



Section Four: Students

“Together We Learn”

**460.1R – APPEALS
(REGULATIONS)**

**APPEALS RELATED TO INSTRUCTIONAL RESOURCE MATERIALS
AND LIBRARY RESOURCE CENTRE MATERIAL**

Parents/guardians have the right, within reason, to appeal a teacher/teacher-librarian’s decision to select a resource for use by that student in the classroom or library resource centre. When a parent/guardian/student wishes to appeal such a decision, the matter should be resolved with some urgency.

In making an appeal of the teacher/teacher-librarian’s decision, Appeals Bylaw 460 will apply. If possible, the appeal should be resolved at the school level using the following procedure. If a resolution cannot be achieved at that level, Form 460 may be used to initiate an appeal to the Board of Education.

1. School-Level Procedure

- 1.1 The appellant discusses the learning resource with the teacher/teacher-librarian who made the decision for its use.
- 1.2 If the appellant is a parent of a student attending the school, the parent may request that the resource not be made available to the student if it is not Ministry of Education recommended material.
- 1.3 The principal shall issue instructions to all staff, naming the student(s) not to receive the resource.
- 1.4 If the discussion with the teacher/teacher-librarian fails to satisfy the appellant, they may then discuss the issue with the principal. If this discussion does not satisfy the appellant, the principal shall provide a copy of Appeals Bylaw 460 and invite the appellant to complete Form 460.1 - Request for Reconsideration of Learning Resources. When the appellant submits this form to the principal, the principal shall convene a meeting of the School Review Committee.
- 1.5 The School Review Committee shall comprise:
 - the teacher/teacher-librarian whose decision is being questioned;
 - a parent designated by the school’s parent advisory council;
 - the appellant.



Section Four: Students

“Together We Learn”

- 1.6 In reviewing such appeals, the principal must consider the following:
 - 1.6.1 the Ministry’s Educational Program Guide Order and the Educational Program Order which outline the required instruction for kindergarten to grade 12;
 - 1.6.2 the current requirements of the COTA/Board collective agreement;
 - 1.6.3 the feasibility of using alternate resources to achieve the same objectives, either for that student, a group of students or the class;
 - 1.6.4 applying principles of fairness and reason;
 - 1.6.5 whether the resource is Ministry recommended or locally approved;
 - 1.6.6 the procedures used to select the resource, e.g. relevance to the curriculum, age appropriateness, timeliness or permanence, importance of the subject matter, quality, readability and popular appeal of the writing/production, reliability of content, reputation of the publisher/producer, professional reviews, format and price;
 - 1.6.7 the appropriateness of the resource for the specified learning objective;
 - 1.6.8 the appellant’s concerns about the resource;
 - 1.6.9 the teacher/teacher-librarian’s rationale for using this resource.
- 1.7 The principal will hear evidence from the School Review Committee and shall make a decision within ten school days from the date Form 460.1 was received. The appellant shall be informed of the principal’s decision and the process for any district-level appeal.

2. District-Level Resource Review Committee

- 2.1 If a resolution is not found at the school level, the appellant may continue with the appeal by contacting the Superintendent of Schools or designate. On receipt of a report from the school principal, the Superintendent or designate shall set up a District-Level Resource Review Committee to assist in the review of the appeal.
- 2.2 The District-Level Resource Review Committee shall comprise:
 - 2.2.1 the principal whose decision is being appealed;
 - 2.2.2 a parent designated by the Central Okanagan Parent Advisory Council from another school;



Section Four: Students

“Together We Learn”

- 2.2.3 a teacher/teacher-librarian and a principal from another school;
- 2.2.4 the appellant.

- 2.3 The role of the District-Level Resource Review Committee is to provide evidence for consideration by the Superintendent or designate. The Superintendent or designate shall, within five school days:
 - 2.3.1 review the resource, using the guiding principles listed in 1.6 above;
 - 2.3.2 provide the appellant an opportunity to present his/her concerns;
 - 2.3.3 allow the principal whose decision is being appealed to present his/her rationale;
 - 2.3.4 hear evidence from other members of the District-Level Review Committee;
 - 2.3.5 make a decision based on the evidence provided.

3. Appeal to the Board

If the Superintendent’s or designate’s decision is unacceptable, the appellant may initiate an appeal to the Board by advising the Superintendent.