



ADMINISTRATION 2 – Appeal

Date: December 20, 2010

Responsible Administrator: Superintendent

1.0 Board Regulation, Administration 2—Appeals shall be administered in compliance with Policy D/I/3 and Administrative Practice 19—Appeals.

2.0 PROCESS

2.1 Stakeholders are expected to take their concerns through appropriate levels of consultation prior to making an appeal to the board. Therefore, in cases where a stakeholder does not accept a decision made by district staff and wishes to take the matter further, he/she would direct the concern to the administrator of the school or to the appropriate department manager/supervisor. If further action is desired, the next step would be the Superintendent of Schools and subsequently an appeal in writing to the Board of Trustees.

2.2 The Board will decide at its next meeting after receiving the request whether or not to hear the appeal.

2.3 If the board decides not to hear the appeal, the board will inform the stakeholder in writing of the reason(s) for the decision.

2.4 If the board decides to hear the appeal, the Superintendent will inform the stakeholder, in writing, of the proposed date and location for the appeal hearing. A copy of the Appeal Policy and Board Regulation will be provided at the same time.

2.5 The board shall address the appeal in one of two ways, by:

2.5.1 The board as a Committee of the Whole

2.5.2 A sub-committee of the board

2.6 The appeal hearing will be conducted in accordance with a pre-set agenda (Appendix 1)

2.7 The stakeholder making the appeal may be represented by an advocate or legal counsel, at his or her own initiative and expense. The administration may also use an advocate or legal counsel.

References: *Board Policy(s): Policy D/I/6 Appeals*
Admin Practice(s): Administration 19 Appeals
Administration 19 Appeals Appendix 1
School Act, Section 123 Appeals to the Board

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- 2.8 The board will inform both parties of the result of the appeal, in writing, within three days of the appeal hearing. If the board upholds the administration's decision, then in the same letter, the individual will be informed of the right of appeal to the Minister under section 124 of the School Act (where applicable).

References: *Board Policy(s): Policy D/1/6 Appeals*
Admin Practice(s): Administration 19 Appeals
Administration 19 Appeals Appendix 1
School Act, Section 123 Appeals to the Board