

APPEALS PROCEDURE

As per the British Columbia School Act Division 3 – Joint Rights and Duties – Appeals 11 (1 to 7)

(2) If a decision of an employee of a Board significantly affects the education, health or safety of a student, the parent of the student or the student may, within reasonable time from the date the parent or student was informed of the decision, appeal that decision to the Board;
(6) A Board may make any decision that it considers appropriate in respect of the matter that is appealed to it under this section, and, subject to section 11.1 (1), the decision of the board is final.

(7) A Board must (a) Make a decision under this section within 45 days of the date on which the board receives an appeal, and (b) promptly report that decision to the person making the appeal.

The Committee:

The Committee responsible to investigate an appeal is *ideally* comprised of *two* Trustees (if available), the Superintendent or Delegate, the Person responsible for Spec. Ed. (Director of Instruction or District Principal, and the Principal who was involved.

The Spec Ed. Representative will Chair the Committee.

The Process:

Before the hearing:

- Upon receiving a request for an appeal, the School District will inform all the members of the Committee and set up a meeting for a hearing. This hearing must take place as soon as possible, but no more than three weeks after receiving the request.
- The Central office will send a report explaining why the appeal is requested, to the members of the Committee. The parent will be copied and is welcome to make further comments and/or correct any misunderstanding.
- Prior to the hearing, the Central office will send any relevant information to the members of the Committee. This is only on an informative basis and must be non judgmental.

The hearing:

- The parent is given all the time needed to express his/her concerns.
- One of the members representing the School District will respond to express why and how the decision came to be.
- There will be an open discussion with the intent to clarify misunderstandings, and propose options (For example, how can the District respond to the needs of the student).

Responding to the appeal.

- At the end of the hearing, the parent(s) will leave.
- Members of the Committee can chose to pursue the discussion until they reach a decision, or arrange for a meeting at another date.
- A member of the committee will send a written response to the parent within one week of the hearing.

Appealing the final decision of the Board

- Parents who disagree with the final decision of the Board can take this a step further and make another appeal to the Superintendent of Achievements (The SOA is a person appointed by the Minister of Education).
- If the parent chooses this option, the Committee will explain the process to follow in writing.