



# NOTICE OF APPEAL to a Superintendent of Appeals

(for office use only)

**Please Print**

<b>PART I – APPELLANT’S INFORMATION</b> (Student or Parent of Student filing the appeal)		
Name	Name of Student (if different)	
Address		
City /Province / Postal Code		
Phone #	Fax #	Email Address

<b>PART II – APPELLANT’S LEGAL REPRESENTATIVE</b>		
Have you hired a lawyer to represent you? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>		

**If yes, please complete the following:**

Name of Lawyer	Name of Law Firm	
Address		
City /Province / Postal Code		
Phone #	Fax #	Email Address

<b>PART III – DOCUMENT DELIVERY</b>		
Send documents/correspondence to <span style="float: right;"><input checked="" type="checkbox"/> the lawyer <input type="checkbox"/> the Appellant</span>		
(Note: If you have hired a lawyer, documents will be sent directly to him or her.)		

<b>PART IV – BOARD OF EDUCATION’S INFORMATION</b>	
Board of Education / School District #	Name of School
Date of Board of Education’s Decision <hr style="width: 80%; margin: 0;"/> <small>(dd/mm/yyyy)</small>	Have you attached a copy of your Board of Education’s decision? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decision not yet received

<b>PART V - SCOPE OF APPEAL</b>
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A Superintendent of Appeals is authorized to consider **only** those issues that relate to the grounds of appeal set out in the Appeals Regulation (B.C. Reg. 24/08), particularly s. 2(1) and 2(2).

Please identify, on the following page, the relevant parts of s. 2(1) and 2(2) of the Appeals Regulation that apply to your appeal.

Please check the sections that apply:

**Appeals Regulation s. 2(1)(a)**

A decision made by a board of education under s. 11(6) of the *School Act* if the decision is a decision of an employee of a board of education that significantly affects the education, health, or safety of a student and relates to a matter set out in subsection (2).

**OR**

**Appeals Regulation s. 2(1)(b)**

A reconsideration made by a board of education under s. 11.5 of the *School Act*, only if the reconsideration relates to a matter set out in subsection (2).

**AND**

**one or more of Appeal Regulation s. 2(2)(a) – (h):**

2(2)(a) – relates to the student’s expulsion from an educational program.

2(2)(b) – relates to the student’s suspension from an educational program.

2(2)(c) – relates to the student’s suspension from an an educational program, if no other educational program is provided by the board.

2(2)(d) – requires the student, as a disciplinary measure, to complete all or part of an educational program by distributed learning, despite the fact that all or part of the educational program and space and facilities for the student are available in a school, other than a distributed learning school, in the board’s school district.

2(2)(e) – determines that it is not necessary to provide a student with an individual education plan because

- (i) The student is not a student with special needs, or
- (ii) An exception under s. 2(2) of the Individual Education Plan Order applies to the student.

2(2)(f) – relates to either of the following requirements:

- (i) Under the Special Needs Students Order, to offer to consult with a parent or a student with special needs regarding the placement of the student in an educational program;
- (ii) Under the Individual Education Plan Order, to offer to consult with a parent of a student, and if appropriate, with the student, about the preparation of the student’s individual education plan.

2(2)(g) – relates to a complaint by the student or the parent of the student, against another student, respecting intimidation, bullying, harassment of or use or threat of use of weapons or other forms of violence against the student by that other student.

2(2)(h) – relates to the removal or exclusion of the student under section 91(5)(b) of the *School Act*.

**NOTE:** s.3 of the Appeals Regulation sets out that a student or parent may appeal a decision or reconsideration respecting the allocation of resources to the student's educational program only to the extent that the decision or reconsideration relates to the application of the board's financial hardship policy, established under section 82.4 of the Act, to the student.

**PART VI – REASON(S) FOR APPEAL**

Please describe the reasons you are appealing to a Superintendent of Appeals.

[Empty box for reasons for appeal]

(Attach additional pages or documents, if required.)

**PART VII – DESIRED NEXT STEPS**

Under s. 11.2 of the *School Act* a Superintendent of Appeals may refer the matter to a mediator, refer the matter to an adjudicator, or dismiss all or part of the appeal.

Please indicate if you have a preference for mediation or adjudication, and tell us what outcome you would like to see if your appeal is referred to mediation or adjudication.

[Empty box for desired next steps]

(Attach additional pages, if required.)

**PART VIII – DECLARATION**

I confirm the information on this form is correct and complete.

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Signature of Appellant or Legal Representative

\_\_\_\_\_  
Date

Are you attaching additional documents?  NO  
 YES Number of pages \_\_\_\_\_.

**Please submit completed form to the Registrar and keep a copy for yourself.  
The Registrar will forward a copy of this signed form to the Board of Education.**

The personal information requested on this form is collected under the authority of and will be used for the purpose of administering the appeal process under Section 11.1 of the *School Act*. The disclosure of this information is subject to the provision of the *Freedom of Information and Protection of Privacy Act*.

If you have questions about the collection, use or disclosure of this information, please contact Information Access Operations [by mail: PO Box 9569 Stn Prov Govt, Victoria BC V8W 9K1; telephone: (250) 387-1321; or email: [FOI.Requests@gov.bc.ca](mailto:FOI.Requests@gov.bc.ca)]

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