

<i>Policy Manual</i>	CODE: Policy 12 TITLE: Appeals Regarding Student Matters APPROVED: May 26, 2009 AMENDED/REVIEWED: October 23, 2012; June 18, 2013; January 30, 2018
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LEGAL REFERENCE: School Act 2000; Sec. 12, 24, 25, 123, 124	

Policy

The Board has delegated the authority to the Superintendent to make decisions regarding student matters as prescribed in Policy 10 Board Delegation of Authority. 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.

The Board will hear appeals on the decisions made by the Superintendent in the exercising of their delegated authority. Any appeal to the Board shall be submitted in accordance with *section 123 of the School Act*.

The Board recognizes, in accordance with *Section 123(2) of the School Act* that the parent(s)/guardian(s) of a student and, in the case of a student who is 16 years of age or older, the student has the right to appeal the decision of a Grande Prairie Public School District (GPPSD) employee if that decision significantly affects the education of the student.

Guidelines

1. Appeals for any decision made by a staff member of the District which significantly affects the education of a student (e.g., suspension, expulsion, denial of access to a program, placement, fees, etc.) must be communicated verbally and in written form within 5 calendar days of the decision made by the staff member.
2. Appeals of a decision made by a staff member of the GPPSD shall proceed to the next level of authority or responsibility.
 - 2.1 Decisions made by a staff member are appealable to the principal;
 - 2.2 Decisions made by a principal are appealable to the Superintendent; and
 - 2.3 Decisions made by the Superintendent are appealable to the Board.
3. The decision of the Superintendent or designate is the final decision of the administration.
4. Appeal procedures shall ensure full opportunity for the parties to add information, discuss the issues and state their positions and supporting arguments.

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5. At any of the various steps in the process, parent(s)/guardian(s) shall have access to reports and other information on their child, which were used to make the decision, pursuant to the policy and procedure governing student records.
6. Parent(s)/guardian(s), when appealing a decision, have the right to be assisted by an advocate or resource person of their choosing to help in the preparation and presentation of their concerns. The responsibility for engaging and paying for such assistance rests with the parent(s)/guardian(s).
7. Decisions shall be rendered without undue delay.

Procedures for Appeals to be Heard by the Board

1. Appeals will be heard by an ad hoc committee of the Board, consisting of a majority of the Trustees of the Board, within 10 days of when the decision was rendered.
2. The hearing of the appeal must be scheduled so as to ensure that the person making the appeal and the Superintendent, or designate, whose decision is being appealed, has sufficient notice and time to prepare for the presentation.
3. The appeal will be heard in-camera, with specified individuals in attendance.
4. The Board reserves the right to make its decision at a subsequent meeting of the ad hoc committee. The parties to the appeal will be advised when the decision will be made.
5. The appeal hearing will be conducted in accordance with the following guidelines:
 - 5.1 The Chair will outline the purpose of the hearing, which is to provide:
 - An opportunity for the parties to make representation in support of their respective positions to the Board. This information may include expert medical, psychological and educational data and

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may be presented by witnesses. The information presented may include both written and verbal communications;

- The Board with the means to receive information and to review the facts of the dispute; and
- A process through which the Board can reach a fair and impartial decision.

- 5.2 Notes of the proceedings will be recorded for the purpose of the Board's records.
- 5.3 The Superintendent and/or designate(s) will explain the decision and give reasons for the decision.
- 5.4 The appellant will present the appeal and the reasons for the appeal and will have an opportunity to respond to information provided by the Superintendent and/or designate(s).
- 5.5 The Superintendent and/or designate(s) will have an opportunity to respond to information presented by the appellant.
- 5.6 Board members will have the opportunity to ask questions or clarification from both parties.
- 5.7 No cross-examination of the parties shall be allowed, unless the Chair deems it advisable under the circumstances.
- 5.8 The Board will meet without the respective parties to the appeal in attendance to arrive at a decision regarding the appeal. The recording secretary will remain in attendance. The Board may have legal counsel in attendance.
- 5.9 If the Board requires additional information or clarification in order to make its decision, both parties to the appeal will be requested to return to the hearing for the required additional information.
- 5.10 The Board decision and the reasons for that decision will be communicated to the appellant by telephone and confirmed in writing following the appeal hearing.

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- 5.11 Appellants shall be advised of their right to request a review by the Minister of Education of a decision on an appeal made by the Board pertaining to
- The placement of a student in a special education program;
 - The language of instruction;
 - The expulsion of a student;
 - A home education program; and
 - The amount or payment of fees or costs.