**Adjustment of Part II Grievances**

This document is intended to provide a summary of the process for adjusting grievances pursuant to Part II of the Procedure for Adjusting Grievances promulgated by the Virginia Board of Education.  8 VAC 20-90-10, et seq.  This summary is intended to provide guidance and does not take precedence over or alter in any way the requirements of the Procedure for Adjusting Grievances.

For purposes of this document and for Part II of the Grievance Procedure, the term “teacher” means all employees of the school division involved in classroom instruction and all other full-time employees of the school division except those employees classified as supervising employees.

A grievance must be initiated within **15 business days** following either event giving rise to the grievance, or within **15 business days,** following the time when the employee knew or reasonably should have known of its occurrence. Grievances shall be processed as follows:

Step 1 – **Informal Conference with Immediate Supervisor (Mandatory)**

* An informal conference between the teacher and immediate supervisor.
* The teacher shall state the nature of the grievance.
* The immediate supervisor shall attempt to adjust the grievance.

Step 2 – **File Step 2 Grievance Form with Immediate Supervisor**

* The grievance must be in writing on the Step 2 Grievance form located on the Employee & Labor Relations website.
* The written grievance must be filed with the immediate supervisor within the 15 business day timeframe.
* A meeting between the immediate supervisor or designee and teacher must be held within 5 business days of receipt of the written grievance.
* The immediate supervisor may also make a written request for more specific information, which must be made within 5 calendar days of receipt of the written grievance, in which case the teacher shall file a written answer within 10 business days and the Step 2 meeting must be held within 5 business days thereafter.
* At the Step 2 meeting, witnesses can be presented and teachers can be represented by an individual other than an attorney.
* The immediate supervisor must respond in writing within 5 business days after the Step 2 meeting.

Step 3 – **Appeal Process with the Superintendent**

* If the grievance is not resolved to the teacher's satisfaction in Step 2, the teacher can proceed to Step 3 by filing a written notice of appeal with the superintendent, accompanied by the original written grievance appeal form within 5 business days after receipt of the Step 2 answer (or the due date of such answer).
* A meeting shall then be held between the superintendent (or his designee or both) and the teacher (or his designee or both) at a mutually agreeable time within 5 business days.
* The superintendent or designee may make a written request for more specific information from the teacher, but only if such information was not requested in Step 2.
* The teacher shall file an answer to such a request within 10 business days, and the meeting shall be held within 5 business days of the date on which the answer was received.
* At the Step 3 meeting, both the superintendent and the teacher shall be entitled to present witnesses and to be accompanied by a representative who may be an attorney.
* If no settlement can be reached in the Step 3 meeting, the superintendent (or his designee) shall respond in writing within 5 business days following the Step 3 meeting.

Step 4 – **Appeal Process with the School Board**

* If the grievance is not resolved to the satisfaction of the teacher in Step 3, the teacher may request a decision by the school board pursuant to Step 4 by notifying the superintendent in writing of the intention to make the request of the board within 5 business days after receipt of the Step 3 answer (or the due date of thereof).
* Upon receipt of the Step 4 notice, the board may hold a hearing on the grievance, may elect to have the hearing conducted by a hearing officer appointed by the school board, or may make its determination on the basis of the written evidence presented by the teacher and the recommendation of the superintendent.
* In any case in which the school board elects to hold a hearing or elects to have a hearing officer conduct the hearing, the hearing shall be set within 30 days of the school board's receipt of the Step 4 notice, and the teacher must be given at least 15 days written notice of the date, time, and place of the hearing.
* If the school board does not elect to hold a hearing or have a hearing officer conduct a hearing, the school board will may a decision based on the written record.

Part II – 8 VAC 20-90-30

Richmond City School Board Policy 7-8.5

**STATEMENT OF GRIEVANCE**

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| --- | --- |
| Name of grievant: | Date filed: |
| School/department of assignment: | Subject area or grade: |
| Immediate superior and/or principal: | Grievant’s representative: |

Policy, procedure, regulation, ordinance, statute being grieved:

Date you knew or reasonably should have known of its occurrence:

Statement of grievance:

Specific relief requested:

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Grievant’s Signature Representative’s Signature

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Grievant’s Name Representative’s Name

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Date Date