



## **Policy No. 500.1**

### **Appeals by Parents and Students**

### **Information for Parents and Students**

The Board of Education recognizes the right of a student and/or parent of a student under *Section 11 of the School Act* to appeal a decision of an employee of the Board where such decision significantly affects the education, health or safety of the student. The failure of an employee to make a decision shall be deemed to be a decision for the purposes of initiating an appeal.

The following decisions shall be deemed to significantly affect the education, health or safety of a student:

- disciplinary suspension from school for a period in excess of five (5) days;
- refusal to offer an educational program to a student who is sixteen (16) years of age or older;
- requirement to complete all or part of an educational program by distributed learning as a disciplinary measure, where space and facilities are available in a school;
- exclusion from school for a health condition;
- failure to provide an IEP to a student with special needs;
- failure to offer to consult with a parent regarding the placement or IEP of a student with special needs;
- decisions regarding whether a student has met the requirements for promotion from one grade or course to the next, or has met the requirements for secondary school graduation;
- denial of an educational program by failure to take action in respect of a complaint of bullying, intimidation, harassment, or threat or use of weapons or violence by one or more students against another student; and
- any other decision that, in the opinion of the Board, significantly affects the education, health or safety of a student.

Appeals to the Board are governed by this policy and will be heard provided that every attempt to consult with the employee(s) concerned has taken place prior to the initiation of the appeal.

## Parents' Guide to Communicating with Your School

### Problems and Concerns May be Addressed Through Communication.

If a Parent or Student has a concern, the following steps should be taken:

#### STEP ONE:

- Speak with the employee whose action has caused your concern.
- If you need further assistance with your concern, speak with the school Principal.
- If you feel your concern has not been addressed, contact the Superintendent (or his/her designate) at 604.517.6327.
- If the decision significantly affects the education, health or safety of a student, the student and/or parent may appeal to the District Review Committee.

#### STEP TWO: The District Review Committee

- The Parent and/or Student completes a *"Notice of Appeal Form"* and submits the form to the Principal within 30 days of the decision. The Principal then sends the notice to the Secretary-Treasurer.
- The Secretary-Treasurer reviews the *Notice of Appeal* and begins the District Review process if the concern significantly affects the student's education, health or safety.
- Parents are informed of the details of the District Review Committee process by the Secretary Treasurer.
- The District Review Committee is convened and the parent's concerns are heard. The decision is upheld, revoked or altered.
- Parents receive a letter advising of the District Review Committee's decision, and a copy is sent to the Superintendent.

## The Appeal Process in SD No. 40 (New Westminster)



### STEP THREE: Appeal to the Board of Education

- If the Parent and/or Student is not satisfied with the decision of the District Review Committee, they can write a letter outlining the concern and requesting an appeal to the Board. The letter is sent to the Secretary Treasurer.
- The Secretary Treasurer reviews the letter and begins the Board Appeal process if the concern significantly affects the student's education, health or safety. The Secretary Treasurer may seek the advice of the Board on this matter.
- Parents are informed of the details of the Board Appeal by the Secretary Treasurer.
- The Board is convened and the parent's concerns are heard. The decision is upheld, revoked or altered.
- Parents receive a letter advising of the Boards decision, and a copy is sent to the Superintendent.

### STEP FOUR: Appeal to the Superintendent of Achievement

- If the Parent and/or Student is not satisfied with the decision of the Board, they may fill out a *Notice of Appeal Form* found on the Ministry of Education's website:  
[www.studentappeals.gov.bc.ca](http://www.studentappeals.gov.bc.ca)

Parents have the right to be accompanied by an advocate or support person at the appeal. The responsibility for engaging and paying for such advocates rests with the parents. If a parent does not have an advocate, they can request a representative from the District Parents' Advisory Council (e-mail [nwdpac@yahoo.ca](mailto:nwdpac@yahoo.ca) or call 604.517.6327)

## Communication Tips for Parents and Staff:

- Set up an appointment so that there is sufficient time to talk about the concern.
- All parties should be notified in advance of who will be attending the meeting. All present should be reminded about keeping the conversation confidential.
- Be specific when talking about the concern. Consider making notes in advance to help organize your thoughts.
- Stay student-focused. Parents and staff have a common interest: the success of the student.
- Listen carefully and try to see the issue from the other person's perspective.
- Be open to creative solutions.
- Confirm that everyone understands the decision and any pertinent timelines.

Translation and interpretation services for the District Review and Board of Education Appeal processes are available upon request. Call 604.517.6327.

For more information on the appeals process, please visit the district website [www.sd40.bc.ca](http://www.sd40.bc.ca) to view Policy 500.1 *Appeals by Parents and Students*.

A copy of the "Notice of Appeal Form" is available on the district website [www.sd40.bc.ca](http://www.sd40.bc.ca) under Policy 500.1 *Appeals by Parents and Students*. Copies may also be obtained at all schools and program sites.

**Any parent requiring assistance with the appeals process may call 604.517.6327.**