law or policy.

4. Mandatory Employee Reporting

Employees who witness, receive information regarding, or reasonably suspect conduct that may constitute sex discrimination, sexual harassment, sexual misconduct, or retaliation involving a student must promptly report the matter to the Title IX Coordinator or School administration.

Employees shall cooperate with investigations and provide truthful information.

Nothing in this policy limits legally protected reporting rights or mandatory child abuse reporting obligations.

5. Reporting a Complaint

Any employee, applicant, volunteer, student, parent, or third party may report conduct prohibited by this policy.

Reports may be made:

- In person;
- By telephone;
- By email;
- Through School reporting procedures;
- To a supervisor;
- To a Principal;
- To Human Resources;
- To the Superintendent;
- Directly to the Title IX Coordinator.

Reports may be submitted regardless of whether the reporting party chooses to file a formal complaint.

The School encourages prompt reporting but will review complaints whenever received.

6. Supportive Measures

Upon receiving a report, the School may provide supportive measures as appropriate.

Supportive measures may include:

- Schedule modifications;

- Work location changes;
- Leave accommodations;
- No-contact directives;
- Increased supervision;
- Counseling referrals;
- Safety planning;
- Other reasonable measures.

Supportive measures are available regardless of whether a formal complaint is filed.

7. Preliminary Assessment

The Title IX Coordinator shall conduct an initial assessment to determine:

- Whether the allegations fall within Title IX requirements;
- Whether another School policy applies;
- Whether immediate safety concerns exist;
- Whether supportive measures are needed; and
- Whether a formal investigation is warranted.

The School reserves the right to investigate conduct under employee conduct policies even if Title IX jurisdiction does not apply.

8. Formal Complaint Process

When a formal complaint is received or when the School determines an investigation is necessary, the School shall:

Notice

Provide written notice to involved parties that includes:

- The allegations;
- Applicable policies;
- Investigation procedures;
- Rights and responsibilities of participants;
- Available resources and support.
-

Investigation

The investigator may:

- Interview witnesses;
- Review documents and records;
- Collect electronic communications;
- Review video or audio evidence;
- Obtain relevant information from involved parties.

Investigations shall be impartial and conducted by trained personnel.

9. Findings and Determinations

Following the investigation, the School shall determine whether policy violations occurred based upon the applicable evidentiary standard required by law or adopted by the School.

The determination shall be documented and communicated to appropriate parties as permitted by law.

10. Corrective Action

If a policy violation is substantiated, corrective action may include:

- Coaching;
- Counseling;
- Additional training;
- Written warnings;
- Performance improvement plans;
- Reassignment;
- Suspension;
- Termination of employment;
- Restrictions on participation in School activities;
- Other appropriate corrective measures.

Corrective action will depend on the nature, severity, frequency, and circumstances of the misconduct.

11. Employee Harassment Complaints Not Covered by Title IX

The School will investigate and address workplace harassment complaints even when the conduct does not fall within Title IX requirements.

Employees may report:

- Race discrimination;
- Disability discrimination;
- Religious discrimination;
- Age discrimination;
- National origin discrimination;
- Retaliation;
- Other unlawful workplace harassment.

Complaints shall be investigated using procedures substantially similar to those described in this policy.

12. Confidentiality

The School will make reasonable efforts to maintain confidentiality consistent with:

- The need to investigate allegations;
- Student privacy laws;
- Employee privacy rights;
- Due process requirements; and
- Applicable legal obligations.

Absolute confidentiality cannot be guaranteed.

13. False Reports

The School encourages good-faith reporting.

Knowingly making false allegations, intentionally providing false information, or engaging in bad-faith complaints may result in disciplinary action.

A complaint made in good faith shall not be considered false merely because an allegation cannot be substantiated.

14. Retaliation Prohibited

Retaliation is strictly prohibited.

No employee, student, administrator, or other individual may retaliate against a person who:

- Reports misconduct;
- Participates in an investigation;
- Serves as a witness;
- Requests accommodations;
- Exercises rights protected by law.

Reports of retaliation shall be investigated as separate policy violations.

Violations may result in disciplinary action up to and including termination.

