



POLICY P.126.SCO

TITLE: APPEALS HEARING PANEL (STUDENT TRANSFERS)

Date issued: 17 April 1998
Last Revised: 25 November 2014
Authorization: Board: 17 April 1998

1.0 OBJECTIVE

To provide a process for appeal to the Board by parents and guardians appealing on behalf of students who are minors and adult students appealing on their own behalf (hereafter, "appellants") with respect to the administrative decision of a school transfer request.

2.0 DEFINITIONS

2.1 **Adult student** is a student who is at least 18 years or older or 16 or 17 and has removed him/herself from parental control.

3.0 POLICY

3.1 The Board provides, by this policy, a process for appeals against administrative school transfer decisions under Board Policy P.077.PLG: Designated Schools/Student Transfers.

3.2 For each appeal hearing, a three-member panel of trustees shall be established to hear, consider and decide upon an appeal to the Board, by or on behalf of individual students, against administrative decisions. Such appeals may include the administrative decision with respect to a school transfer request.

3.3 The Chair shall establish the panel for each appeal hearing and appoint up to three members thereto as follows:

- a) the Chair and/or Vice-chair or designate;
- b) one or two other trustees for a total of three members, one of whom, insofar as is practicable, shall be the elected trustee from the zone in which the student or students reside or attend school; and
- c) The chair of the panel shall be the Chair or Vice-Chair of the Board, or, if neither is available, the Chair may designate another member to act as Chair of the panel.

- 3.4 When, despite best efforts, one of the appointed members of an appeal hearing panel is unavoidably prevented from attending on the appointed hearing date, the Chair may appoint another trustee to substitute.
- 3.5 The hearing shall be postponed unless all three members of the panel are present, except in a case where the Chair, as permitted in 3.4 above, has been able to replace one member of the panel by appointing another trustee to substitute.
- 3.6 In exceptional circumstances, which occur just immediately before the hearing is scheduled to commence, the panel may hold the hearing by telephone conference for determination of any or all issues, in the same manner as an oral hearing.

4.0 REFERENCE DOCUMENTS

The Education Act

Board By-laws, Annex 2, § 3.2.4

Board Policy P.040.SCO: Withdrawal of Transportation Privileges

Board Policy P.077.PLG: Designated Schools/Student Transfers

Board Procedure PR.664.SCO: Appeals Hearing Panel (Student Transfers)

Board Procedure PR.530.SCO: Withdrawal of Transportation Privileges

Board Procedure PR.568.PLG: Designated Schools/Student Transfers (Elementary)

Board Procedure PR.569.PLG: Designated Schools/Student Transfers (Secondary)