

## **POLICY 200.8-**

### **CONFLICT RESOLUTION PROCESS FOR STUDENTS, PARENTS AND HOMESCHOOLS**

SD73BC recognizes that, from time to time, concerns regarding SD73BC decisions and/or operations will arise. SD73BC believes that complaints concerning specific staff members, programs and/or procedures should be dealt with only after the usual channels of communication and problem solving have been attempted. SD73BC also places trust in its staff and desires to support their actions in a manner that is free from unnecessary or unwarranted criticism and complaints.

The conflict resolution process ensures that any individual's concern will be given respectful attention, while upholding the integrity of SD73BC. Complaints, questions or expressions of concern should be dealt with in a manner that reflects mutual respect and the principles of fair process, ultimately leading to a resolution. Procedures for dealing with such situations should ensure that: complaints are handled as near to the source as possible; complaints are investigated and resolved expeditiously; complaints are dealt with in a courteous and constructive manner; and staff against whom complaints are made have an opportunity to respond.

Some areas that may raise concerns relate to the assignment of students to classes and/or courses, assessment practices, student discipline and/or exclusion from an educational program.

#### **Procedures**

1. Step 1: Initial Contact
  - 1.1 The Director will direct the complainant to discuss their concern with the SD73BC staff person involved.
  - 1.2 The Director will ask both parties to define the concern, clarify the issues, develop an appreciation and understanding of each other's viewpoint and attempt to resolve the concern.
  - 1.3 If there is no resolution, the Director will proceed to Step 2.
2. Step 2: Facilitated Contact
  - 2.1 The Director will meet with the complainant
  - 2.2 At the meeting, the Director will gather information, attempt to resolve the concern, document the information by written record of the complaint and possible solutions, and attempt to resolve the concern.
3. Step 3: Vice-President Contact
  - 3.1 The Director will ask the complainant to contact the Vice-President of SD73BC.

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- 3.2 The Director will contact and forward all documentation to the Vice-President, with recommendations for resolution.
  - 3.3 The Vice-President will review all information relevant to the concern and will contact the complainant, attempt to resolve the concern and inform all parties involved.
  - 3.4 If there is no resolution, the Vice-President will proceed to Step 4.
4. Step 4: Appeal to the President
- 4.1 Upon following steps 1 through 3, an individual who wishes to appeal to the President of SD73BC a decision or action made by an SD73BC staff member that significantly affects the education, health or safety of a student may do so in writing, following the procedure outlined in SD73BC Policy 200.8.

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### **APPEAL PROCESS FOR LEARNERS AND PARENTS/GUARDIANS/HOMESCHOOL**

1. A student entitled to participation in an educational program in School District No.73 Business Company (SD73BC) or his/her parent/guardian and homeschool, may appeal a decision of an employee if such decision significantly affects the education, health, or safety of the student. If a student under the age of 19 years initiates the appeal, a copy of the appeal will be sent to his/her parent/guardian. This appeal process will apply only after Steps 1 through 3 of Policy 200.8 (Conflict Resolution Process for Students, Parents and Homeschools) have been followed, and the appeal addresses a decision or action listed in 1.1 through 1.3 below.
  - 1.1. Expulsion from the distributed learning courses or program.
  - 1.2. Suspension from distributed learning courses or program.
  - 1.3. Bullying behaviours, including intimidation, harassment, or threats of violence by a student against another student.

#### 2. Appeal Procedure

Every appeal to the President must be initiated by a written Notice of Appeal directed to the President (with copies to the employee whose decision is the subject of the appeal and the Vice-President and Director of SD73BC).

#### 3. The Notice of Appeal shall state:

- 3.1. The name, address, and home school placement of the student (including, where appropriate, the student grade level, course and teacher)
- 3.2. The name and address of the person(s) making the appeal.
- 3.3. The decision which is being appealed.
- 3.4. The date on which the student, homeschool and/or parent or guardian bringing the appeal were informed of the decision.
- 3.5. The grounds for the appeal.
- 3.6. Summary of the steps taken by the student, homeschool and/or parent or guardian/homeschool to resolve the matter.

#### 4. Action of the President

- 4.1. Upon receipt of a Notice of Appeal, the President must provide a copy of the Notice of Appeal to the SD73BC staff member whose decision is the subject of the appeal and must invite a written response from the staff member and from the Director. The Vice-President must prepare a report concerning the matter and must provide a copy of this report to the student, homeschool and/or parent or guardian bringing the appeal, the staff member whose decision is the subject of the appeal, the Director and the President. The President must consider an appeal only after the Vice- President has determined that efforts have been made to resolve the matter in question through the conflict resolution process as outlined in Section 1.
- 4.2. The Notice of Appeal must be initiated in a timely manner. The President will invite written submissions from the student, homeschool and/or parent or guardian bringing the appeal and may decide the appeal based on the written submissions. The President may invite oral submissions from the appellant, the staff member whose decision is the subject of the appeal and the Director; or take any other steps deemed desirable or necessary. Where the President considers it desirable to receive oral submissions, they shall set a time, date and place for this purpose and shall give notice to all parties concerned. At any time during the appeal process, the appellant is entitled to be accompanied by a parent, advocate, support person or interpreter/translator. Appellants must inform the President at least two days prior to the appeal being heard.
- 4.3. Appellants may choose to make their appeal in writing only. In such instances the appellants must be given copies of any written information to the President in reaching a decision and must be given an opportunity to reply to any such written information.
- 4.4. The President must decide the appeal based on the oral and/or written submissions and reports presented to it.
- 4.5. The President may make any interim decision it considers necessary pending the disposition of the appeal.
- 4.6. The President may request the Vice-President or Director to investigate matters pertaining to appeals and to make recommendations on whether an appeal should be heard. In such circumstances, the President must prepare a written report and must provide a copy to the appellant and to the staff member involved.
- 4.7. The President must make a decision within forty-five (45) days of the date on which the appeal was received, and shall make the decision as soon as practicable after all the information is gathered and shall promptly notify, in

writing, the appellant, the staff member involved, and the Vice-President and the Director.

- 4.8. The President may refuse to hear an appeal where:
- a. the appeal has not been initiated within a reasonable time from the date the decision affecting the student's education, health or safety was made; or
  - b. the appellant has refused or neglected to take the initial steps set out in Section 1 and 2.
  - c. President determines that the decision does not significantly affect the student's education, health, or safety

## 5. Procedure for Hearing Appeals

- 5.1. The President will ensure that all parties concerned have received written information pertinent to the appeal prior to the appeal being heard.
- 5.2. At the end of the appellant's submissions, the President may ask questions to clarify the appellant's position.
- 5.3. President will then listen to the Vice-President or Director without interruption as he/she presents his/her submissions.
- 5.4. The President will then decide whether to uphold or set aside the decision of the Vice-President or Director.
- 5.5. The decision must be communicated in writing by the President to the student, his/her parent/guardian, the homeschool, the staff member, Vice-President, and Director.