15. Record Retention

The School shall maintain records relating to:

- Complaints;
- Investigations;
- Supportive measures;
- Findings;
- Corrective actions;
- Training activities; and
- Compliance efforts

for the period required by applicable law.

16. Employee Rights

Nothing in this policy shall be interpreted to:

- Limit rights under federal or state law;
- Restrict protected whistleblower activities;
- Prevent reporting to governmental agencies;
- Prevent participation in governmental investigations; or
- Restrict rights provided under employment laws.

17. Policy Administration

The Title IX Coordinator and Superintendent are responsible for administering this policy.

The School reserves the right to amend procedures as necessary to comply with changes in federal regulations, Utah law, guidance from the U.S. Department of Education, or court decisions.

If any provision of this policy conflicts with applicable law, the law shall govern.

Reporting Obligations of Employees Regarding Student Harassment, Discrimination, Abuse, and Safety Concerns

Purpose

Hawthorn Academy is committed to providing a safe, supportive, and respectful learning environment for all students. Employees play a critical role in protecting students and ensuring compliance with federal law, Utah law, and School policy.

All employees are expected to promptly report concerns involving student safety, abuse, harassment, discrimination, bullying, threats, or other conduct that may place a student or the School community at risk.

1. Employee Duty to Report

Employees who observe, receive information about, reasonably suspect, or become aware of conduct that may affect student safety or well-being must promptly report the concern to the appropriate School administrator and, when required by law, to the appropriate governmental agency.

Employees shall not assume that another person has already made a report.

2. Child Abuse and Neglect Reporting

All School employees are mandatory reporters under Utah law.

Employees who know of or reasonably suspect child abuse, neglect, sexual abuse, exploitation, or human trafficking must immediately report the concern to:

- Utah Division of Child and Family Services (DCFS);
- Local law enforcement; or
- Other agencies authorized by law.

Reporting to a supervisor or administrator does not satisfy an employee's personal legal obligation to make a mandatory report.

Employees shall also notify School administration that a report has been made unless doing so would interfere with an ongoing investigation or place a child at risk.

3. Student Harassment and Discrimination Reporting

Employees who become aware of possible harassment, discrimination, sexual harassment, sexual misconduct, or retaliation involving a student shall promptly report the concern to:

- The Principal;
- The Superintendent;
- The Title IX Coordinator; or
- Another designated administrator.

Employees shall cooperate with any resulting investigation.

4. Bullying, Cyberbullying, Hazing, and Intimidation

Employees who observe or receive reports of bullying, cyberbullying, hazing, intimidation, harassment, or retaliation involving students shall promptly report the concern through School reporting procedures.

Reports shall be investigated in accordance with School policy and Utah law.

5. Threats, Violence, and School Safety Concerns

Employees shall immediately report:

- Threats of violence;
- Possession of weapons;
- Threatening behavior;
- Acts of violence;
- Self-harm concerns;
- Suicide threats or ideation;
- Significant safety hazards;
- Criminal activity occurring on School property; and
- Other conduct that may threaten student or employee safety.

Emergency situations requiring immediate intervention should be reported to emergency responders and School administration without delay.

6. SafeUT and Mental Health Concerns

Employees who become aware of credible threats, suicide concerns, self-harm risks, or significant mental health concerns involving students shall immediately notify administration and follow School crisis response procedures.

Employees are encouraged to utilize SafeUT and other approved reporting resources when appropriate.

7. Cooperation with Investigations

Employees shall fully cooperate with investigations conducted by:

- School administrators;
- The Title IX Coordinator;
- Child protection authorities;
- Law enforcement agencies; or
- Other authorized governmental entities.

Employees shall provide truthful and complete information during investigations.

8. Confidentiality

Employees shall maintain confidentiality regarding reports and investigations to the extent permitted by law and consistent with the School's obligation to investigate and protect students.

Information should be shared only with individuals who have a legitimate need to know.

9. Protection from Retaliation

The School prohibits retaliation against any employee, student, parent, or other individual who:

- Makes a good-faith report;
- Participates in an investigation;
- Serves as a witness; or
- Assists with a safety-related inquiry.

