



Appeals Policy

Policy Number: 5020 Section: Chalo School Sub-Section: Student Interpreter: Principal/Education Director Authority: CEA Effective Date: October 24, 2019 Review by Date: September 1, 2020	References and Related Documents
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Policy Spirit and Intent

The Community Education Authority (CEA) is committed to a fair appeals process for the students and parents/guardians of Chalo Independent School Society (the “Chalo School”). The CEA is committed to supporting fair procedures that ensure integrity, consistency and respect to the decisions made by the school officials (employees) of Chalo School. The CEA is committed to following procedures fair when making decisions affecting the students and parents and school officials of Chalo School. This policy serves to outline the appeals process at our student level.

The purpose of this policy is to set out the protocol of the CEA in regards to the actions and steps that our students and parents are expected to follow with respect to file a Notice of Appeal that may result from a decision made or action taken by a school official regarding a student of Chalo School. This policy will also set out the various steps that may be involved in responding to the Notice of Appeal. This document outlines our Appeals Policy.

Policy Statement

- 1.1 A student who is entitled to an educational program at Chalo Independent School Society may appeal a decision of a school employee ,whereby the employee’s decision significantly affects the education, legal rights, health, or safety of the student.
- 1.2 The failure of an employee to make a decision shall be deemed to be a decision for the purpose of bringing an appeal.
- 1.3 The CEA recognizes that appeals and/or disagreements are usually best handled at the school level. (i.e. education director, principal, and/or teacher).
- 1.4 The CEA may refuse to hear an appeal where:
 - a. The appeal has not been commenced within a reasonable time from the date the decision significantly affecting the student’s education, health, or safety was made
 - b. The student and/or guardian has refused or neglected to follow the appeal process.
 - c. The decision does not significantly affect the education, health, or safety of the student.

Reporting

- 2.1 Every appeal to the CEA must commence with a written notice of appeal, addressed and delivered to the Director of Education, which shall state:
 - The name and address of the student and/or parent or guardian bringing the appeal and, where the parent or guardian is initiating the appeal on behalf of the student, the name of the student;
 - The current placement of the student (i.e. school, grade, and homeroom teacher);
 - The decision, which is being appealed, and the date the student and/or parent or guardian bringing the appeal, was informed of the decision;
 - The reason for the appeal and the desired outcome.
 - Where an appeal decision has been made it will be final and the employee and his/her supervisor shall be notified.



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Resolution

- 3.1. Upon receipt of a notice of appeal, the Director of Education may direct the student and/or parent to discuss the decision under appeal with the employee, or any other appropriate personnel.
- 3.2. Where discussions directed under Section 3.1 do not resolve the appeal, the Education Director or designate will prepare a report for the CEA concerning the matter and will provide a copy to the student and/or parent bringing the appeal, and to any involved employees.
- 3.3. The CEA will invite written submissions from the student and/or parent or guardian bringing the appeal, and the employee shall have the opportunity to provide a written reply to any allegations contained in the appeal and the CEA may decide the appeal based upon the written submissions.
- 3.4. The CEA may also invite oral submissions from the parties, in which case the CEA will decide the appeal based on the oral and written submissions presented to it.
- 3.5. Where the CEA considers it necessary to receive oral submission, it shall set a time, date, and place for this purpose and shall give reasonable notice to the parties involved in the appeal.
- 3.6. The CEA may establish a committee(s) to investigate matters pertaining to an appeal and the committee shall report to the CEA on such matters and in the manner directed by the CEA. The CEA may, in its discretion, appoint senior officials, administration, teachers, or any other person the CEA considers appropriate as members of the committee, provided the individual is not subject to a conflict of interest.
- 3.7. The CEA may make any interim ruling it considers necessary, pending the disposition of the appeal.
- 3.8. The process will proceed in a timely manner.

Responsibilities

- 4.1. The decision-maker(s), whether it is the principal, director of education, or CEA, or a committee appointed by the CEA, are to act at all times in a manner that is fair, unbiased and open-minded.

Response

5.1. Students and parents shall not delay in submitting a Notice of Appeal and written submission-taking place thirty (30) days or greater past the date of the action may not receive consideration pending the nature of the matter and any applicable legislation. The CEA will:

- Communicate anticipated timelines and milestones to the students/parents/guardians and school officials;
- Endeavour to ensure timelines and milestone are adhered to;
- Not delay in rendering its final decisions;
- Promptly notify the student and/or parent or guardian bringing the appeal of its decision in writing;
- Promptly notify the employee(s) affected by the appeal decision.

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Dated at Fort Nelson, British Columbia on: October 24, 2019

Approved, Signed, Sealed and Delivered by the Chalo Independent School Society Community Education Authority (CEA).

Chair, Chrystal Fincaryk

Vice-Chair, Kyla Kotchea

Director, Santana Behn

Director, Coreen Loe

Director, Roberta Michel

Council Director, Theresa Fincaryk Sutherland