

### **505.9 Appeals Concerning Student Matters**

#### **Policy**

Parents/guardians and students shall have the right to appeal a decision made by any Division employee that significantly affects the education of a student in accordance with section 42 of the Education Act. Prior to engaging in the formal appeal process, parents/guardians and student shall follow Policy 1003.1 *Channels of Communication and Disputes Resolution*.

#### **Regulations**

1. The appeal procedure will be made accessible through the Parent and Student Handbook, Division website, or other appropriate print or electronic form.
2. Parents/Guardians of a student, and in the case of a student 16 years of age or over, either a parent/guardian of the student or the student, have the right to appeal to the Board, a decision of the Superintendent. The Superintendent must advise the parents/guardian and/or the student of this right of appeal.
3. The appeal to the Board must be made within ten school operational days from the date that the individual was informed of the Superintendent's decision. The appeal must be filed in writing and must contain the name of the party filing the appeal, the date, the matter at hand, and the reason for the appeal.
4. The Board may establish one or more committees to carry out its responsibilities under this Policy.
5. Appeal procedures will follow Lethbridge School Division Procedure 505.9 *Appeals Concerning Student Matters*
6. The Board may make any decision that it considers appropriate in respect of the matter that is appealed to it in accordance with the *Education Act*.
7. After the Board has made its decision, the appellant and each person to whom an appeal has been made must be informed of the decision in writing forthwith. The appellant will be informed that the decision of the Board is final except those matters identified in Section 43(1) Request for review of the Minister of the *Education Act* which include:
  - 7.1 the provision of specialized supports and services to a student in accordance with section 11(4) of the *Education Act* or to a child enrolled in an early childhood services program
  - 7.2 the expulsion of a student, or
  - 7.3 access to and the accuracy or completeness of a student record,

With respect to these matters, a person may request, in writing that the Minister review decisions of the Board within 60 days of the date on which the parent/guardian or student is informed of the decision.

### References

Alberta Education Act: 11, 41, 42, 43, 44

Division Policies: 400.2.1 Employee Conflict of Interest; 501.3 School Attendance Areas; 502.3 Suspensions and Expulsions; 802.2 Student Fees, Fines and Charges; 605.1 Inclusive Learning Supports; 605.2 Inclusive Learning Supports – Out of Division Placements; 605.3 English As A Second Language; 605.4 Inclusive Learning Supports – Placement Appeals; 605.5 Inclusive Learning Supports - Early Childhood Services; 606.5 Home Education, Distance Learning; 609.3 Placement, Promotion and Retention; 608.6 Parent and Student Handbook; 1003.1 Channels of Communication and Disputes Resolution

Division Procedures: 505.9 Appeals Concerning Student Matters