Retaliation may result in disciplinary action up to and including termination of employment.

10. Failure to Report

Failure to make a required report, delaying a required report, interfering with a report, discouraging reporting, or knowingly providing false information may result in disciplinary action up to and including termination of employment and may subject the employee to personal legal liability.

11. Annual Training

All employees shall receive annual training regarding:

- Mandatory child abuse reporting obligations;

- Title IX reporting obligations;
- Bullying and harassment reporting requirements;
- Student safety procedures;
- Suicide awareness and response protocols, as applicable;
- School emergency reporting procedures; and
- Other reporting obligations established by law or School policy.

12. Policy Administration

The Superintendent or designee shall administer this policy and ensure employees receive appropriate training regarding reporting responsibilities.

This policy shall be interpreted and applied consistent with federal law, Utah law, Utah State Board of Education requirements, and School Board policy.

Leaves of Absence for Family and Medical Reasons

Purpose

Hawthorn Academy recognizes that employees may need time away from work to address serious health conditions, family responsibilities, childbirth, adoption, foster placement, guardianship matters, military family needs, and other qualifying circumstances. The School will administer family and medical leave benefits in accordance with applicable federal and Utah law as amended, including the Family and Medical Leave Act (FMLA), Utah Local Education Agency leave requirements, and other applicable statutes and regulations.

Nothing in this policy is intended to reduce any rights provided by law. If applicable law provides greater rights than this policy, the School will comply with applicable law.

Family and Medical Leave Act (FMLA)

Eligible employees may be entitled to up to twelve (12) workweeks of unpaid, job-protected leave during a rolling twelve-month period for qualifying reasons.

Employee Eligibility

To be eligible for FMLA leave, an employee must:

- Have been employed by the School for at least twelve (12) months;
- Have worked at least 1,250 hours during the preceding twelve (12) months; and
- Work at a location where the School employs the number of employees required by applicable federal law.

Qualifying Reasons for FMLA Leave

Eligible employees may take FMLA leave for:

- The birth of a child and bonding with the child;
- Placement of a child through adoption or foster care;
- Care of a spouse, child, or parent with a serious health condition;
- The employee's own serious health condition that prevents the employee from performing essential job functions;
- Qualifying exigencies arising from a spouse's, child's, or parent's military service; or
- Military caregiver leave as provided by law.

Military caregiver leave may provide up to twenty-six (26) workweeks of leave in a single twelve-month period as authorized by federal law.

Intermittent Leave

FMLA leave may be taken intermittently or on a reduced schedule when medically necessary or otherwise permitted by law.

Certification Requirements

The School may require medical certification, fitness-for-duty certification, military documentation, adoption documentation, or other supporting documentation as permitted by law.

Benefits During Leave

The School will maintain group health insurance benefits during approved FMLA leave to the extent required by law and under the same terms applicable to active employees.

Job Restoration

Employees returning from approved FMLA leave generally will be restored to the same or an equivalent position with equivalent pay, benefits, and working conditions, subject to applicable law.

Utah Parental Leave and Postpartum Recovery Leave

The School provides parental leave and postpartum recovery leave to eligible employees in accordance with Utah law governing Local Education Agencies (LEAs).

Parental Leave

Eligible employees may receive paid parental leave following:

- The birth of a child;
- Adoption of a minor child;
- Appointment as legal guardian of a qualifying child; or
- Other qualifying circumstances recognized by Utah law.

Parental leave shall be administered in accordance with current Utah law and applicable School procedures.

Postpartum Recovery Leave

Employees who give birth may be eligible for paid postpartum recovery leave in accordance with Utah law.

Postpartum recovery leave is separate from and in addition to other qualifying leave benefits required by law.

Notice Requirements

Employees should provide at least thirty (30) days advance notice when the need for leave is foreseeable. When advance notice is not possible, employees must notify the School as soon as reasonably practicable.

Non-Retaliation

The School prohibits retaliation against any employee for requesting or using parental leave, postpartum recovery leave, or any legally protected leave benefit.

Use of Paid Leave

Employees may be required or permitted to use accrued paid leave concurrently with unpaid leave as allowed by law and School policy.

