

## Level 2: Hearing with the Board of Education

- » Upon receiving your appeal at Level 2 the Board will set a date for considering your appeal. The Board can, at its discretion, decide whether an appeal will be considered on the basis of written submission or a hearing. The Board may also establish a schedule for the exchange of any written documents related to the appeal, usually 7 days before a hearing or the date that the Board will be considering an appeal by written submission.
- » Details about a Level 2 Hearing can be read in full at [www.vsb.bc.ca/district-bylaw/law-no-2-i-section-11-appeal-procedure](http://www.vsb.bc.ca/district-bylaw/law-no-2-i-section-11-appeal-procedure).
- » After the Board considers your appeal, you will be notified with written reasons for the Board's decision.
- » The Board's decision is final. If you are unsatisfied with the Board's decision you may appeal to the Superintendent of Achievement, Ministry of Education under Section 11.1 of the School Act.

To review the appeal procedure in full, please visit [www.vsb.bc.ca/district-bylaw/law-no-2-i-section-11-appeal-procedure](http://www.vsb.bc.ca/district-bylaw/law-no-2-i-section-11-appeal-procedure). If you have questions about the procedure, you may wish to contact the Office of the Superintendent at 604 713-5100 and we will be happy to assist you.

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

**A:** Even if something cannot be formally appealed, parents and students are encouraged to discuss issues openly with the employee or employees. Please refer to the *VSB Conflict Resolution Process for School Based Concerns* to guide you.

**Q:** Do I need to hire a lawyer to represent me?

**A:** No. 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?

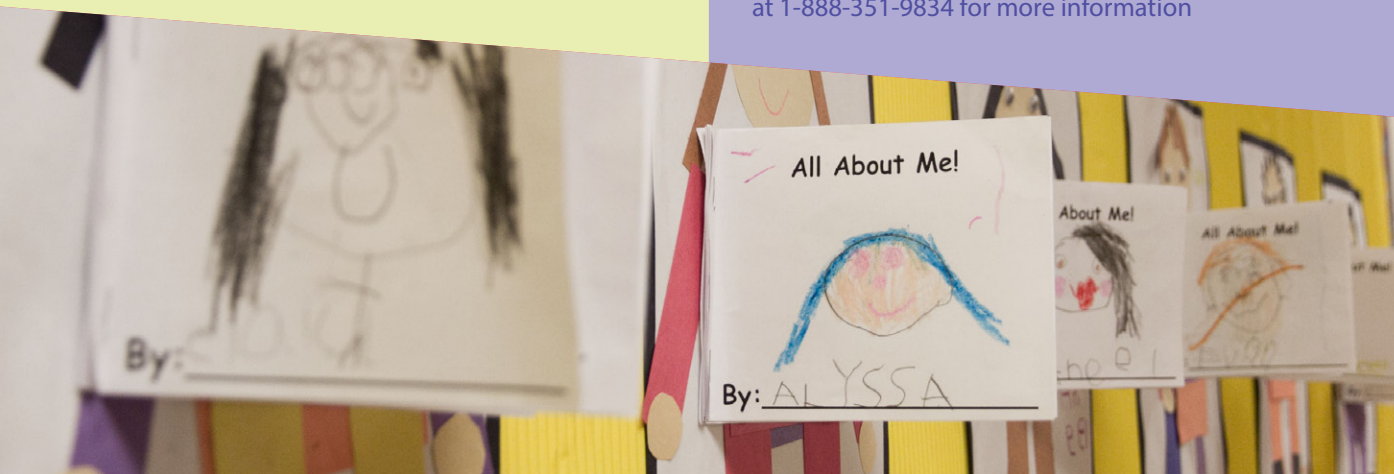
**A:** The Board is committed to providing open and equal access to the appeal process. The Board will make interpreters available to parents who have difficulty communicating in English in order to assist communication at meetings held pursuant to this policy.

The British Columbia Confederation of Parent Advisory Council (BCCPAC) provides resources to parents. Parents may find it helpful to consult *Speaking Up! A parent guide to advocating or students in public schools* at [www.bccpac.bc.ca/advocacyproject/resources.aspx](http://www.bccpac.bc.ca/advocacyproject/resources.aspx) or to contact BCCPAC Advocacy toll free message line at 1-888-351-9834 for more information



**VSB** Vancouver Board  
of Education

## Parent and Student Appeal Guide





## 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 purpose of this guide is to provide parents and students with an overview of the procedure the Board has established for hearing these appeals.

Before beginning an appeal, parents and students are strongly encouraged to resolve the problem with the person or persons involved at the school level. Parents can refer to the *VSB Conflict Resolution Process for School Based Concerns*, found online at [www.vsb.bc.ca/how-parents-can-solve-a-concern](http://www.vsb.bc.ca/how-parents-can-solve-a-concern).

## TYPES OF DECISIONS WHICH CAN BE APPEALED

- » The School Act of British Columbia gives parents and students (with the consent of their parents) the right to appeal certain decisions made by Board employees. This right of appeal applies to decisions which significantly affect the health, education, or welfare of a student.
- » 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 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) years 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 or online at [www.vsb.bc.ca/how-parents-can-solve-a-concern](http://www.vsb.bc.ca/how-parents-can-solve-a-concern).
- » Once the form has been completed, please forward it to your school Principal. The Principal will forward your appeal to the Associate Superintendent, or you may deliver it to the Associate Superintendent directly at the School Board office.
- » An appeal should be started within 30 days of the time you learned of the decision you would like to challenge.

## THE APPEAL PROCESS

- » Upon receiving your appeal, the Associate Superintendent will review it to ensure the issue relates to a specific decision made by a Board employee that significantly affects the education, health or safety of a student.
- » If the Associate Superintendent has concerns with the appeal, it will be forwarded to the Superintendent of Schools for review. This is explained in detail in Board Bylaw 2: [www.vsb.bc.ca/district-bylaw/law-no-2-i-section-11-appeal-procedure](http://www.vsb.bc.ca/district-bylaw/law-no-2-i-section-11-appeal-procedure)
- » Normally appeals will proceed directly to a Level 1 Dispute Resolution Meeting without the involvement of the Superintendent of Schools.

### Level 1: Dispute Resolution Meeting

- » The Level 1 Dispute Resolution Meeting is organized and chaired by the Associate Superintendent, and attended by the person bringing the appeal (you), the employee whose decision is under appeal, and any other employee who has had prior involvement in the decision being appealed, or special expertise in the subject matter.
- » Usually appeal meetings include the Principal of your school, and the Principal's supervisor (Director of Instruction). A parent or student bringing an appeal may be accompanied by a person of their choosing.
- » The role of the Associate Superintendent is to listen carefully to both sides of the appeal (yours and the schools) and make a decision about the appeal. You will receive the Associate Superintendent's decision in writing.
- » If you do not agree with the decision made by the Associate Superintendent, you will then have the opportunity to pursue your appeal to a Level 2, hearing with the Board of Education.

