

STUDENT APPEALS

Background

In accordance with the provisions of the Education Act, the Education Regulations, and Division procedures, the Division provides a formal administrative process to permit parents/guardians and/or a student who has reached eighteen (18) years of age to appeal decisions that significantly affect a student's school experience.

Student appeals shall be considered based on the principles of fairness, justice, impartiality, consistency and the educational interests of the student involved.

In reaching decisions regarding the education of any student or a group of students the impact on the total population of students served and the availability of resources shall be considered.

Procedures

1. Parents/guardians or a student who has reached eighteen (18) years of age, shall be informed of their right of appeal.
2. Unless otherwise prescribed within legislation, Board policy or administrative procedures, differences or conflicts in the relationship of a student to the school are subject to appeal to the next level of administration. The levels shall be:
 - 2.1 Principal;
 - 2.2 Superintendent;
 - 2.3 Director.
3. Decisions at the Director level can be appealed to the Board. Appeals to the Board are to be addressed in writing to the Board Chair as outlined in the Board Policy 13. The timelines for addressing appeals by the Board will be governed by Board Policy 13. Decisions rendered by the Board shall be considered final and not subject to further appeal.
4. At each level of appeal, a Committee may be established to carry out responsibilities pursuant to this procedure.
5. A request to appeal a decision shall adhere to the provisions in these procedures or those outlined in the Education Act, and the Education Regulations.
6. Any administrative appeal must be filed in writing with the next level within ten (10) days of being advised of a decision;

- 6.1 Appeals shall be submitted in writing and shall state the nature of complaint and outline the steps that have been taken to attempt to resolve it. A copy shall be provided to any other parties directly involved in the issue.
 - 6.2 The individual or Committee considering the appeal shall review all relevant information pertaining to the matter and shall make a decision and shall communicate such decision to all parties concerned in writing within fifteen (15) days from the receipt of the written appeal.
 - 6.3 The party receiving the appeal shall make every reasonable effort to interview both parties in the dispute before rendering a decision.
 - 6.4 Timelines identified in this section can be extended through mutual written agreement.
7. As per section 148 of the Education Act, mediation services may be utilized to resolve a conflict involving a student where appropriate.
 8. Administrative staff may make interim decisions considered necessary pending the outcome of the appeal.

Reference: Sections 148, 175, 231 Education Act
The School Division Administration Regulations 45, 49
Board Policy 13

Approved: December 12, 2018