

STUDENT APPEALS

FREQUENTLY ASKED QUESTIONS

WHAT CAN BE APPEALED TO THE BOARD?

Students or parents may appeal a decision to the Board which significantly impacts them. If a parent or caregiver, or a student 19 years of age or older, feels that a decision, lack of decision or action of a board employee has had a major effect on him or her, the *Schools Act, 1997* provides for a right of due process to make an appeal to the Board.

The Executive Committee acts in the place of the Board as a whole in all matters concerning student appeals.

Decisions of the Executive Committee regarding student appeals are final.

WHO CAN MAKE AN APPEAL?

A student appeal should be made in the name of a student. A parent or caregiver must initiate an appeal on behalf of a student, if the student is not 19 years of age. If 19 or older, the student can appeal on his/her own behalf. All appeals are to be in writing.

WHERE DOES THE STUDENT/PARENT SUBMIT AN APPEAL?

Appeals must follow the Student Appeals Policy established in the bylaws of the Board. The first step, prior to launching an appeal, is to discuss the matter with the person who made the decision (e.g. teacher). If a parent or student is not satisfied with the decision, s/he can appeal to the Principal.

If the Principal's decision is not satisfactory, that decision can be appealed to the Director of Education. However, parents/caregivers and students are strongly encouraged to discuss the matter with the Senior Education Officer (SEO) for the school, in a further attempt to resolve the matter before appealing to the Director. At any time in the appeal process, the SEO or Assistant Director of Education (Programs) may be involved in an attempt to find a solution.

An appeal to the Director of Education must be submitted in writing, using the NLESD Student Appeals Form. This is available at www.nlesd.ca.

If the parent or student is not satisfied with the decision of the Director, s/he can further appeal the decision to the *Executive Committee of the Board of Trustees for NLESD*. S/he will need to notify the Chair of the Board in writing (via the Office of the Director of Education) that they wish to appeal, and submit a copy of the completed NLESD Appeals Form, the response letter from the Director of Education, and any additional information they feel is necessary.

Office of the Director of Education
Newfoundland and Labrador English School District
Suite 601, Atlantic Place, 215 Water Street
St. John's, NL A1C 6C9
Fax: (709) 758-2706

WHAT IS THE DEADLINE FOR SUBMITTING AN APPEAL?

According to the *Schools Act, 1997*, an appeal must be commenced within 15 days from the date that an affected person is informed of the decision. So, if a parent/caregiver or student does not agree with the decision of a board employee, they will need to appeal the decision to the Principal within fifteen days of finding out about the decision. An appeal to the Director of Education must be submitted within fifteen days of finding out the decision of the Principal, and an appeal to the Board must be submitted within fifteen days of finding out the decision of the Director.

WHAT ARE THE TIMELINES FOR RESPONDING TO AN APPEAL?

Once an appeal is received, timelines for responding to it are short but do allow time for appropriate consideration of the appeal and decision leading to it. The principal and Director each must respond within 10 days of receiving an appeal.

When the Executive Committee receives an appeal, it may consider the written appeal and provide a decision (within 10 days), or it may decide to hold an appeals hearing. If the Executive Committee decides that an appeals hearing is necessary, the hearing will be held within seven days of receipt of the appeal (or at a time arranged by mutual consent between the Executive Committee and parent or student). Appeals hearings are not open to the public. A written decision will be provided within five days of the conclusion of the appeals hearing.