



Policy 15: Appeals and Hearings Regarding Student Matters

Purpose:

Appeals and hearings regarding decisions that affect students are divided into two procedures. They are outlined below:

A. Disagreements by a Student and/or Parent with a Staff Decision

The *Education Act* requires that the District attempt to resolve any disagreements that may arise between a parent (or guardian) and/or student, and the education staff of the District relating to any decision that significantly affects the education, health or safety of a student. If the disagreement is not resolved at the District level the parent and/or student may appeal to an independent appeal committee as outlined in the *Education Act*.

Specifically

1. The parent and/or the student shall notify the Principal in writing if they disagree with a decision made at the school level by a staff member that affects the education, health or safety of that student.
2. The written notice shall be given to the Principal within five school days, from the date that the parent and/or the student determine that they were unable to resolve a disagreement with the staff member that made the decision.
3. If the Principal is unable to resolve the disagreement within five school days after having received the written notice, the Principal shall notify the parent and/or the student immediately in writing and include notice that the parent and/or student may refer the disagreement to the Board. The Principal shall refer all unsolved issues to the Superintendent for information.
4. The Superintendent, on behalf of the Board, shall attempt to resolve the issue.
5. Should the issue not be resolved, the Superintendent shall communicate in writing the result, as well as the rationale for the decision, to the Board in a timely fashion. The Superintendent shall also inform the parent and/or student in writing of their right to further appeal this matter to an independent appeal committee as described in the Education Act.
6. If the parent and/or student choose to appeal the unresolved disagreement, they must advise the Board in writing within 30 calendar days after having received written notice from the Superintendent.
7. The notice of appeal should provide reasons for the request and details of the disagreement.
8. The process and procedure for dealing with appeals of District decisions are clearly outlined in the Education Act and the Education Appeals Regulations. The Board shall ensure that the parent and/or the student are offered copies and/or electronic links to the aforementioned legislation.



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9. The decision of the appeal committee is final.

B. Student Suspension and/or Expulsion

The *Education Act*, Section 36 (1) provides the District with the authority to suspend or expel a student from its schools. The *Education Act* also provides the student and the student's parents with the opportunity to make a representation at a hearing of an independent appeal committee to deal with the suspension or expulsion of the student from a school.

Specifically

1. A principal may suspend a student for cause, upon his or her own authority, for a period not exceeding five consecutive school days. A detailed report of the suspension including a copy of the letter to the parent shall be sent to the Superintendent.
2. The Superintendent has the authority to suspend a student for cause for a period in excess of five days and up to a maximum of twenty days. The Superintendent will inform the Board of the suspension.
3. The Board may expel a student from its school for a semester, the remainder of the school year or the school year, in accordance with the provisions of the *Education Act*.
4. The process and procedure for dealing with suspensions and expulsions, and their appeals of District decisions, are clearly outlined in the *Education Act* and the *Education Appeals Regulations*. The Board shall ensure that the parent and/or the student are offered copies of the aforementioned legislation.
5. A student and/or their parent, under the Education Act, Section 43, may request that the Minister review the decision of the appeal committee in the event of a student expulsion.
6. The decision of the Minister is final.

References/Related Documents:

- Education Act
- Administrative Procedures



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Revision History			
Revision	Revision Description	Approved Date	Review Date
1-3	Adopted and revised before the revision table was included. Going forward a summary for the changes will be included	May 2008 June 2011 October 2020	2022-2026 Board
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