

Living and Learning School

5.24

Appeal Policy

The appeal of a decision or action by an employee or parent follows the specific sequence listed below. This process encourages parents/guardian, members of the public and employees to practice good communication and to strive for resolving concerns as close to the source as possible.

When someone would like to appeal a decision which has been made, the following steps should be taken to resolve the concern:

1. Discussion with the employee/parent.
2. Discussion with the principal.
3. Discussion with the parent-teacher liaison.
4. Discussion with the board.
5. Discussion with the Association Ombudsperson.

Decision-making with “Procedural Fairness” and “Natural Justice”:

- if a decision-maker (e.g., a principal or authority) is intending to consider a matter which may affect a person’s rights, that person should be informed of the matter;
- the person should be given a reasonable opportunity to make oral or written submissions to the decision-maker on the matter being considered;
- the person is entitled to know and answer the case against them, that is to say, be informed of and be given the opportunity to respond to all information submitted which might influence a decision, prior to the decision being made;
- the person should be told the reasons for the decision;
- the decision-maker should act in a manner which is unbiased, fair and open-minded

Procedural Fairness when dealing with Student Behaviour:

1. Students need to be treated with respect and dignity and to know what is expected of them. The school authority/board and the school should enact codes of conduct and rules that are clear and well communicated.
2. In accordance with school policy, a student who is accused of breaching a rule should be notified of that of which he/she is accused, with the essential facts of what he/she is alleged to have done. [NOTE: In more serious cases, notification should also be given to a student’s parents.]
3. An accused student should be given an opportunity to tell his/her side of the story. The right to be heard is a fundamental element of procedural fairness. Where the stakes are minor, this can be satisfied by the principal or teacher asking the student to explain her/his actions. More serious matters require more formal investigation and documentation.
4. The student and parent should be informed of any appeal or review procedure in accordance with school policy. Some form of appeal, e.g., to the principal, superintendent, principal’s or board’s discipline or appeal committee, or authority/school board, should be provided for in school policy, depending on the severity of the discipline.
5. There should be an assurance of no retribution for pursuing an appeal or review

***If a request to appeal a decision is made and the Board is not able to resolve this issue independently, they will seek assistance from the Associate Ombudsperson through FISA.**