



AP 7.01

Category: Curriculum and Instruction

Alberta Human Rights Act Section 11.1

BACKGROUND & RATIONALE

The CAPE Charter Board supports the involvement of students in studies involving controversial issues as an important means of preparing students to participate responsibly in a democratic and pluralistic society. The CAPE Charter Board also recognizes that at times sensitive issues may arise in the classroom and in discussions. The CAPE Charter Board also supports the involvement of students in studies involving Human Sexuality and in Locally Developed Courses (projects). The CAPE Charter Board respects the rights of all Albertans, the Medicine Hat community, and the CAPE school community in particular, and adheres to the *Alberta Human Rights Act and Section 11.1*

PROCEDURE: APPEAL

1. It is imperative that issues affecting students' comfort level in the classroom and the school, their sense of belonging and acceptance, of security, of being treated fairly and with respect be addressed in a very timely manner.
2. A parent or guardian of a CAPE student may appeal a decision of a teacher which the parent or guardian deems to have violated the student's human rights under section 11.1 of the *Human Rights Act*. The parent or guardian must adhere to established grievance protocols prior to appeal to the CAPE Charter Board.
3. An appeal may be filed with the CAPE Charter Board regarding:
 - 3.1 failure to provide notice or to notice in a timely manner;
 - 3.2 failure exempt the student;
 - 3.3 failure to make accommodations for the student;
 - 3.4 imposition of academic penalty;
 - 3.5 failure of the teacher to satisfactorily resolve the issue once given appropriate notice by parents or guardians;
 - 3.6 failure of the administration to satisfactorily resolve the issue once given appropriate notice by parents or guardians.
4. An appeal, in writing, to the CAPE Charter Board must be filed within one (1) week of the violation, duly dated and signed.
5. The appeal must state the nature, place, and time of the human rights violation, the teacher involved, and steps taken by the parent or guardian to secure a satisfactory resolution of the issue.

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6. Upon receipt of the appeal, the CAPE Charter Board shall:
 - 6.1 solicit a written report on the issue from the teacher;
 - 6.2 solicit a written report on the issue from the administration;
 - 6.3 call a special meeting to review the appeal.
7. All concerned parties shall be notified of the date, time, and reason for the meeting and invited to attend; administration, teacher, parent or guardian, and student.
8. The CAPE Charter Board shall, before or at the special meeting, solicit further input from:
 - 8.1 the parent or guardian;
 - 8.2 the student;
 - 8.3 the teacher;
 - 8.4 the administration;
 - 8.5 other individual(s) in possession of relevant information, if necessary or available.
9. The CAPE Charter Board shall advise, in writing, the parent or guardian, the teacher and the administration of its decision on the issue within one week of the special meeting.
10. The decision of the CAPE Charter Board is final, and binding on all parties.
11. The parent may appeal the decision of the CAPE Charter Board to the Minister of Education, if dissatisfied with the decision.

Reference:

CAPE Policy 7.03

CAPE Policy 7.04

CAPE Policy 7.05

Education Act

Guide to Education

CAPE charter

Alberta Human Rights Act, Section 11.1

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