

Appeals to the Board of Directors Regarding Student Matters

Purpose

This policy sets out the conditions under which a decision taken by a school may be appealed, and prescribes the appeals process to be followed. The purpose of this appeal provision is to ensure that consequential decisions on student matters are made in a fair, open and reasonable manner, and that parents have a clear process to appeal decisions impacting their child.

When to appeal a decision

The following matters, *inter alia*, are subject to appeal to the Board of Directors:

- 1) Decisions that significantly affect the education and wellbeing of a child
- 2) Serious concerns related to the effective implementation of the Charter
- 3) Serious concerns relating to an Administrative or Board policy
- 4) Fees charged by the school
- 5) Disputes about the accuracy and completeness of a student record
- 6) Denial of admission or re-enrollment of a child/student
- 7) Decision to retain a student at a particular grade level

Appeals process

- 1) Where previous attempts to resolve a matter have failed, or if a parent or student wishes to appeal a decision by the Superintendent, they may lodge an appeal to the Board of Directors.
- 2) Appeals to the Board of Directors must be made in writing and addressed to the Board Chair. The appeal should describe the nature of the dispute, the involved parties, the steps previously taken to seek a resolution, and copies of any written decisions being appealed.
- 3) The Board will respond to an appeal request by setting a meeting or hearing date, or taking another course of action, within thirty (30) days of the receipt of the request.
- 4) The matter will be addressed by an Appeals Committee comprising Board directors. Directors of the Charter Board who are in a conflict of interest or who believe that their judgment is unduly prejudiced will withdraw from the appeal process.
- 5) The appeal hearing will be conducted as a closed session with all involved parties present.
- 6) Each party will have an opportunity to speak to the issues in dispute and present relevant documents. The appeals process is designed such that parties will not require legal counsel. However, if a party chooses to be represented by legal counsel, notice must be provided in advance to the Board Chair, who will provide that notice to other parties.
- 7) During the appeals hearing, the Chair of Appeals Committee will:

- a. introduce all parties, state the purpose of the hearing, and ensure that all parties to the hearing understand the decision under review and the reason(s) for the review;
 - b. provide an opportunity for all parties to make representations to support their position before the decision on the appeal is made;
 - c. provide opportunity for each party to ask appropriate questions of clarification and to respond to statements made by the other parties;
 - d. allow other Appeals Committee members to ask appropriate questions of clarification.
- 8) Appeals Committee members will discuss the merits of the case in the absence of the involved parties and will either render a written decision forthwith which provides the rationale for the decision.
 - 9) Should the Appeals Committee require additional information or clarification, the parties to the appeal may be asked to undertake to provide further information or documentation, and/or reconvene at a subsequent date.
 - 10) The Appeals Committee will provide a written decision to all parties without delay. If applicable, this decision will indicate whether the matter is subject to appeal to the Minister of Education.

Outcomes

Possible responses by the Appeals Committee may include:

- 1) Declining to hear the appeal;
- 2) A dismissal of the grievance;
- 3) A modification to or refund of fees charged to a family;
- 4) A finding for or against the proposed expulsion of a student;
- 5) A decision to approve the re-enrollment or grade progression of a student;
- 6) A rectification or amendment to a student record;
- 7) A formal reprimand or dismissal of a school employee;
- 8) The adoption of a new or amended policy, and/or a directive to campus leadership to develop or clarify an administrative policy or procedure.

Excepting those matters specified in the *Education Act*, all Board decisions are final and are not subject to further appeal.

Adopted: July 18 2023