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- c. requirement to complete all or part of an educational program by distributed learning as a disciplinary measure, where space and facilities are available in a school;
 - d. exclusion from school for a health condition;
 - e. failure to provide an IEP to a student with special needs;
 - f. failure to offer to consult with a parent regarding the placement or IEP of a student with special needs;
 - g. denial of an educational program by failure to take action in respect of a complaint of bullying, intimidation, harassment, or threat or use of weapons or violence by one or more students against another student; and
any other decision that, in the opinion of the Board, significantly affects the education, health or safety of a student.
3. A “decision” for the purposes of this bylaw includes the failure of an employee to make a decision. “Parent” is as defined in Section 1 of the *School Act*.

Refusal to Hear Appeals

4. The Board may refuse to hear an appeal where:
 - a. the appeal has not been initiated within a reasonable time of the decision being appealed;
 - b. the student or parent appealing the decision has not first discussed the decision being appealed with any persons identified by the Board; or
 - c. the Board determines that the decision does not significantly affect the student’s education, health or safety.

Appeal Procedure

5. An appeal must be submitted to the Board in accordance with this Bylaw.
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- f. the steps that the Appellant has taken to discuss the matter directly with the person who made the decision or with other school or district employees.
 10. Where the Appellant is a student under the age of nineteen (19) years, the Board shall provide a copy of the notice of appeal to the parent(s) of the student.
 11. Upon receiving the notice of appeal, the Secretary Treasurer will notify the Board, the Superintendent and the employee whose decision is being appealed, of the appeal.
 12. The Superintendent may appoint a person to be responsible for carrying out the responsibilities of the Superintendent under this Bylaw.

Pre-Hearing Procedure

13. The Secretary Treasurer or his/her designate is responsible for reviewing the notice of appeal and for communicating with the Appellant and others on matters related to the appeal.
 14. Where, in the opinion of the Secretary Treasurer, the appeal does not comply with the requirements for an appeal established under this Bylaw or Section 11 of the *School Act* (e.g. it is not a decision of an employee which significantly affects the student's education, health or safety; the appeal was not filed in a timely manner), the Secretary Treasurer shall refer the preliminary matter to the Board for a determination.
 15. The Board may ask for written submissions from the Appellant and/or the Superintendent on the preliminary matter.
 16. The Board shall notify the Appellant and the Superintendent of any preliminary decision it may make, including a refusal to hear the appeal.
 17. Where, in the opinion of the Secretary Treasurer, there is no preliminary matter to be determined, arrangements will be made for the hearing of the appeal by the Board.
 18. Prior to the date established for the hearing of the appeal, the Superintendent will provide a report to the Board regarding the matter under appeal. The Appellants and the employee whose decision is being appealed shall be entitled to a copy of this report.
 19. The Board may provide directions for the hearing of the appeal.
 20. The Board may, prior to the Board hearing the appeal or at any other time, require the
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