The School reserves the right to designate qualifying leave as FMLA leave and run applicable leave benefits concurrently when permitted by law.

Employees receiving paid parental leave, postpartum recovery leave, workers' compensation benefits, disability benefits, or other paid leave benefits may have leave coordinated as permitted by applicable law.

Pregnancy, Childbirth, and Related Conditions

The School will comply with all applicable federal and state laws regarding pregnancy, childbirth, lactation, postpartum recovery, and related medical conditions.

Reasonable accommodations may be provided when required by law.

Employees requiring accommodations should notify Human Resources or administration as soon as practicable.

Personal Medical Leave

Employees who do not qualify for FMLA leave may request a personal medical leave of absence.

Approval of non-FMLA medical leave is at the discretion of the School unless otherwise required by law.

The School may require medical certification and periodic updates regarding the employee's ability to return to work.

Return to Work

Employees returning from medical leave may be required to provide a fitness-for-duty certification from a healthcare provider before returning to work.

Employees who cannot return to work at the conclusion of approved leave should immediately contact Human Resources or administration to discuss available options, including possible accommodations.

Employee Responsibilities

Employees requesting leave under this policy must:

- Provide timely notice of the need for leave;
- Submit required forms and supporting documentation;
- Maintain communication with the School regarding leave status and anticipated return dates;
- Comply with School procedures regarding leave administration; and
- Cooperate with requests for certification or recertification as permitted by law.

Administration of Leave

The Superintendent or designee is responsible for administering this policy.

The School reserves the right to interpret, administer, modify, or update leave procedures as necessary to comply with changes in federal or Utah law.

This policy shall be administered in a manner consistent with applicable law and shall not be interpreted to limit any rights provided by federal or state statutes.

Parental Leave and Postpartum Recovery Leave Policy

Purpose

Hawthorn Academy recognizes the importance of supporting employees during childbirth, adoption, guardianship placement, and other qualifying family transitions. The School shall provide parental leave and postpartum recovery leave in accordance with Utah Code §53G-11-209 and other applicable laws.

This policy is intended to provide eligible employees with paid leave benefits while maintaining compliance with Utah law and coordinating available leave benefits with the Family and Medical Leave Act (FMLA) when applicable.

1. Definitions

Parental Leave

Parental leave means paid leave provided by the School to an eligible employee following:

- The birth of a child;
- The legal adoption of a minor child;
- Becoming the intended parent of a child born under a valid gestational agreement;
- Appointment as legal guardian of a minor child; or
- Appointment as legal guardian of an incapacitated adult.

Postpartum Recovery Leave

Postpartum recovery leave means paid leave provided to an eligible employee to recover from childbirth.

Qualified Employee

A qualified employee is an employee who satisfies the eligibility requirements established under Utah law and School policy.

2. Eligibility

Employees are eligible for parental leave if they:

- Accrue paid leave benefits under School policies; and
- Are:
 - A birth parent;
 - A spouse of a birth parent;
 - An adoptive parent (unless the employee is the spouse of the child's pre-existing parent);
 - An intended parent under a valid gestational agreement; or
 - A court-appointed legal guardian of a minor child or incapacitated adult.

Employees are eligible for postpartum recovery leave if they:

- Accrue paid leave benefits under School policies; and
- Give birth to a child.

Part-time employees and employees whose regular schedules differ from a standard full-time schedule shall receive leave on a prorated basis as required by Utah law.

3. Amount of Leave

Postpartum Recovery Leave

Eligible employees who give birth may receive up to five (5) calendar weeks of paid postpartum recovery leave.

Postpartum recovery leave:

- Is intended to allow recovery from childbirth;
- Is separate from and in addition to accrued paid leave;
- Shall not be deducted from sick leave, personal leave, vacation leave, or other accrued leave balances;
- Shall begin on the date of birth unless a healthcare provider certifies that an earlier start date is medically necessary.

The amount of leave available for part-time employees shall be prorated based on the employee's regularly scheduled work assignment.

Parental Leave

Eligible employees may receive up to three (3) calendar weeks of paid parental leave during a twelve-month period.

