

POLICIES, GUIDELINES AND PROCEDURES

SUBJECT	N.E.P.N. CODE
APPROPRIATE EDUCATIONAL PROGRAMMING: DISPUTE RESOLUTION	JBB

I. POLICY

The Louis Riel School Division supports Manitoba Education's dispute resolution processes in the event of disagreement regarding educational programming or placement for students with exceptional learning needs. The Division provides procedures for parents/guardians or students who are over the age of 18 to register their disagreement and appeal educational decisions for their child. Whenever possible, the division is committed to resolving disputes informally at the local school and school division levels through alternative dispute resolution processes that are culturally appropriate and that adhere to fair and legal dispute resolution processes, as presented in [Appropriate Educational Programming in Manitoba, A Formal Dispute Resolution Process](#), Manitoba Education, Citizenship & Youth, 2006

Accordingly, the Louis Riel School Division shall follow the formal dispute resolution process outlined in the **GUIDELINES** and **PROCEDURES** below.

II. GUIDELINES

- A. The following procedures apply specifically to concerns regarding the educational programming or placement of a student with a Student-Specific Plan (SSP).
- B. Concerns initiated by parents/guardians or by a student who is over the age of 18 shall be addressed in a timely manner through a defined process that begins as close as possible to the origin of the concern and with the person most directly involved.
- C. In the **PROCEDURES** below, any reference to parents or guardians applies equally to a student who is over the age of 18.

III. PROCEDURES

A. RESOLUTION AT THE SCHOOL LEVEL

1. The parent/guardian will contact the student's classroom teacher to discuss their concern.
2. If the concern is not resolved satisfactorily after talking to the teacher, the parent/guardian may contact the school principal.

Adopted:	May 19, 2020	Legal References: Public Schools Act (Manitoba) , Appropriate Educational Programming Regulation 155/2005
Revised:	October 4, 2022	

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3. If the concern remains unresolved after discussion with the principal, the parent/guardian may contact the Superintendent of Schools or designate.

B. RESOLUTION AT THE DIVISIONAL LEVEL

If the concern is not resolved satisfactorily following discussion with the Superintendent of Schools or designate, the parent/guardian may appeal to the Board of Trustees through written correspondence to the Chair.

C. RESOLUTION AT THE BOARD OF TRUSTEES LEVEL

The Board of Trustees will make a final decision and advise all parties in writing of the parent's/guardian's right to contact the Manitoba Education Review Coordinator if they wish to pursue their concern further.

D. RESOLUTION AT THE DEPARTMENTAL LEVEL

1. If the matter is not resolved at the divisional board level, the parent/guardian may contact Manitoba Education to request a formal dispute resolution process by a review committee. To qualify for a formal review by Manitoba Education, the dispute must:
 - a. involve a student who has a Student-Specific Plan (SSP);
 - b. concern the appropriateness of the student's education programming or placement;
 - c. persist despite attempts to resolve the dispute at the school, school division office and school board levels; and
 - d. be accompanied by a written decision by the school board concerning the issue.
2. At the request of the Manitoba Education review coordinator, the Division will engage in an alternative dispute resolution process and inform the review coordinator of the outcome of the process.
3. At the request of the review committee, the Superintendent of Schools or designate will answer any questions and produce any documents, papers, notes, records, and other material relevant to the complaint or to appropriate educational programming within the Division.
4. Any appeals of the final decision of the review committee must be directed to the Deputy Minister.

E. TIMELINES AND SUPPORTS

1. Parents/guardians may appeal decisions about their child's educational programming or placement within 14 days of the decision.
2. Parents/guardians have the right to be accompanied by a support person of their choice.
3. Any involvement of legal counsel must proceed through the school division's legal counsel.

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4. Requests for formal dispute resolution through the Manitoba Education Review Coordinator must be initiated within 30 days of the final determination of the school board.

The Louis Riel School Division acknowledges the River East Transcona School Division as a source for the development of this policy.

Adopted:	May 19, 2020	Legal References: Public Schools Act (Manitoba) , Appropriate Educational Programming Regulation 155/2005
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