

## Appeals process

Complete the Notice of Appeal Form (available at [cbe.ab.ca](http://cbe.ab.ca)) and file with the Office of the Chief Superintendent within 20 days of the decision.

The chief superintendent or delegate will decide on the type of hearing (in person or written submission).

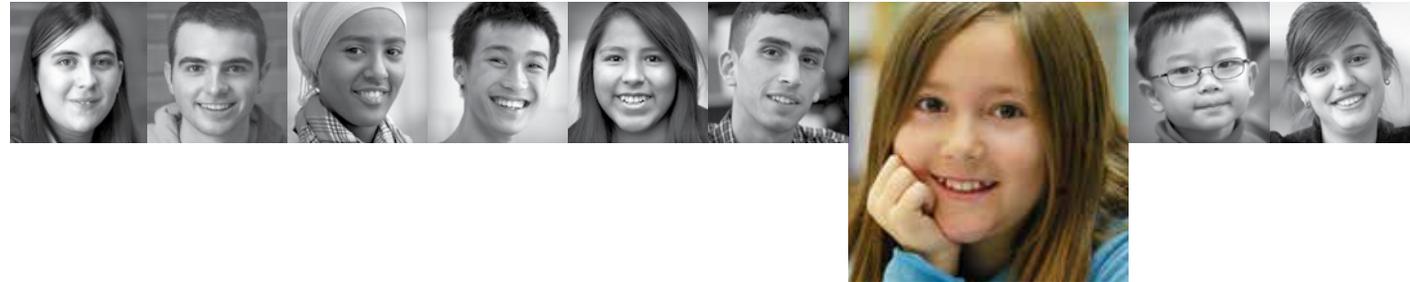
The chief superintendent will send you a letter outlining the next steps, hearing date and/or written documentation.

You have a chance to see and respond to the written information provided to the chief superintendent.

The oral or written hearing takes place.

The chief superintendent will make a decision within 20 days from the date of hearing. This decision will be communicated to you in writing.

Where possible the chief superintendent will notify you if it can be further appealed to the Minister of Education.



### Learn more |

For more information on the appeal process, please visit [cbe.ab.ca](http://cbe.ab.ca). Here you will find detailed explanations, forms and relevant administrative regulations.

Calgary Board of Education  
1221 - 8 St. S.W., Calgary, AB T2R 0L4  
t | 403-817-7955

## Working together: appeals under Section 123 of the School Act



**Calgary Board  
of Education**

We know that the success of students is dependent on a strong partnership between families and the CBE. The CBE also recognizes that parents and students occasionally disagree with our decisions. We are committed to hearing and responding to your concerns in a respectful, courteous and timely manner.

## Appealing a decision under Section 123

Section 123 of the provincial School Act provides parents and students (over the age of 16) with the right to appeal certain decisions (or failure to make a decision) that “significantly affects the education of a student.”

Parents and students must complete the CBE’s concerns and complaints process before an appeal will be considered.

Appeals must be made in writing within 20 days from the date the decision was made.

## What types of decisions can be appealed?

Appeals can only be made when a decision significantly affects the education of a student.

Some examples of decisions that significantly affect the education of a student include:

- Promotion or graduation
- Denial or termination of homeschool program
- Inaccuracy of student record
- Failure to notify parents when subject matter deals explicitly with religion or human sexuality

Cases will be looked at individually. When considering whether a decision significantly impacts the education of a student, we look at the facts of each situation to assess the impact of the decision. It includes situations where the decision causes a loss, jeopardy, or prejudice to the student’s educational interest.

This appeal process applies to all CBE decisions that significantly affect the education of a student except for:

- Expulsions: for these matters, Administrative Regulation 6007 applies.
- Decisions on special education placement: for these concerns, Administrative Regulation 3003 applies.

## Filing an appeal

To start an appeal please complete the Notice of Appeal Form available at [cbe.ab.ca](http://cbe.ab.ca).

The form asks you to outline the decision you want to challenge, the reasons why, and what you would like to happen.

It is important that you outline the grounds for appeal (reasons for the appeal) clearly. As stated in [Administrative Regulation 5008](#), grounds for appeal can be one of the following:

- disregard of or failure to follow a CBE policy
- failure to comply with applicable legislation
- decision maker is biased
- no evidence to support the decision
- decision is not reasonable

## The appeal process

Appeals are heard by the chief superintendent (or delegate).

There are two ways appeals can be heard.

**Oral hearing:** Done by holding a formal, in-person meeting with the parent or student and CBE staff. The chief superintendent will notify you of the day and time for the hearing. You will also be notified about any procedural rules and whether you need to provide any additional documentation and/or written submissions prior to the hearing. At the hearing, you will have an opportunity to explain to the chief superintendent your reasons for the appeal. The chief superintendent will also hear from CBE administration. You will be able to hear what is said by the CBE employees.

**Written hearing:** A hearing can also occur in writing. If the hearing is held using written submissions the chief superintendent will let you know what information you need to provide and when it is required.

You will be asked to provide a written summary of the issue, the reasons for your appeal, and the outcome you want to achieve. This means you do not have to appear in person and your matter is considered based on the written submissions.

**Decision:** The chief superintendent will make a decision within 20 days from the date of the oral or written hearing. This decision will be communicated to you in writing and is the final decision of the CBE.

In some instances you may have a right of appeal to the Minister of Education. The chief superintendent will notify you if this is applicable. You can find more information about an appeal to the Minister at [education.alberta.ca](http://education.alberta.ca).