

APPEALS CONCERNING STUDENT MATTERS

Background:

Students have the right, under law, to natural justice and due process. The Superintendent has established the following procedure whereby appeals on educational matters that cannot be resolved at the school level may be further reviewed at the Division level. The Board shall hear appeals on administrative decisions that significantly impact the education of the student, which are submitted in accordance with section 42 of the *Education Act*.

Procedures:

1. Students who are 16 years of age or older have the same rights and responsibilities as their parent/guardian.
2. Every decision must be directed toward the educational interests of the student and must consider the impact of the decision on the total population of students served and the availability of resources.
3. Appeal procedures shall ensure full opportunity for the parties to add information, discuss the issues and state their positions and supporting arguments.
4. At any of the various steps in the process, parents/guardians shall have access to copies of reports and other information used to make the decision about their child, pursuant to [Administrative Procedure 320: Student Record](#).
5. Decisions on appeals shall be rendered without undue delay.
6. Parents/guardians, staff and students shall have access to information about the appeals policy and procedures at the beginning of each school year.
7. Students shall be informed about their right to appeal marks or grades assigned according to [Administrative Procedure 391: Student Appeals of School Awarded Marks](#).
8. It is expected every effort shall be made informally to solve a problem or concern before a formal appeal is filed.
9. Formal appeals may be filed by any individual or group of individuals who wish(es) reconsideration of an administrative decision. In the case of students under the age of 16, such appeals shall be filed by their parents/guardians. Generally, appeals shall be heard in the following order:
 - 9.1. by the individual who is responsible for the original decision;
 - 9.2. by the Principal or designate; and finally
 - 9.3. by the Superintendent or designate.
10. At each level of appeal, every effort shall be made to resolve the concern.
11. The decision of the Superintendent or designate is the final decision of administration.
12. Under Section 36 of the [Education Act](#), teachers and principals are specifically delegated the responsibility for suspensions, therefore, they are not appealable to the Superintendent nor the Board of Trustees.

Reference:

Section 3, 42, 52, 53, 56, 196, 197, 222 *Education Act*

Board Policy 13: Appeals and Hearings Regarding Student Matters