Parental leave:

- Is separate from and in addition to accrued paid leave;
- Shall not be deducted from any accrued leave balances;
- Must be used within six (6) months of the qualifying event;
- May not be used before the qualifying event occurs unless otherwise required by law or medically necessary.

For employees who qualify for both postpartum recovery leave and parental leave, parental leave shall generally be taken immediately following postpartum recovery leave unless otherwise approved by the School.

4. Intermittent Leave

Parental leave and postpartum recovery leave are intended to be used as continuous blocks of leave.

Intermittent use of parental leave may be approved when:

- Required by law;
- Supported by medical certification; or
- Approved by the Superintendent or designee.

Nothing in this policy prevents the School and employee from mutually agreeing to an alternative leave schedule when operationally feasible.

5. Notice Requirements

Employees should provide at least thirty (30) calendar days' advance notice when the need for leave is foreseeable.

When thirty days' notice is not possible, employees shall provide notice as soon as reasonably practicable.

Requests for leave should be submitted to Human Resources or the Superintendent's designee using School-designated forms and procedures.

The School may request documentation supporting eligibility for leave, including:

- Birth documentation;
- Adoption documentation;
- Guardianship orders;
- Gestational agreement documentation;
- Medical certification; or
- Other documentation permitted by law.

6. Coordination with FMLA

When an employee is eligible for leave under the Family and Medical Leave Act (FMLA), parental leave and postpartum recovery leave shall run concurrently with FMLA leave to the extent permitted by law.

Nothing in this policy expands or limits an employee's rights under the FMLA.

Employees who qualify for FMLA leave shall receive all rights and protections required under federal law.

7. Benefits and Employment Status

Employees on approved parental leave or postpartum recovery leave shall continue to receive benefits to the extent required by law and applicable benefit plan provisions.

The School will restore employees to their positions or equivalent positions following leave when required by law.

8. Non-Retaliation

Hawthorn Academy strictly prohibits retaliation against any employee who:

- Requests parental leave;
- Uses parental leave;
- Requests postpartum recovery leave;
- Uses postpartum recovery leave;
- Assists another employee in exercising leave rights; or
- Reports a concern regarding compliance with this policy.

Retaliation may result in disciplinary action up to and including termination of employment. Utah law specifically prohibits retaliatory action against employees who exercise rights under parental leave and postpartum recovery leave statutes.

9. Leave Sharing

The School may establish a voluntary leave-sharing program that allows employees to donate leave to other employees in accordance with Board policy and Utah law.

Participation in any leave-sharing program shall be voluntary and subject to administrative procedures adopted by the School.

10. Administration of Policy

The Superintendent or designee shall administer this policy and may adopt procedures necessary for implementation.

This policy shall be interpreted and administered in a manner consistent with Utah Code §53G-11-209, the Family and Medical Leave Act, and other applicable laws.

If any provision of this policy conflicts with applicable law, the law shall control.

Military Leave of Absence Policy

Purpose

Hawthorn Academy recognizes the important service provided by employees who serve in the United States Armed Forces, National Guard, Reserve Components, and other uniformed services.

The School supports employees who fulfill military obligations and will provide military leave, employment protections, benefits protections, and reemployment rights in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA), applicable Utah law, and other federal and state requirements.

The School prohibits discrimination or retaliation against any employee or applicant because of military service, military obligations, military status, or membership in a uniformed service.

1. Covered Service

This policy applies to employees who perform service in the uniformed services, including:

- United States Army;
- United States Navy;
- United States Marine Corps;
- United States Air Force;
- United States Space Force;
- United States Coast Guard;
- Army National Guard;
- Air National Guard;
- Reserve Components of the Armed Forces;
- Commissioned Corps of the Public Health Service; and
- Other categories protected by federal law.

Military service includes:

- Active duty;
- Active-duty training;
- Inactive duty training;
- Annual training;
- Military drills;
- National Guard service;
- Emergency call-ups;
- Military fitness examinations;
- Funeral honors duty; and
- Other services are protected under USERRA.

2. Non-Discrimination

Hawthorn Academy shall not deny:

- Initial employment;
- Reemployment;
- Promotion;
- Retention;
- Benefits;
- Training opportunities;
- Compensation; or
- Any term or condition of employment

because of an individual's military status, military obligations, application for military service, performance of military service, or participation in protected military activities.

