



Dispute Resolution Administrative Procedure 3.B.90

3.0 Programs and Services
3.B Student Services

Board Governance Policy Cross Reference: 1, 2, 3, 14, 16, 17

Legal Reference: The Public Schools Act (Manitoba); The Public Schools Amendment Act (Appropriate Educational Programming) S.M. 2004, proclaimed October 28, 2005; Appropriate Educational Programming Regulation 155/2005.

Further Information: Standards for Appropriate Educational Programming in Manitoba 2023

Date Adopted: June 2009

Date Amended: July 2024

1. School divisions and parents sometimes disagree about the education of students, and it is necessary that a timely, fair, and open dispute resolution process be available at the local school and school division levels.
2. Manitoba school divisions must have a process that protects the rights of students and parents and addresses differences of opinion about the education of students. 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.
3. A parent of a student, or a student over the age of 18, may make a complaint to the review coordinator of Manitoba Education and Early Childhood Learning about the appropriateness of educational programming or placement, as identified in the student's specific plan.
4. Evergreen School Division will:
 - a. Make accessible this procedure and related documents regarding dispute resolution at the school and division levels.
 - b. Make all reasonable attempts to resolve disputes informally, including using dispute resolution processes, such as mediation or other dispute resolution processes that are culturally appropriate and adhere to legal and fair dispute resolution principles.
 - c. 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.
 - d. Inform parents of the appeal procedures of the school board (see 1.A.40 Concerns and Complaints Administrative Procedure).
 - e. Advise parents of their right to request formal dispute resolution from Manitoba Education and Early Childhood Learning within 30 days from the time a complaint has been determined by the school board and efforts to resolve the issues locally at the school and school division levels have failed.
 - f. Participate in an alternative dispute resolution process regarding complaints made to the review coordinator of Manitoba Education and Early Childhood Learning.
 - g. Advise the review coordinator of Manitoba Education and Early Childhood Learning that a complaint has been resolved through alternative dispute resolution.

- h. Comply with a review committee request to answer any questions and to produce any documents, papers, notes, records, and other material relevant to a complaint or to appropriate educational programming within the division or district.
- i. Direct any appeals of final decisions of a review committee to the deputy minister.