



Children and youth have a right to appropriate educational programming and appropriate educational placement. This right is legislated in the Public Schools Act and supporting regulations.

In making decisions about educational programs and placements for students, school teams, including parents/guardians and when appropriate, students, work together.

In some situations, differences of opinion occur and these differences are not resolved by the people who are directly involved in the educational programming and/or placement making decision process.

When a dispute arises between a parent/guardian or adult student and the school or school division regarding student program or placement, the Formal Dispute Resolution Protocol shall be implemented.

DISPUTE RESOLUTION PROTOCOL

- Step 1. The concern will initially be directed to the staff member or members responsible for the placement or programming decision in question. Pending the level of programming, this could include the classroom teacher, resource teacher, guidance counsellor, and/or case manager. The parties will attempt to resolve the concern leading to the dispute through discussion and collaborative solution-focused problem solving.
- Step 2. Should the dispute not be settled to the mutual satisfaction of both parties in Step #1, it will be referred to the principal. The parties will then again attempt to resolve the dispute through discussion and collaborative solution-focused problem solving. Every reasonable attempt will be made to resolve differences at the school level.
- Step 3. Should the dispute not be settled to the mutual satisfaction in step #2, it will be referred to the Superintendent/CEO for an attempt to resolve the dispute by the Superintendent/CEO and/or designate. The parties will then again attempt to resolve the dispute through discussion and collaborative solution-focused problem solving. Every reasonable attempt will be made to resolve differences at the school division level.
- Step 4. If the dispute has been considered by the Superintendent/CEO and/or designate and has not been resolved to the satisfaction of the parties, parents/guardians or the adult student will be advised that they have 14 days from this point to make a formal written appeal to the Board of Trustees. The parents/guardians or adult student may be accompanied by a supporting person of their choice when presenting a formal appeal to the Board of Trustees.
- Step 5. The parent/guardian or adult student appeal to the Board of Trustees must be made in writing, signed, and dated. To be considered at a given Board of Trustees meeting, the appeal must be received by the Superintendent/CEO no later than five days prior to date of the Board of Trustees' regular meeting that the parent/guardian or adult student wishes to attend to present the appeal.
- Step 6. Should the party bringing the dispute forward wish to appear as a delegation to the Board of Trustees, such requests must be received by the Superintendent/CEO in writing, signed, and dated, no later than five working days prior to the Board of Trustees' regular meeting.



Prairie Rose School Division

Developing lifelong learners for responsible global citizenship

AP #538 – Formal Dispute Resolution Protocol

– Appropriate Educational Programming

Students

Procedure Manual

Step 7. The Board of Trustees will gather all information that it deems necessary to make a decision regarding the dispute. The Board of Trustees will make a final decision and advise all parties in writing. The Board of Trustees will advise the parent/guardian or adult student of their right to request a review of the Board of Trustees' decision by a review committee through Manitoba Education.

Reference: Manitoba Education. (2006). Appropriate Educational Programming in Manitoba: A Formal Dispute Resolution Process.