

11. Board Policy *Appeals to the Board*

Appeals Regarding Student Matters:

1. The Board expects that public concerns and questions should be handled and resolved at the level closest to the issue.
2. A parent, a student who is 16 years of age or older, or both, have the right to appeal the decision of an employee on any matter which significantly affects the education of the student.
3. The parent, a student who is 16 years of age or older, or both, can appeal a teacher decision to the principal and a principal's decision to the Superintendent.
4. The Superintendent's decision on an appeal shall be communicated to the appellant. Any Superintendent decision regarding expulsion will be responded to in writing, the appellant will be informed of their right to appeal the decision to the Board.
5. The Board shall hear expulsion appeals requested in writing as soon as possible, either in closed session at a regular board meeting or at a special meeting set for that purpose. The Superintendent shall advise the parents, a student 16 years of age or older, or both, of the time, date and place where the appeal will be heard.
6. Factors which shall affect the timing of the hearing are the urgency of the decision for the student, the amount of time needed for parents and/or staff to prepare a case and legal requirements specified in the Education Act.
7. The parents shall be advised they may appear with an advocate or counsel. In an appeal of an employee's decision, the Superintendent may have staff members present who have specific knowledge of the issue.
8. The Chair of the Board shall conduct the meeting to ensure procedural fairness is observed.
9. Both parents and staff shall have adequate time to present their case in an orderly fashion and both shall have the opportunity to question the other or to seek clarification or additional information from the other.
10. Board members shall have the opportunity to request clarification or further information from either party.
11. The Board shall rule on an appeal in closed session with neither the parents nor the employee present if an employee's decision is being appealed.

11. Board Policy *Appeals to the Board*

12. The Board's decision and reasons for the decision shall be communicated in writing by the Superintendent to the parents.

13. The parent and student shall be advised in writing by the Superintendent of their right, under Section 43 of the Education Act, to request a review by the Minister of Education of the Board's decision on an appeal with respect to:

- a) The provision of specialized support and services to a student in accordance with section 11(4) or to a child enrolled in an early childhood services program.
- b) The expulsion of a student.
- c) The access to, or the accuracy of, or completeness of a student record.

Appeals of Board Policy

1. When an individual or group wishes to appeal a Board policy, the Superintendent or Chief Financial Officer shall be notified in writing of the intention to appeal.
2. The issue will be placed on the agenda of the next following Board General Committee Meeting (providing the notification of the appeal is received within ten days of the Board General Committee Meeting). Appellants are invited to provide written information to be distributed with the agenda.
3. The Appellant will be advised of their right to attend the committee meeting and present their appeal in person.
4. The Board as a whole will hear the appeal at the committee meeting and ask questions for clarification.
5. The appeal will be placed on the agenda of the next following Regular Board Meeting. The Appellant will be advised of their right to attend the regular Board meeting to answer any further questions for clarification.
6. The Board will debate and decide on the appeal in open session at the Regular Board Meeting.
7. The Superintendent will advise the Appellant, in writing, of the Board's decision.
8. The Board will not hear appeals related to bus routes and bussing outside of current attendance areas. The Superintendent's decision shall be final. The Superintendent will inform the board of appeals from the Director of Bus Operations to the Superintendent, so the board may track concerns related to this topic as part of any review of attendance area boundaries.

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Cross Reference: Education Act – Section 42
BSR#2 – Delegation to the Superintendent
T101 – Eligibility for Transportation

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