



Grievance and Appeal Rights for WTU members receiving IMPACT Scores of Ineffective or Minimally Effective

An employee rated twice Minimally Effective or once Ineffective may:

1. **File an appeal to the Chancellor**

In order to file an appeal to the Chancellor, you must:

- Be a permanent status employee;
- Complete the Staff Appeal to the Chancellor form (available at www.dcps.dc.gov) within thirty (30) calendar days of receipt of your Notice of 2010-2011 IMPACT Rating and Termination; *and*
- Submit the form to the Office of Labor Management and Employee Relations at DCPS, 1200 First Street, NE, 10th Floor, Washington DC, 20002; fax: (202) 535-2817.

AND may also do ONE of the following:

2. **File WTU grievance**

OR

3. **Appeal with the DC Office of Employee Appeals (OEA)**

In order to file a WTU grievance, you must:

- Allege a violation of the evaluation **process**; and
- Submit your grievance within fourteen (14) school days after receiving your Notice of 2010-2011 IMPACT Rating and Termination.

In order to file an appeal to the OEA, you must:

- File with the OEA within thirty (30) calendar days of the effective date of termination.

An employee rated once Minimally Effective may:

1. **File an appeal to the Chancellor**

In order to file an appeal to the Chancellor, you must:

- Be a permanent status employee;
- Complete the Staff Appeal to the Chancellor form (available at www.dcps.dc.gov) within thirty (30) calendar days of receipt of your Notice of 2010-2011 IMPACT Rating; *and*
- Submit the form to the Office of Labor Management and Employee Relations at DCPS, 1200 First Street, NE, 10th Floor, Washington DC, 20002; fax: (202) 535-2817.

AND may also:

2. **File WTU grievance**

In order to file a WTU grievance, you must:

- Allege a violation of the evaluation **process**; and
- Submit your grievance within fourteen (14) school days after receiving your Notice of 2010-2011 IMPACT Rating.

Frequently Asked Questions about Grievance and Appeal Rights for WTU members receiving IMPACT Scores of Ineffective or Minimally Effective

Q: Am I able to file an appeal to the Chancellor if my IMPACT rating is “Effective” or “Highly Effective”?

A: No. Only those individuals who received IMPACT ratings of “Ineffective” or “Minimally Effective” can appeal their IMPACT rating to the Chancellor.

Q: Where can I find the form to complete an appeal to the Chancellor?

A: The form to complete an appeal to the Chancellor may be found online at <http://dcps.dc.gov/DCPS/About+DCPS/Human+Resources/Labor+Management+and+Employee+Relations#2>.

Q: What information should I include in my appeal to the Chancellor?

A: Staff appeals to the Chancellor should include a clear explanation of why the appellant believes that his or her IMPACT scores should be invalidated. Appellant should include any information believed to support the claim that the scores received are invalid.

Q: Am I able to include supporting documents with my appeal to the Chancellor?

A: Yes. Any documents that directly support information provided in your appeal may be attached to your appeal to the Chancellor.

Q: How does the Chancellor’s appeals process work?

A: Appeals to the Chancellor will be evaluated by an impartial review board. The review board will make recommendations to the Chancellor, who will then review these recommendations and make the final decision with respect to the appeal.

Q: When should I expect a response from DCPS regarding the decision on my appeal to the Chancellor?

A: Results on appeals are expected to be available by the end of the 2011 calendar year. Complicated appeals may take longer.

Q: Are individuals terminated for low IMPACT ratings eligible for unemployment?

A: Maybe. Eligibility for unemployment is determined on a case-by-case basis by the Department of Employment Services. DCPS will not challenge a claim for unemployment solely because an employee received a low IMPACT score. However, DCPS reserves the right to challenge a claim for unemployment where there is additional evidence of misconduct.

Q: Am I able to resign in lieu of termination?

A: Yes. If you received a notice of termination, you are able to resign in lieu of termination. Employees choosing to resign *must* do so before the effective date of termination. Those who resign waive their right to appeal IMPACT scores.

Q: Who should I contact if I want to resign?

A: To resign, you must submit a letter of resignation to the Director of Human Resources. You can email your letter of resignation to dcps.hranswers@dc.gov or deliver it to the Office of Human Resources at DCPS, 1200 First Street, NE, 10th Floor, Washington, DC 20002. For questions about resignation, please contact an Employee Services Specialist at (202) 442-4090 or dcps.hranswers@dc.gov.



Q: *Am I able to retire in lieu of termination?*

A: Maybe. If you received a notice of termination and meet the eligibility criteria for voluntary or involuntary retirement, you may retire in lieu of termination. Employees wishing to retire in lieu of termination should submit a retirement application before the effective date of termination.

Q: *Who should I contact for information pertaining to retirement?*

A: For questions about retirement, please contact the Retirement Team at (202) 442-4090 or by email at dcps.retirement@dc.gov.

Q: *If I choose to retire, will my SF 50 (Notice of Personal Action) indicate that I have elected to retire in lieu of being terminated?*

A: No. If you choose to retire in lieu of being terminated, your SF 50 will state only that you have elected "RETIREMENT."

Q: *Who should I contact with questions about my IMPACT report?*

A: For questions about your IMPACT report, please contact the IMPACT team at (202) 719-6553 or by email at impactdcps@dc.gov.

Q: *Who should I contact with questions about filing an appeal with the Office of Employee Appeals (OEA)?*

A: For questions about filing an appeal with the OEA, please contact the OEA at (202) 724-0004. OEA rules and appeal information can be found at <http://oea.dc.gov/oea/site/default.asp>.