

## **PROCEDURE FOR SUPPORT STAFF PERSONNEL GRIEVANCES**

### **Preamble**

The Maggie L. Walker Governor's School Regional Board adopts the following procedure in accordance with §22.1-79(6) of the Code of Virginia, as amended. Nothing in this procedure is intended to create, nor shall it be construed as creating, a property right in employment, nor shall this procedure be interpreted to limit in any way the Regional School Board's exclusive authority over the employment and supervision of its personnel.

### **Part I-Definitions**

The following words and terms, when used in this procedure, shall have the following meaning:

“Days” means calendar days unless otherwise specified. When a deadline falls on a Saturday, Sunday, or legal holiday, the period shall extend to the next working day. Whenever any period of time fixed by this procedure shall expire on a Saturday, Sunday or legal holiday, the period of time for taking action under this procedure shall be extended to the next day that is not a Saturday, Sunday or legal holiday.

“Working days” means days the Maggie L. Walker Governor's School office is open for business, including those days that employees are assigned to work remotely.

“Employee” means all full-time support employees who have completed the required probationary period. This term does not include the executive director or any part-time or temporary employee.

“Dismissal” means termination of employment with or without cause.

“Grievance” means a complaint or dispute involving the dismissal or other disciplinary action of an employee. A dismissal, reassignment or other action pursuant to a Reduction in Force (RIF) is not a disciplinary action and is not grievable. Employee evaluations are not disciplinary actions and are not grievable. “Grievance” does not mean a complaint or dispute regarding the suspension of an employee. The suspension of employees is governed by Va. Code § 22.1-315 and applicable policy.

### **Part II-Procedure**

The procedure for processing a recommendation of dismissal is set forth in Section 1 below, and the procedure for processing other disciplinary actions is set forth in Section 2 below.

#### **1. Procedure for Dismissal**

A. Written notice of the proposed dismissal, along with a statement of the reasons for the dismissal, shall be given to the employee by his or her supervisor or appropriate

administrator. Such notice shall also advise the employee of the right to file a written request for a hearing with the executive director within five days of the written notice, and that the failure to file such a request within the prescribed time will constitute a waiver of the right to a hearing and the action will become final without a hearing or further notice.

B. Upon a timely written request, the executive director or designee shall hold a hearing within ten working days of receipt of the employee's request. Notice of the hearing shall be given orally or in writing to the employee at least five calendar days before the hearing.

If the executive director is recommending dismissal, then the hearing shall, at the executive director's option, be held by an impartial hearing officer who is not an employee of the school or by the Regional Governing Board. If the Regional Governing Board conducts the hearing, then its decision is final and there is no further appeal.

C. The employee and his supervisor may be represented by legal counsel at the hearing. The hearing shall be private and the individual presiding over the hearing shall have full discretion over the conduct of the hearing. However, the employee and the supervisor may make opening statements, may present all material and relevant evidence, including the testimony of witnesses, and may cross examine witnesses. Witnesses may be questioned by the individual presiding over the hearing.

D. The executive director or designee shall give the employee a written decision within ten (10) working days after the completion of the hearing. The decision shall be based on the evidence relevant to the issues produced at the hearing in the presence of each party. If the executive director or designee decides to accept the recommendation of dismissal, the decision shall specify the effective date of the action, which may be immediate.

E. The employee may appeal the decision to the Regional Governing Board by providing written notice of appeal to the executive director within five (5) days of the decision of written decision. Upon timely appeal, the Regional Governing Board shall decide the appeal on the record and render its decision within 30 days of the appeal.

## **2. Procedure for Other Disciplinary Actions**

A. Within ten (10) working days of being issued a disciplinary action other than a dismissal or suspension, the employee may request that the decision be reviewed by the executive director.

B. Upon receiving the request for review, the executive director shall select an impartial administrator to conduct a review of the disciplinary action.

C. The impartial administrator shall afford the employee five (5) working days to submit in writing why the disciplinary was not justified and the employee's request for an appropriate relief (if any). After receiving the employee's written submission, the impartial administrator shall forward a copy of the submission to the individual who issued the disciplinary action and afford such individual five (5) working days to submit in writing a rebuttal, if any.

D. The impartial administrator shall review the written submissions and render a written decision within ten (10) working days of the receipt of the written submissions.

E. The impartial administrator's written decision is final and there is no further appeal.

**3. Extension of Deadlines**

For good cause shown, the executive director may extend any deadline established in this procedure.

Adopted: March 19, 2026

---

Legal Ref.: Code of Virginia, 1950, as amended, §§22.1-79(6), 22.1-311, 22.1-313.

Cross Refs.:

Pol 5007	Support Staff
Pol 5007.1	Probationary Term for Support Staff
Pol 5022	Suspension of Staff Members