

Administrative Procedure 390

STUDENT APPEALS

Background

In accordance with Section 123 of the School Act, the parents of a student and/or a student who is sixteen (16) years of age or older, have the right to appeal the decision of a Division employee that significantly affects the education of the student.

Students who are sixteen (16) years of age or older, have the same rights and responsibilities as parents.

Policies regarding student appeals must be included in each school's student / parent handbook.

Procedures

1. 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.
2. Appeal procedures will ensure full opportunity for the parties to add information, discuss the issues, and state their positions and supporting arguments.
3. At any of the various steps in the process, the appellant will have access to reports and other information concerning his/her child which were used to make the decision, pursuant to Administrative Procedure 320 – Student Records.
4. Channels of Communication
 - 4.1 If the appellant is not satisfied with a decision made by a teacher, the appellant may appeal to the Principal.
 - 4.1.1 It is expected that the appellant will have discussed the teacher's decision with the teacher prior to contacting the Principal.
 - 4.1.2 The Principal may request that appellant's appeal be expressed in writing.
 - 4.2 With the exemption of student marks and assessment, if the appellant is not satisfied with a decision made by a Principal or an employee of the Division other than the Superintendent, the appellant may request that the decision be referred to the Superintendent, who will review the circumstances, and decide whether to uphold or change the decision.
 - 4.2.1 The Superintendent may request that such an appeal be expressed in writing.

- 4.3 If the appellant is not satisfied with the decision made by the Superintendent, the parent may appeal the decision to the Board in accordance with Board Policy 13 – Appeals and Hearings Regarding Student Matters, if applicable.
- 5. The parent and student cannot independently appeal the same decision.
- 6. Decisions will be rendered without undue delay.
- 7. Appeals of Student Marks and Assessment
 - 7.1 If the appellant is not satisfied with a decision made by a teacher, the appellant may appeal to the Principal.
 - 7.1.1 It is expected that the appellant will have discussed the teacher's decision with the teacher prior to contacting the Principal.
 - 7.2 Appeals of an assignment or test mark must be made, in writing to the Principal, within ten (10) school days of the student receiving the mark or assignment being returned.
 - 7.3 Appeals of a course mark must be made, in writing to the Principal, within ten (10) school days of the mark being assigned.
 - 7.4 Appeals filed after this deadline will not be heard.
 - 7.5 The Principal's decision will be final regarding student marks and assessment.

Reference: Section 8, 10, 12, 18, 20, 24, 25, 47, 48, 60, 61, 113, 123, School Act
Student Records Regulation 225/2006
Board Policy 13 – Appeals and Hearings Regarding Student Matters
Administrative Procedure 320 – Student Records