

APPEALS AND HEARINGS REGARDING STUDENT MATTERS

The Board of Education retains the responsibility to serve as the final level of internal appeal on all matters.

Suspension and Expulsion of a Student

The Board makes provisions under which disciplinary actions ensure expeditious investigation and treatment of problems.

Specifically,

1. Where the Director of Education confirms or modifies a student suspension of 4 to 10 days duration, the Director of Education shall forthwith report such suspensions to the Board in writing.
2. The Board may investigate the circumstances of the suspension submitted to it and, where it does investigate, it shall conclude the investigation before the end of the period of suspension ordered.
3. Where the Director of Education recommends an extension of the suspension beyond ten days, the Director of Education will refer the matter to the Board.
4. The Board shall:
 - 4.1. Investigate the suspension;
 - 4.2. Be authorized to suspend a student for up to one year;
 - 4.3. Give notice of every investigation to the student and his or her parent or guardian;
 - 4.4. Provide an opportunity for the student and his or her parent or guardian to appear

Student Program Placement for Students with Intensive Needs

The Board recognizes the right of a student or the parents/guardians of that student to request a review of a decision related to designation, placement and program in accordance with provisions outlined in *The Education Act, 1995* and associated Regulations.

1. A student who has reached 18 years of age, or the parents/guardians of a student with intensive needs shall have access to a review process in the event he/she disagrees with:
 - 1.1. The designation of the student or the failure to designate the student as having intensive needs;
 - 1.2. The placement of the student;
 - 1.3. The program provided to the student.
2. The right to a review is limited to decisions with educational or developmental implications for the student. The right for review does not apply where the disagreement with respect to the placement of the student is based on:
 - 2.1. Parental preference as to the location of the delivery of the program;
 - 2.2. Parental convenience;
 - 2.3. Other factors unrelated to the impact of the location of the educational instruction on the student's education and development;
 - 2.4. Location within an educational institution;
 - 2.5. Any other reason that relates to or is similar in nature to those listed in clauses 2.1 to 2.4; or
 - 2.6. An allegation of discrimination pursuant to the Human Rights Code or the Canadian Charter of Rights and Freedoms.
3. At any stage of the review the student or the parents/ guardians of the student may choose to be accompanied by a friend, or other person of their choice.
4. The Director of Education may make any interim decision he/she considers necessary pending the decision of the review. During the appeal and review period, the parents have the right to either have their child exempted from school or have him/her remain in the initial placement until the dispute is settled.
5. The Division will attempt to make every effort to resolve a designation, placement and/or program decision in a manner amicable to the student, parents/guardians and the Division. The following steps outline the initial action that is required prior to requesting a formal review process:
 - 5.1. The student or parents/guardians shall discuss the decision in question with the teacher(s) and the in-school administration;
 - 5.2. If there is no resolution, the student or parents/guardians shall request that the Director of Education review the designation, placement or program decision;
 - 5.3. If there is no resolution, the Director of Education shall inform the student or parents/guardians of the procedures necessary for initiating a formal review process.
6. The following steps outline the process required to initiate a formal review process:
 - 6.1. The request for a formal review shall be in writing directed to the Director of Education, and shall set out the reasons for disagreement with a designation, placement or program decision.

- 6.2. Within five school days of receiving the request for a formal review of a decision, the Director of Education shall respond in writing to the individual(s) outlining:
 - 6.2.1. The steps in the formal review process,
 - 6.2.2. The procedure used to establish the Review Committee, and
 - 6.2.3. The anticipated timeline of the formal review process.
- 6.3. The Director of Education shall notify the Division personnel involved in the decision of the request for review and shall provide them with information concerning the circumstances of the review, including a copy of the written request for review.

7. The Review Committee shall be composed of three members. The Director of Education shall name a member to the Review Committee. The student or parents/guardians may choose a member from a list provided by the Director of Education of at least four people who have not been involved in the original decision and who are external to the Division. In the event there exists a difficulty attaining a mutually acceptable individual, the student or parents/guardians must have the opportunity to name a person acceptable. The Director of Education and the student or parents/guardians must name a mutually acceptable Committee Chair. The process of bringing forward names will continue until the third person can be selected.

The members of the Review Committee shall have appropriate levels of expertise and experience in educational programming and administration of services for students with intensive needs.

8. The appointment of the Review Committee representatives will be made within ten (10) days of the initiation

Reference: *The Education Act, 1995* Sections 5, 148, 150, 151, 152, 153, 154, 155, 158, 178, 231, 370
The Education Regulations, 2015 Sections 48, 50, 52, 54, 55, 56
The Saskatchewan Human Rights Code
Canadian Charter of Rights and Freedoms

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