



POLICY:

REGULATION: JF - Dispute Resolution

EXHIBIT:

Seine River School Division supports dispute resolution process.

Guidelines:

Parents are involved in planning for their students. In the case of a student with special needs, all parents/legal guardians are required to participate and be involved in their child's plan (IEP, ALP or EALP) In the event of a disagreement over appropriate programming for a student a timely, fair and open dispute resolution process is available at the local school and school division level.

It is always important that the partnership between schools and parents is strong and that issues are resolved at the local level whenever possible. The education of students with exceptional learning needs involves an even closer working relationship, as parents are integral members of the individual education planning team.

Dispute Resolution Process:

Informal Process

Informal dispute process consists of the following procedures:

- a) Parents/legal guardians who have concerns about particular programming plans may initiate an informal resolution process by communicating their concern to the teacher(s) directly or through the principal of the school;
- b) Teacher(s) and/or principal will review the student's plan with the parent and offer an explanation as to the objective of the plan, use of materials, the aims, criteria and methods used in the plan;
- c) Should the informal dispute resolution process leave the concern unresolved the principal must inform the complainant(s) of the right to initiate the formal review process outlined below;
- d) The principal will advise parents of their right to make a formal appeal (within 14 days) of decisions about their children's educational programming and of their right to be accompanied by a supporting person.

Formal Process

The formal review process shall be initiated if, and only if, the concern resulting in the informal dispute resolution process remains unresolved.

During the period in which the programming concerns are under formal review the student's program/plan determined at the last planning meeting will be followed.

Formal dispute resolution process consists of the following procedures:

APPROVED: June 2013

REVISED:

SOURCE: *Appropriate Educational Programming in Manitoba: A Formal Dispute Resolution Process* (Manitoba Education, citizenship and Youth); *Working Together: A Guide to Positive Problem Solving for Schools, Families, and Communities* (Manitoba Education, Citizenship and Youth)

OTHER REFERENCE:



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EXHIBIT:

- a) The person(s) requesting the formal review must put their complaint in writing and address the complaint to the Superintendent's department;
- b) The Superintendent will inform the principal of the school of the complaint;
- c) The Superintendent will, within two weeks, constitute a review of the complaint and communicate with the parent he/she's conclusion regarding the grievance;
- d) If the parent/legal guardian does not accept the decision of the Superintendent, he/she/they may appeal the decision to the School Board.

Appeal

The decision of the Superintendent may be appealed through the to the Board, which may accept or reject to hear the appeal. Should the Board agree to hear the appeal it shall be considered in camera.

The Appeal process consists of the following procedures:

- a) The parent submits a written complaint to the board chair;
- b) The parent may choose to present information in person to the board during an in-camera session; if such a request is made, senior administration will communicate with the parent as to the time and date of the presentation;
- c) The board will respond to the complaint within two weeks and if the parent has not requested to appear in person to the board, they may ask the parent to appear before the board in an in-camera session
- d) The board will respond to the parent's concern/complaint. The board will advise parents of their right to request formal dispute resolution through Manitoba Education when efforts to resolve the issues locally at the school and school division levels have failed.

In the event the parent is not comfortable with the dispute resolution process due to cultural differences, they may identify a support person from a support agency, whom they trust, to work with them through the process to ensure their understanding of the process and procedures. They may also request an alternate process for presenting their concerns.

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