

Authority: FOOTPRINTS FOR LEARNING SOCIETY
School: FOOTPRINTS FOR LEARNING CHARTER ACADEMY

Last Updated: July 17, 2024

HOLISTIC AUTHENTIC PURPOSE DRIVEN ENTREPRENEURIAL GLOBAL

APPEAL PROCESS

References Section 3,7,11,17,18,19,20,36,37,52,196,197,222 Education Act Education Act Regulation 97/2019

Effective communication amongst all Footprints for Learning Charter Academy (FLCA) stakeholders is foundational to achieving the FLCA mission, vision, and values. This policy provides principles and processes by which individuals should work together within FLCA to seek clarity, offer suggestions, or resolve issues that may arise.

In accordance with the principles of fundamental considerations for each learner, due process and section 42 of the Education Act, FLCA provides for an appeal process for parents and for students over the age of sixteen (16) years to review any decision of any staff member that significantly affects the education of the student concerned. To ensure that student evaluation procedures followed in a school have been fair, a student shall have the right to appeal their final standings and their promotion or retention in any subject or grade. The right of appeal may be exercised by parent or guardian acting on a student's behalf. Effective communication to a parent and/or a student sixteen (16) years of age or older regarding the right to appeal and the appeal process is essential.

1 | Purpose, The purpose of this Administrative Regulation is: To provide a fair and timely process by which parents and students can seek a review of a decision that significantly affects the education of a student. To ensure parents and students are aware of their right to appeal a decision made by a FLCA employee that significantly affects the education of the student as provided by section 123(2) of the Education Act.

2 | Principles, The following principles apply: FLCA employees are responsible to make informed decisions with respect to all student matters and to communicate such decisions to parents and students 16 years of age and older. Disputes are best handled at the school level. The best resolutions to concerns come from staff and parents working together. FLCA strongly encourages parents and students to work together with teachers and with school administration and FLCA administration to resolve concerns and complaints in an open and constructive manner prior to and during the appeal process.

Generally, when addressing questions, suggestions or concerns, individuals are encouraged to:

1. Focus on achieving a positive outcome. Resolving issues or reaching an agreement often includes a compromise by all people involved. The best solutions come from parents, students, and employees working together.

2. Assume that everyone has positive intentions and is doing their best.
3. Be specific; describe the problem and identify the underlying concern.
4. Be practical; make suggestions; actively seek resolution.
5. Respect everyone's right to privacy and confidentiality; questions, suggestions, and concerns should be brought up in private and not in the presence of students, parents, or employees other than those directly related to the issue.

3 | Initial Communication, The following steps should be followed when bringing forth any questions, concerns, or suggestions within FLCA:

1. Any person with a question, concern or suggestion is entitled, but not required, to communicate the issue directly to the employee(s) involved (initial contact).
 - 1.1. The preferred form of contact is email.
 - 1.2. For time-sensitive issues, the preferred form of contact is by phone to the main campus number.
2. FLCA employees will respond to questions, concerns, or suggestions within five operational school days of receiving the communication. Where they are unable to do so for a valid reason, they shall respond as soon as is practicable.
3. If a resolution is not reached through dialogue or email communication with the initial contact, then the individual with the question, concern, or suggestion may be directed to that employee's supervisor (follow-up contact) – see list below.

4 | Second Level Communication, The issue of concern is to be brought forward within ten (10) days in writing to each level of communication for resolution as applicable to the context, and in its order:

- a. The Teacher, to:
- b. The Principal, to;
- c. The Superintendent, to:
- d. The Board.

5 | Notification, Should a formal dispute mechanism be required where the parent determines a need to appeal the decision being made, The Notice of Appeal must contain the following information:

- a. the name and address of the parent or student filing the appeal;
- b. the current placement of the student;
- c. the decision which is being appealed;
- d. the date the parent or student was informed of the decision;
- e. where the decision was communicated in writing, a copy of the decision;
- f. the grounds for appeal (the policy, procedure, rules, regulation, and/or criteria on which the appeal is being made).

6 | Formal Appeal Process, Where a Notice of Appeal meets the criteria for a Formal Appeal: The Office of the Superintendent shall provide a copy of the Notice of Appeal to FLCA Board and Principals.

Decision Process:

- The Superintendent or delegate may decide the matter based upon written submissions.

- The Superintendent or delegate may invite oral submissions, in which case, he or she may decide the matter based on written and/or oral submissions.
- The Superintendent or delegate shall notify the parent or student if it is necessary for the person to provide documentation and/or to make written submissions on the matter.
- The Superintendent or delegate will set out timelines for the person to provide documents or written submissions.
- FLCA administration shall prepare a report to be considered on appeal.
- The report shall be in writing and distributed to the parent or student appealing the decision within the timelines set by the Superintendent or delegate.
- The parent or student who asked for the appeal shall be provided with an opportunity to respond, in writing, to the administration report.
- The Superintendent or delegate will set timelines for the response.
- At any time during the appeal process the Superintendent or delegate may call upon legal advisors for advice and consultation.

7 | When a Decision is made on the Formal Notification of Appeal:

Within 20 (twenty) business days from the hearing or close of written submissions, the Superintendent or delegate will make any decision he or she deems appropriate in regards to the appeal, including whether to uphold, alter, or revoke the decision of the matter under appeal.

- The Superintendent or delegate's decision shall be in writing and provide reasons for it.
- The parent and/or student making the appeal shall be provided a copy of the decision.
- The decision of the Superintendent or delegate is the final decision of the FLCA Board.
- Once a final decision is made, the Superintendent shall notify the parent and/or student if the matter is one that may be appealed to the Minister of Education.