

# Disputes and Appeals Policy

Developed in consultation with the Federation of Independent School Associations (FISA) and the Ministry of Education

Effective Date: September 2022

Applicable to: Students, Parents, Guardians, and Employees

## 1. Overview

In accordance with **Section 11.1 of the School Act, R.S.B.C. 1996, c. 412**, students and parents have the right to appeal decisions that significantly impact a student's education, health, or safety. The appeal process aims to ensure fairness, transparency, and efficiency while maintaining a respectful school environment.

This policy provides a structured process for resolving disputes informally and, if necessary, escalating matters through a formal appeal. Sikh Academy is committed to **equity, professionalism, and constructive conflict resolution** in all matters related to students, parents, and staff.

Decisions under this policy must be resolved **within 45 days** from the initiation of the appeal, and the outcome will be communicated in writing to all parties involved.

## 2. Grounds for Appeal

An individual may appeal a decision if it significantly affects the education, health, or safety of a student or the workplace environment of an employee. Appeals may include, but are not limited to:

### For Students and Parents:

- Expulsion or suspension from an educational program
- Requirement to complete all or part of a program via distributed learning when in-person options are available
- Denial of an Individual Education Plan (IEP) for a student with special needs
- Failure to consult parents/guardians regarding student placement or an IEP
- Cases involving bullying, harassment, intimidation, or threats of violence
- Removal or exclusion of a student from the school

## For Employees:

- Workplace conflicts impacting professional duties
- Disagreements on the application of school policies
- Concerns about procedural fairness in administrative decisions

## 3. Conflict Resolution Process

Sikh Academy encourages **informal resolution** as the first step in addressing disputes. If resolution is not achieved, the issue may be escalated as outlined below.

### Step 1 – Direct Communication

- The concerned individual discusses the issue with the decision-maker (e.g., teacher, staff member, administrator).
- If unresolved, the matter proceeds to Step 2.

### Step 2 – Involvement of Administration

- If a resolution is not reached, the matter is brought to the **Principal or Administration Team** for further discussion.
- The school may allocate resources or provide mediation support.

### Step 3 – Escalation to the School Board

- If the issue remains unresolved, the complainant may request a meeting with a **designated school board member**.
- The school board and administration will work together to find a resolution.

### Step 4 – Formal Appeal to the School Board

If no resolution is reached, a **formal Letter of Appeal** must be submitted to the school board. The letter must include:

1. Name, address, and school details of the student/employee involved
2. The decision being appealed and the name of the decision-maker
3. The date the decision was communicated
4. The effect of the decision on the student/employee
5. Steps taken to resolve the issue informally
6. The desired resolution
7. A request for an oral hearing (if applicable)

A **sub-committee of the school board** will review the appeal, hear all parties involved, and provide a written resolution within **45 days**.

## Step 5 – External Appeal (If Necessary)

If unresolved, an appeal may be made to the **Ombudsperson of the Associate Member Society (AMS) of the Federation of Independent Schools (FISA)**. The Ombudsperson will adjudicate the appeal based on AMS policies. Sikh Academy will cover costs associated with AMS mediation.

# 4. Employee Disputes and Conflict Resolution

## 4.1 Conflict Between Employees

- Employees should **first attempt to resolve conflicts directly** with the concerned colleague.
- If unresolved, an administrator may facilitate mediation.
- Continued disputes will be referred to the **Employee Relations Committee (ERC)**.
- If necessary, an external mediator may be engaged at the school's expense.

## 4.2 Concerns with School Policies

- Employees must comply with all school policies.
- If concerns arise, employees should seek clarification or submit concerns to the **ERC or administration**.

## 4.3 Professional Conduct Expectations

- Employees must maintain **confidentiality and professionalism** in all disputes.
- Concerns should be **directly addressed** with those involved before escalating to an administrator.
- **Gossip, slander, or defamation** will be considered unprofessional conduct.

# 5. Confidentiality & Final Decisions

- **All disputes and appeals are confidential** and limited to those best suited to mediate the conflict.
- The **school board reserves the right** to limit an appeal if it is deemed an abuse of process or unfair to any party.
- Once a final decision is made at the **board level or external appeal level (AMS/FISA)**, it is binding and **no further appeal** will be entertained.

## **6. Policy Amendments**

Sikh Academy reserves the right to modify this policy as needed to align with evolving educational, legal, and operational requirements.