



# Policy

The Superintendent of Schools will not normally engage in the resolution process until Step 4 or 5.

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If a concern remains unresolved after Step 2, an individual or group may apply to have their complaint considered by The Board of Education.

The complainant must complete a Notice of Complaint or Appeal and present it to the Secretary Treasurer within 15 school days of being informed of the final decision at Step 2. If the complaint involves the Secretary Treasurer as a supervisor, or his/her decision, another District staff member will be designated.

The Notice of Complaint or Appeal shall state:

- a) the name and address of the complainant(s);
- b) the concern or decision which is in dispute;
- c) the name, address, and school placement of the any student involved (including, where appropriate, grade level and homeroom teacher);
- d) the date on which the complainant was informed of the final decision at Step 2;
- e) the name of the Board employee(s) who made the final decision at Step 2;
- f) the grounds for the complaint or appeal and the action requested or relief sought;
- g) a statement, if applicable, of the effect the decision in dispute has on the student's education, health or safety;
- h) a summary of the steps taken by the student and/or parent complainant to resolve the matter;
- i) whether the complainant wishes to present their complaint in person.

An employee of the Board may assist complainants in completing the Notice of Complaint or Appeal if requested.

The Secretary Treasurer (or designate) will:

- 1) Review the Notice for timeliness and completeness.
- 2) Communicate with the complainant and others on matters related to the Notice as needed.
- 3) Provide copies of the Notice to the employee whose decision is being questioned and to the complainant.

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At all times trustees hearing either a complaint or appeal will exercise independent judgment when deciding matters before them.

All participants will be informed that each is expected to behave respectfully and that retaliation in any form will not be tolerated.

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If the Board of Education finds that the issue involves a decision (or failure to make a decision) of an employee of the Board that significantly affects the education, health or safety of a student, then the issue will be considered an appeal and dealt with under the terms of this Appeal Procedure. ~

Examples of grounds for appeal include, but are not limited to, those listed in [the Appeals Regulation 24/08](#); [Section 11 of the School Act](#) and summarized as follows:

- exclusion from school
- suspension from school or from a program if none other is provided
- requirement to complete a program by distributed learning if there is space in the

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3. Where the Board considers it desirable to receive oral submissions, the Board shall set a mutually convenient time, date and place for this purpose and shall invite the appellant and Superintendent to present their evidence.

If either the Board or appellant wishes to have legal representation or have an audio record of the hearing, they must notify the other party at least 7 days prior to the hearing date.

District reports and supporting documents must be provided to the appellant no later than 96 hours before the meeting date and all documents that the appellant intends to rely on must be provided to the office of the Secretary Treasurer no later than 48 hours before the hearing date.

The unwillingness of one party to attend or present at a hearing will not negate the right of other parties to attend or present.

In person appeal hearings will be held as outlined in this Bylaw.

4. Where the Board decides to consider written presentations only, all parties will be informed of the meeting date and asked to submit their documents with the same timeline as for an oral hearing. The Secretary Treasurer will assemble documents and assist the Board

Adopted: 03 November 2008  
Revised: 05 May 2014

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If an ad hoc Complaint Committee is appointed it will convene within two weeks of its appointment. It will be composed of three trustees appointed by the Board Chairperson as voting members and be supported in its efforts by a district administrator and recording secretary. The first trustee appointed will chair the committee.

If a committee or alternate method is chosen to complete the complaint procedure, a report with recommendations will be presented by the committee for the Board's consideration and decision as to resolution of the issue. The Board will seek to resolve a complaint within 60 days of its submission. The parties will be notified in writing of the resolution and rationale as soon as possible thereafter.

Complaints addressed through the Step 5 Procedure are not subject to further appeal to the Superintendent of Achievement and the Board's decision is considered final. It is possible that in the process of hearing a complaint, it becomes evident that the matter should be considered through a Step 4 Appeal Procedure, in which case it will be referred back to the Board.

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No

Yes

No

Yes

No