



Riverside School Board

Procedure Name:	Procedure for the Appeal of a Decision to the Council of Commissioners
Procedure Number:	Resolution B271-20090120 Replacing the document adopted by Resolution B31-19990216
Date Approved by Council:	2009-01-20

Reference: Education Act Articles 9-12

9. A student or parents of a student affected by a decision of the council of commissioners, the executive committee or the governing board, or of an officer or employee of the school board may request the council of commissioners to reconsider such decision.
10. The request of the student or his parents shall be made in writing and shall briefly set forth the grounds on which it is made. It shall be transmitted to the secretary general of the school board.

The secretary general shall assist every student or parent of a student requiring assistance in the formulation of his request.

11. The council of commissioners shall dispose of the request without delay.

It may submit the request for examination by a person whom it designates or by a committee which it establishes; such person or committee shall make a report of his or its findings and accompany the report, if it seems appropriate to do so, with recommendations.

During the examination of the request, the interested parties shall have the opportunity to present their points of view.

12. The council of commissioners may, if it considers that the request is founded, overturn, entirely or in part, the decision contemplated by the request and make the decision which, in its opinion, ought to have been made in the first instance.

The person who made the request and the author of the contested decision shall be notified of the council's new decision and informed of the grounds on which it was made.

Procedure

1. The Secretary General shall assist the interested parties¹ in formulating the request for the reconsideration of a decision using the form shown in Appendix 1.
2. Council shall hear only from the interested parties who have made a request for reconsideration of a decision. However, Council or members of the Appeals

¹ The student, the guardian or parents of the student are considered interested parties for the purposes of this document.

Committee may request additional information from and/or authorize the participation of other parties.

3. A reconsideration of a decision will normally be heard by Council; however, Council reserves the right to have the request for reconsideration heard by an Appeals Committee composed of three commissioners. The recommendation of the Appeals Committee will be brought to Council for decision.
4. The interested parties will have up to twenty (20) minutes to present their point of view to Council or the Appeals Committee.
5. The designated Chair presiding over the hearing will have jurisdiction over the proceedings. If the interested parties do not respect the procedures, the designated Chair may bring the proceedings to a close.
6. If a Commissioner is in Conflict of Interest regarding the reconsideration of a decision, the Commissioner must declare the Conflict of Interest prior to the Appeal hearing and recuse himself from partaking in the proceedings.
7. The request for reconsideration of a decision heard by Council shall be held in camera; however, the decision shall be made by resolution in public.
8. Unless a request for reconsideration is withdrawn in writing, the request will be considered and Council will render a decision.



Riverside School Board

Appendix 1

RIVERSIDE SCHOOL BOARD Application for Appeal of a Decision

1. IDENTIFICATION OF APPLICANT

Name:	
Status (student, parent, guardian) :	
Address :	
Postal Code :	Telephone Number :

2. INFORMATION ON THE CONTESTED DECISION

3. BRIEF DESCRIPTION OF CHANGE OR CORRECTION REQUESTED

I will be making a presentation to Council:

Yes

No

I acknowledge that I will have up to 20 minutes in which to make a formal presentation to Council.

Initials

4. SIGNATURE AND AUTHORIZATION

I hereby authorize the Secretary General to submit the information contained herein to the persons or parties concerned. I understand that the hearing of the Request for a Revision of a Decision will be conducted in a confidential manner; however, the decision of Council will be made in a public meeting.

I understand that if I wish to withdraw my request for a revision of a decision, I must do so in writing.

Date : _____

Signature : _____

Received on : _____

Secretary General