



MAJOR COMPLAINTS AND APPEALS FROM STUDENTS AND THEIR PARENTS

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Rationale

In order that all concerns can be given respectful attention a process is required that provides clear procedures for addressing these concerns in a fair manner.

The regulations provide a process that can be communicated to all members of the school community and others who may have concerns about the school, its employees, students or parents.

Definitions:

Days – days for the purpose of this policy refers to days the school is in session.

Witness means a person with first-hand knowledge of the event leading to a suspension, indefinite suspension and/or recommendation for expulsion.

Appealable Decision with regard to students - a decision that is deemed to significantly affect the education, health or safety of a student:

- a) disciplinary suspension from school for a period in excess of five (5) consecutive days;
- b) suspension from school for a health condition;
- c) grade promotion or graduation;
- d) any other decision that significantly impacts the present or future educational program of the student.

Policy

Concerns of individuals and/or groups will be addressed in a spirit that reflects the philosophy of the Catholic Independent Schools of the Diocese of Victoria (CISDV). Those concerned will try to resolve the issue in a Christian manner respecting each other's point of view. The attendant regulation to this policy provides steps to be taken if an agreeable solution cannot be achieved at a particular level.



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COMPLAINTS FROM NON-EMPLOYEES (STUDENTS AND PARENTS)

REGULATIONS

Complaints Related to Decisions made by School Personnel

A parent/guardian who has a concern regarding any educational matter **which significantly affects the education, health, or safety of the student** has the responsibility to begin addressing the concern directly with the person(s) with whom the concern lies before taking the concern elsewhere.

The Board's expectation is that prior to utilizing this policy, students and their parents/guardians will have tried to resolve the issues in dispute in a constructive manner with those responsible at the school or program level.

The Board of Director's expectation is that appeals will be initiated within seven (7) days of the date that the parent/guardian or student was informed of the decision, unless the parent/guardian/student can demonstrate that there are reasonable grounds to extend this deadline (e.g. the parent/guardian/student have been involved in discussions to resolve the issue which is the subject of the appeal).

An appeal or major complaint where the desired outcome has financial implications should be forwarded to the Board of Directors for review.

Begin at step 3 if:

- **If the complaint relates to decisions made by the Principal versus another school employee, OR**
- **If the decision relates to an indefinite suspension or recommendation for expulsion.**

1. Step One: If no agreeable solution is achieved, the complainant may commence an appeal by submitting a written Notice of Appeal form to the school Principal together with any relevant written material. Upon receipt of a completed Notice of Appeal, the Principal will, as soon as practicable,



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- arrange a meeting with the person initiating the appeal. The Board's expectation is that appeals will be initiated within seven (7) days of the date that the parent or student was informed of the decision, unless the parent/student can demonstrate that there are reasonable grounds to extend this deadline (e.g. the parent/student have been involved in discussions to resolve the issue which is the subject of the appeal).
2. Step Two: The school Principal will gather any relevant information about the concern and meet with both parties.
At this meeting the Principal will:
- review all available information
 - refer to any relevant school or CISDV policies
 - document the proceeding
 - assist the parties to reach an agreeable solution
- OR
- adjourn the meeting and seek further consultation.

After considering all the relevant information and if no agreeable solution is reached, the Principal will make a decision in regards to the complaint. This decision is to be conveyed to both parties orally and in writing, notifying the complainants of their right to appeal to the Local School Council within 7 days of receiving their decision.

3. Step Three:
This step may be used when:
- If the complainant is not satisfied with the decision of the Principal,
OR
 - If the parents/guardians are applying for reinstatement from a decision regarding an indefinite suspension and/or recommendation for expulsion.

Parent/guardian may within 7 days of receiving the decision of the Principal may appeal in writing to the Local School Council (LSC). Use the Application for Appeal Form (315A Form).



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This appeal is to be sent directly to the Chair of the LSC. Once received, the LSC will notify the Principal an appeal has been filed. All communication and arrangements regarding the appeal will be made by the Chair or designate of the LSC.

LSC who will:

- review the available information
- form a sub-committee (called LSC Committee) who will meet with both parties to:
 - review available information
 - document the proceedings
 - refer to any additional school or CISDV policies in addition to the ones identified by the complainant and/or principal that are relevant to the appeal
 - listen to presentations and responses from both sides
 - seek an agreeable solution or if this is not possible, to make a final decision in regard to the appeal and/or application for reinstatement.

