

Hearings on Student Matters

Preamble

The Gwynne Valley Rural Academy Board is committed to fair and orderly processes in which to resolve disputes or concerns arising from its Student policies and the decisions made there under.

Parents and the student, if 16 years of age or older, have the right to appeal decisions which significantly affect the education of the student.

The Board expects that this policy will come into effect after the parent and/or student has followed the Academy's stated protocol for relating concerns, namely addressing concerns first with the teacher, where appropriate, then the Principal and ultimately the Superintendent

Guidelines

1. Appeals shall be heard by the Board. Directors of the Board who are in conflict of interest or who believe that their judgment is unduly biased (such that they shall not be able to make a fair decision), shall withdraw from the appeal process.
2. Appeals to the Board are made through the Secretary Treasurer, who will arrange for a hearing with the Board (or its appeal committee).
3. Appeals to the Board will be in writing, stating the basis for the appeal and will include a copy of the written decision giving rise to the appeal.
4. Appeals of decisions made by the Superintendent must be made within 30 days of the written decision provided to the parent or student.
5. The grounds for an appeal to the Board will include one of the following:
 - a. a decision affecting the education of a student,
 - b. a suspension of a student (if expulsion is being considered),
 - c. accuracy and completeness of a student record
 - d. a fee or cost levied on a parent for instructional supplies or materials, transportation, damage to school or personal property.
6. Board Appeal hearings will be held and a written decision rendered, stating reasons for the decision, within 10 days of receipt of the request for an appeal.
7. The appeal hearing will provide an opportunity for all parties to speak to the issue(s) in dispute and to present pertinent documents. The appeal process is designed so that disputing parties will not require legal counsel; however, a person making an appeal may choose to be represented by legal counsel. If any party is to be represented by legal counsel, all parties will be notified in advance of the hearing.
8. Hearings will proceed with the following steps in place:
 - a. All parties are present and consent to proceed.
 - b. Chair of the appeal hearing will introduce all parties, and begin by stating the

purpose of the hearing as follows,

The hearing will:

- i. ensure that all parties to the hearing understand the decision under review and the reason(s) for the review,
 - ii. provide an opportunity for both parties to make representation to support their position before the decision on appeal is made,
 - iii. provide opportunity for each party to respond to statements made by the other, and
 - iv. allow Board members to ask appropriate questions of clarification.
9. Board members will discuss the merits of the case in the absence of both parties, make a decision, advise both parties in writing of their decision and provide reason(s).
10. Where appropriate, the Board will inform both parties when the decision related to the matter being heard is appealable to the Minister of Education (pursuant to the Education Act S.43).

Legal Reference: The Education Act Sections.1, 37, 42, .43, 44