



Parent and Student

Appeal Guidebook

Parent and Student Appeals



The Board recognizes and respects the fact that parents (including guardians) and/or students may sometimes strongly disagree with decisions made by Board employees.

- The *School Act* of British Columbia gives parents and students (with the consent of their parents) the right to appeal certain decisions (or failures to make decisions) made by Board employees. This right of appeal applies to decisions which **significantly** affect the health, education, or welfare of a student.
- This purpose of this Guidebook is to provide parents and students with an overview of the procedure the Board has established for hearing these appeals
- For more detailed information regarding the Board's appeal procedure, and a copy of the Board's formal appeal Bylaw, please ask your school for a copy, or access it online at www.vsb.bc.ca under the links District Info and Parent/Families.
- Before beginning an appeal, parents and students are strongly encouraged to try to resolve the problem with the person or persons involved at the school level.

Types of decisions which can be Appealed

- The determination of whether a decision or a failure to make a decision 'significantly' affects a student's education, health or safety will be made on a case-by-case basis.
- The following types of decisions are **always** appealable under the formal appeals process:
 - a. disciplinary suspension from school for more than five (5) consecutive instructional days;
 - b. the transfer of a student from one school to another for disciplinary reasons;
 - c. the exclusion of a student from school for a health condition;
 - d. significant decisions regarding placement in an educational program (classroom or teacher preference issues would be included in this category **only** in exceptional circumstances);
 - e. grade promotion or graduation;
 - f. refusal to offer an education program to a non-graduated student sixteen (16) year of age or older.



How to file an Appeal

- To start an appeal, please complete the form entitled Notice of Appeal which is available at the school office, the District office or online at www.vsb.bc.ca under the link Parents/Families.
- The form will ask for basic information about the decision you want to challenge, the reasons why you feel the decision is wrong, and what you would like to happen.
- Normally, an appeal should be started within 30 days of the time you learned of the decision you would like to challenge.
- The Board is committed to providing open and equal access to the appeal process. The Board will make interpreters available if you have difficulty communicating in English.
- Should you require assistance at this or any other stage of the appeal process, you may wish to contact the Area Office at 604-713-4491.
- Once the form has been completed, please mail or deliver it to your school Principal.



The Appeal Process

There are two steps in the Board's appeal process.

Step 1

- After receiving your Notice of Appeal, the Principal will arrange a meeting which will be attended by you, the Principal, the Principal's supervisor (the Associate Superintendent responsible for your school) and possibly other employees of the Board who have been involved in the decision you are challenging.
- You will be told before the meeting which Board employees will attend the meeting. If you choose to have a representative or other support person(s) at the meeting, please let the school Principal know in advance.
- The purpose of the meeting is to try to resolve the appeal in an open and constructive manner.
- If agreement is reached, you will receive a letter summarizing the meeting, and outlining what was agreed to.
- If no agreement is reached, you will receive a written summary of the meeting which will outline the issue(s) in dispute, the reason why the decision was made, and the reason why you feel the decision was incorrect. You will have the opportunity to respond and to attach a statement to the summary if you feel it is inaccurate for any reason.
- You will then have the opportunity to pursue the appeal to Step 2. →



Step 2

- If the Step 1 meeting is not successful, parents can refer an appeal to Step 2 of the process, a hearing before the Board of Trustees.
- To refer a matter to Step 2, please contact (by phone, fax or e-mail) the Office of the Secretary-Treasurer and advise that you would like to pursue your appeal to Step 2.
- The Secretary-Treasurer will then advise you of the date which has been set for your appeal hearing and will send you and the trustees copies of all of the documents which are relevant to the appeal.
- At the hearing, both you and the Board employees involved will have a full opportunity to explain to the trustees the reasons for your appeal. You will be able to hear what is said by Board employees, and to respond.
- After hearing from everyone involved, the Board will make its decision in private. You will be notified in writing of the Board's decision, which is final, subject to a possible further right of appeal under the School Act.

FAQS

Q. What if I have a complaint about something I can't appeal under this process?

Even if something cannot be formally appealed, parents and students are encouraged to discuss issues openly with the employee or employees. If you are unable to resolve a concern at the school level, you may also contact the Associate Superintendent for your school through the Area Office at 604-713-4491.

Q. Do I need to hire a lawyer to represent me?

No. The Board is aware that some parents may not wish or be able to hire a lawyer. The Board hearing is not intended to be formal, and you will be given the chance to state your views with or without legal representation. Parents are entitled to attend meetings with a representative or with a support person or persons of their choosing.

Q. What if I am not comfortable understanding or expressing myself in English?

The Board is committed to providing open and equal access to the appeal process. The Board will make interpreters available to parents who have difficulty communicating in English in order to assist communication at meetings held pursuant to this policy.

The logo for the Vancouver Board of Education, consisting of the letters 'VSB' in a stylized, handwritten font.

Vancouver Board of Education
1580 West Broadway, Vancouver, BC V6J 5K8
Tel: 604-713-5000
www.vsb.bc.ca



THE BOARD OF EDUCATION OF
SCHOOL DISTRICT NO. 39 (VANCOUVER)

NOTICE OF APPEAL

Date: _____

This document is to be completed by the Parent/Guardian & Student and delivered to the School Principal.

Name: _____

Address: _____

Phone No.: _____

INFORMATION REGARDING THE STUDENT

Name: _____

Birth Date: _____

Address: _____

School: _____

VSB EMPLOYEE WHOSE DECISION (OR FAILURE TO MAKE A DECISION) IS BEING APPEALED

Name: _____

School/Worksite: _____

Position: _____

DECISION BEING APPEALED: Please state the decision that was made (or was not made) that significantly affects the education, health or safety of the student in question.

DATE YOU WERE INFORMED OF DECISION UNDER APPEAL _____

REMEDY: Please explain the remedy/solution you are seeking. _____

The personal information on this form is collected by School District No. 39 (Vancouver) under Section 11 of the School Act, and will be protected under the Freedom of Information and Protection of Privacy Act.

For information about the Appeal procedure please consult the Vancouver Board of Education's *Parent and Student Appeal Guidebook*.

The detailed *Section 11 Appeal Procedure Bylaw* (Bylaw 2i) is also available for review at http://www.vsb.bc.ca/districtinfo/Bylaws_i-Section_11.htm