3. Military Leave

Employees shall be granted military leave for qualifying service obligations as required by law.

Military leave may be granted for:

- Scheduled training;
- Required drills;
- Annual military training;
- State or federal activation;
- Deployment;
- Emergency response service;
- Military examinations; and
- Other protected military duties.

Military leave may be paid or unpaid as required by law or Board policy.

Employees may elect to use available accrued paid leave during military leave to the extent permitted by law and School policy.

The School will not require employees to exhaust accrued leave before taking military leave.

4. Notice Requirements

Employees should provide advance notice of military service obligations whenever practicable.

Notice may be verbal or written. Advance notice is not required when:

- Military necessity prevents notice; or
- Notice is otherwise impossible or unreasonable under the circumstances.

Employees should provide copies of military orders when available, although failure to provide written orders shall not automatically invalidate leave rights protected by law.

5. Benefits During Military Leave

Employees on military leave shall receive benefits protections as required by USERRA and applicable law.

To the extent required by law:

- Health insurance continuation rights shall be available;
- Retirement benefits shall be protected;
- Service credit shall be preserved;
- Seniority rights shall continue as required by law; and
- Employees shall not lose employment rights because of protected military service.

Employees are responsible for any employee-paid benefit contributions required during periods of leave.

6. Reemployment Rights

Employees returning from military service shall be entitled to reemployment rights consistent with USERRA.

To qualify for reemployment rights, employees generally must:

- Provide advance notice of military service when required;
- Complete service under honorable conditions;
- Return to work or apply for reemployment within timeframes established by law; and
- Meet other legal requirements for reemployment protection.

Eligible employees shall generally be restored to:

- The position they would have attained had military service not occurred; or
- Another position required by law.

The School shall make reasonable efforts to qualify returning employees for reemployment, including training or refresher opportunities when appropriate.

7. Disability Accommodations for Returning Service Members

Employees who incur or aggravate a disability during military service shall be provided rights and accommodations as required by USERRA, the Americans with Disabilities Act (ADA), and applicable law.

The School will engage in an interactive process to determine reasonable accommodations and appropriate placement.

8. Family and Medical Leave Coordination

Military leave may interact with rights provided under:

- The Family and Medical Leave Act (FMLA);

- Military caregiver leave provisions;
- Qualifying exigency leave provisions; and
- Other applicable leave laws.

Employees should contact Human Resources regarding available benefits and leave options.

9. Protection Against Retaliation

The School strictly prohibits retaliation against any employee who:

- Requests military leave;
- Takes military leave;
- Exercises rights under USERRA;
- Participates in an investigation;
- Assists another employee in exercising military leave rights; or
- Files a complaint regarding military discrimination.

Violations of this provision may result in disciplinary action up to and including termination.

10. Reporting Concerns

Employees who believe their military leave rights have been violated should promptly report concerns to:

- Their supervisor;
- Human Resources;
- The Principal;
- The Superintendent; or
- The Board Chair if the complaint involves the Superintendent.

Employees may also pursue remedies available through governmental agencies as provided by law.

11. Policy Administration

The Superintendent or designee shall administer this policy. This policy shall be interpreted and applied consistent with:

- The Uniformed Services Employment and Reemployment Rights Act (USERRA);
- Applicable Utah law;
- Federal regulations;
- Military leave statutes; and
- Other applicable legal requirements.

If any provision of this policy conflicts with applicable law, the law shall govern.

Nothing in this policy creates contractual rights or alters the at-will nature of employment.

Job Descriptions

All job descriptions have been removed from this handbook and standardized into a separate document titled:

“Hawthorn Academy Job Descriptions”.

This document uses a consistent format including:

- Position title
- Reporting structure
- Work calendar
- Job purpose
- Essential responsibilities
- Compliance requirements
- Professional expectations

Revision Log

Version	Date	Section Updated	Description	Author	Legal Review
1.0	Draft	Entire Handbook	Rewritten using updated charter handbook framework	HR/Adm in	Pending