The procedure to be followed in conducting the hearing is as follows:

- 1.4.1 Persons Present: At least three members of LSC, Designated Pastor, School Counsellor and/or staff member (if applicable), Principal, Parents/Legal Guardians, and Student(s). NOTE: Student attendance is optional depending of age, maturity and situation for the student.
- 1.4.2 The Committee will review school or CISDV policies relevant to the appeal prior to the meeting.
- 1.4.3 The chairperson or a designated member of the Local School Council will chair the meeting;
- 1.4.4 The chairperson will provide an overview of process for the appeal and/or request for reinstatement.
- 1.4.5 Principal will give his/her report on the issue(s) which precipitated the decision under appeal. *If the appeal is based on a decision made by a*



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school employee other than the principal, he/she shall also provide a report on the issue.

- 1.4.6 Parents/guardians and student will be provided the opportunity to question contents of Principal's and/or employee's report.
- 1.4.7 LSC Committee members, parents/guardians and student may ask questions of the Principal and/or employee.
- 1.4.8 LSC Committee members, principal, and/or employee may question the student and/or parents/guardians.
- 1.4.9 Parents/guardians with student may talk with the LSC Committee alone, without the Principal and/or employee present.
- 1.4.10 Principal and/or employee may talk to the LSC Committee without the parents/guardians and/or student present.
- 1.4.11 Parent/guardians and/or LSC Committee members may then ask the student to leave to talk with parents/guardians alone.
- 1.4.12 LSC Committee may determine the need to speak to witnesses of the event leading to the decision under appeal.
- 1.4.13 LSC Committee, Principal, and/or parents/guardians and student reconvene for final comments.
- 1.4.14 Parents/guardians, student and principal are thanked and dismissed.
- 1.4.15 LSC Committee may make a recommendation of solution to both parties. If the parties are not agreeable with the suggested solution, the LCS Committee will make a final decision on the appeal.
- 1.4.16 After considering all the relevant information and if no agreeable solution is reached, the Local School Council will make a final decision in regards to the complaint or application for reinstatement. This decision is to be conveyed to all parties orally and in writing, notifying the parents/guardians of their right to appeal to the Board of Directors within 7 days of receiving their decision.
- 1.4.17 The decision of the LSC Committee is communicated at the next regular meeting of Council (in camera).



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4. Step Four:

If the complainants files an appeal within 7 days, the Board of Directors will form a sub-committee of a minimum of 2 members and the Superintendent of Schools. They will gather all relevant information and if they deem it necessary invite presenters from both sides. The sub-committee will:

- reach a decision and inform both parties in writing
- notify the complainants of their right to appeal within 7 days of receiving the decision of the Board of Directors to the Ombudsperson appointed for the Catholic Independent Schools on Vancouver Island.

The complainants will be informed that the role of the Ombudsperson is to determine if the processes used have been fair and impartial, not to substitute his/her judgment for that of the Board of Directors.

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| Reference: | Date Approved: November 2001 |
| | Date(s) Revised: November 2008; Sept. 2009; Sept.2012; Dec 2013; January 28, 2020 |
| Cross-reference: | |



**CATHOLIC INDEPENDENT SCHOOLS OF THE DICOESE OF VICTORIA
1-4044 NELTHORPE STREET, VICTORIA, BC, V8X 2A1**

**Application for Appeal
(including any Request for Reinstatement from an Indefinite Suspension and/or
Recommendation for Expulsion)**

1. Information about the person bringing the appeal or application for reinstatement:

Name: Parent / Guardian

First:

Last:

Address including Postal Code:

Home/cell phone:

Work phone:

Student Information:

First:

Last:

Student Date of Birth (year/month/day):

Grade:

2. Please list the employee(s) who were involved the decision that is being appealed:

Employee Name:

Employee Position:

3. State the decision:

4. Please provide information about the decision being appealed:

5. Give Reasons for appealing the decision including any policies you deem relevant to the situation:

6. Suggest a solution that would satisfy you:

Signature of the Parent / Guardian:

Date: