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## **PROCESS FOR SUSPENSION APPEALS**

The Suspension of Students Policy and Procedures allows parent(s)/legal guardian(s)/adult student to appeal a suspension of any length. The parent(s)/legal guardian(s)/adult student must provide **written** notice of intention to appeal to the Superintendent of Student Achievement responsible for Safe Schools within 10 school days of commencement of the suspension. If necessary, a hearing by the Discipline Committee of Trustees must be held within 15 school days of receiving the appeal.

The following checklist will help provide resolution to the appeal:

### **Step 1 – Receipt of Written Appeal**

Note: an appeal does not stay (negate) the suspension. The student still serves the suspension. The appeal, if successful, will result in the removal of the suspension letter from the student's OSR.

- If a Principal receives written notice of intention to appeal, immediately contact the Superintendent of Student Achievement responsible for Safe Schools and provide a copy of the written notice.
- If the Superintendent of Student Achievement responsible for Safe Schools receives written notice of intention to appeal, he/she immediately contacts the schools Superintendent of Student Achievement and Principal.
- If necessary, a hearing by the Discipline Committee of Trustees must be held within 15 school days of receiving the appeal. As noted in Step 4, documents which outline each position must be exchanged by school administration and parents/legal guardians five school days after receiving written intention to appeal.
- The Superintendent of Student Achievement responsible for Safe Schools will ensure the parent(s)/legal guardian(s)/adult student receive a copy of the Suspension of Students Policy and Procedure.

### **Step 2 – Resolution of Appeal by the Principal and Superintendent of Student Achievement (Designate)**

- The Principal will contact the parent(s)/legal guardian(s)/adult student in an attempt to resolve the appeal.
- If the Principal is not successful, the Superintendent of Student Achievement for the school (designate) will review the investigation and decision by the Principal.
- If the Superintendent of Student Achievement for the school (designate) determines the student did commit an infraction, he/she will consider the student's history, other factors and matters in order to confirm, modify or expunge the suspension.
- Decision to be communicated to parent(s)/legal guardian(s)/adult student.

### **Step 3 – If Necessary, Resolution of Appeal by Superintendent of Student Achievement Responsible for Safe Schools**

- If Superintendent of Student Achievement for the school (designate) is not successful, the Superintendent of Student Achievement Responsible for Safe Schools or the Learning Supervisor will contact the parent(s)/legal guardian(s)/adult student in an attempt to resolve the appeal.
- If the appeal is not resolved, the Superintendent of Student Achievement Responsible for Safe Schools will review the investigation and decision by the Principal and Superintendent of Student Achievement for the school (designate).
- If the Superintendent of Student Achievement Responsible for Safe Schools determines that the student did commit an infraction, then consideration will be given to the student's history, other factors and matters in order to confirm, modify or expunge the suspension.
- Decision to be communicated to the parent(s)/legal guardian(s)/adult student.

**Step 4 – If Necessary, Suspension Appeal Hearing**

- Superintendent of Student Achievement Responsible for Safe Schools will notify parents, Discipline Committee of Trustees, Superintendent of Student Achievement for the school (designate) and Principal of the date and time of the Suspension Appeal Hearing no later than 15 schools days from the date of receiving the notice of intention to appeal.
- Within five school days of receiving the appeal, the parent(s)/legal guardian(s)/adult student and the Principal will exchange an outline of their position regarding the appeal, copies of other documents and if applicable, a list of witnesses.
- The Principal with the assistance of the Superintendent of Student Achievement for the school (designate) will prepare for the presentation of evidence at the hearing (template provided by Learning Support Services).
- At the suspension appeal hearing, the Principal will present evidence which supports the recommendation.
- Following the hearing, the Discipline Committee will confirm, modify or expunge the suspension.
- The Superintendent of Student Achievement Responsible for Safe Schools will share the decision of the Discipline Committee with the parent(s)/legal guardian(s)/adult student, Principal and the Superintendent of Student Achievement for the school (designate).