

Department: Governance**Code:** GOV001**Topic:** Appeal Policy**Approval Date:** August 31, 2025**Approval Authority:** Board of Directors**Effective Date:** September 2025**Next Review:** 2027

Purpose/Introduction

Section 42 of Alberta's Education Act requires that school boards, including boards of accredited-funded private schools, establish procedures which enable a student and/or parent (guardian) of a student to appeal a decision made by a school employee that significantly affects the education of a student. This policy establishes such procedures in compliance with the Education Act. For reference, section 42(1) reads as follows:

“(2) Where a decision that significantly affects the education of a student or of a child enrolled in an early childhood services program operated by the board is made by an employee of the board or an employee authorized by the board under section 52(1) to make a decision,

(a) a parent of the student or child, and

(b) in the case of a student who is 16 years of age or older, either a parent of the student or the student, may appeal that decision to the board within a reasonable time from the date that the parent or student was informed of the decision.”

The Education Act and this Policy give a student and/or a parent the right of appeal. The Board strictly prohibits and will not tolerate any form of reprisal, retaliation, or adverse action against a student, parent, or employee because of the initiation, process or outcome of an appeal. Any allegations of such reprisal must be reported immediately to the Board Chair for investigation and appropriate action. Any such reprisal will be subject to disciplinary action by the school.

For greater certainty, the Appeal Committee appointed by the Board will only hear appeals where the decision in question has a significant adverse impact on the student's education and where such impact cannot be justified based on exceptional costs or disproportionate allocation of school resources. Examples may include, but are not limited to: denial of access to a program, long-term suspension or withdrawal of specialized supports, or failure to accommodate diagnosed learning

needs. The appeal process is not intended to be used for matters such as basic disciplinary actions or grades received by students and the Appeal Committee will not entertain such appeals except in exceptional circumstances, such as the disciplinary suspension from school for a period in excess of five consecutive school days. The Appeal Committee may decline to hear an appeal if it clearly falls outside the scope of this policy, is frivolous or vexatious, or does not meet the submission criteria.

Policy Statement

The Board requires that concerns or complaints regarding a student's education first be addressed at the level at which the original decision was made, as specified in the school handbook. All parties must make reasonable efforts to resolve differences through the established informal resolution process prior to initiating a formal appeal. If the disagreement cannot be resolved at the level where the decision was made and the student and/or parents believe that a decision of an employee of the Lycée International de Calgary significantly adversely affects the education of the student, the student and/or parent may, within

fifteen (15) calendar days from the date of receiving written notice of the decision, appeal that decision in accordance with the provision of this policy.

The student or parent/guardian has the burden to show that the decision made by a school employee significantly adversely affects the education of the student. Failure of the student or parent/guardian to meet this burden of proof or comply with the procedure listed below will result in denial of the appeal.

Procedures

1. Prior to a matter being referred to the Board for consideration pursuant to this Policy, a student and/or parent must make a reasonable effort to discuss and resolve the concern through the normal communication channels with the teacher or administration concerned, as specified in the school handbook. As part of this Policy, the Head of School and, if requested by the Head of School, a Board Member, will make themselves available for confidential meetings with the student, parent or guardian to assist in resolving the issue at hand. Further Board involvement will not occur until after a meeting with the Head of School has taken place and all parties agree that a resolution could not be found. This appeal process is intended to be used only when all other avenues have failed to yield a resolution.

A committee of the board composed of three directors chosen at random from the full board, excluding the Chairman of the Board and any directors who have a conflict of interest or prior

involvement with the matter under appeal (the “Appeal Committee”), shall hear the appeal. The Appeal Committee shall establish and communicate clear criteria for determining whether to hear oral submissions or rely entirely on written materials, with such determination to be made in accordance with principles of procedural fairness.

2. Students and parents shall be made aware of the appeal policy and related forms, which shall be made readily available, including the time constraints for filing an appeal. The appeal process shall be as user friendly as possible and any forms shall be easy to access and complete. In order to use the appeal process, the student or parent / guardian must complete the submission form below along with any other written supporting evidence and submit it in a sealed envelope marked to the attention of the Chairman of the Board of Directors to the school office. Upon receipt the Chairman will select Appeal Committee members at random, and the Appeal Committee will make the determination set out in paragraph 3.

3. The Appeal Committee shall review and consider an appeal where the appellant demonstrates that the decision being appealed meets all of the following criteria:

- (i) a decision of an employee of the school; and
- (ii) that the decision significantly affects the education of a student; and
- (iii) that the appeal has been filed in accordance with the timeline and process set out herein.

The student and/or parent must fill out the proper appeal form and submit it to the Board Chair through the school office. The Appeal Committee will contact the student and/or parent/ guardian once the appeal process has been initiated.

4. All parties shall maintain strict confidentiality regarding the appeal proceedings. The student and/or parent appealing the decision shall have the right to present all relevant information and evidence in writing to the Appeal Committee. The Appeal Committee shall provide written acknowledgment of all submissions and give them full and fair consideration in reaching its decision.

5. The employee of the school or Head of School shall provide the Appeal Committee with all relevant background information on the student and a comprehensive written report detailing the circumstances being appealed, including all supporting documentation and any witness statements.

6. Upon accepting an appeal, the Appeal Committee shall meet in-camera within ten (10) business days to consider the appeal, unless otherwise agreed in writing by all parties. The

Appeal Committee shall have the authority to uphold, amend, or overturn the initial decision. The Appeal Committee must issue its decision within the timeframes specified in this policy.

7. The Appeal Committee will prepare and deliver a written decision with reasons within five (5) school days of hearing the appeal. The decision of the Appeal Committee shall be final and binding, subject only to judicial review where permitted by law.

Policy Review

Past Review Dates: June 15, 2021 and September [x], 2025

Related Policies/References

ACA001 - School Handbook

ACA013 - Suspension and Expulsion Policy _061521

Student and/or Parent/Guardian Appeal form

STUDENT AND/OR PARENT/GUARDIAN APPEAL FORM

Student's Name: _____ Date of Birth: _____

Student's Grade: _____ Teacher: _____

Parent/Guardian Name: _____

Address: _____

Telephone Number - Cell: _____ Home: _____ Work: _____

Email: _____

Please identify the specific decision of a school employee that significantly affects your child's education, including the date of the decision and any documentation provided.

Please provide the: (1) exact date you were informed of the decision; (2) name and position of the person who informed you; and (3) method by which you were informed (e.g., written notice, email, verbal communication). If written notice was provided, please include a copy.

Please provide the full name, title, and school/department of the employee who made the decision being appealed.

What steps have you taken to discuss the matter directly with the person who made the decision?

Following discussions with the person who made the decision, what steps have been taken to discuss the matter with the Head of School?

Please describe the specific grounds for your appeal to the Board. Include: (1) How has the decision significantly affected your child's education? (2) Which specific rights, policies, or procedures do you believe were violated? (3) What evidence supports your position?

What specific remedy are you requesting from the Board? Please describe the precise outcome or decision you are seeking, including any specific actions you want the Board to take.

Printed name of the Person appealing

Signature of the Person appealing

Date
