

SCHOOL COUNCIL CONFLICT RESOLUTION

A board shall establish an appeal process or conflict resolution procedure under which the principal or the school council may apply respecting disputes on policies proposed or adopted for a school.

Procedures

1. It is expected conflicts will be avoided by keeping the focus on what is best for students and working through consensus, with each school council member, the principal and school staff agreeing to always conduct themselves in a respectful and collaborative manner.
2. Should a situation arise whereby the school council and principal cannot resolve a conflict through discussion at a school council meeting they shall first seek resolution through conciliatory measures such as:
 - 2.1 Principal and school council chair sit down together to discuss the situation and attempt to find a resolution. If a resolution is agreed upon then they should present it to the school council together and get consensus on the solution.
 - 2.2 Principal and school council chair agree to seek the advice of an Elder. Protocols of the area should be used in asking an Elder for advice.
 - 2.2.1 May want to ask the Elder to provide advice to the school council and principal as a whole or to the principal and school council chair separately.
 - 2.2.2 Consensus should be reached by the school council and principal on implementing the Elder's advice.
 - 2.3 Other methods identified by the community.
3. If conciliatory measures to resolve a conflict are not successful the school council chair or principals shall contact the associate superintendent of their area and request a meeting, including the principal and school council chair.
 - 3.1 The Associate Superintendent will hear the concern and determine a process for resolution in consultation with the Superintendent.
 - 3.2 If after implementation of the process outlined by the Associate Superintendent and Superintendent the conflict is still not resolved then the school council chair or principal shall appeal to the Board of Trustees.
4. The school council chair, principal or Superintendent may start the process of an appeal to the Board on behalf of the parties.
 - 4.1 The appeal must be in the form of a letter that outlines the conflict, steps to resolve and the preferred resolution of the principal and school council.
 - 4.2 All parties will be informed that the decision of the Board is final, prior to the appeal proceeding.
 - 4.3 The hearing of the appeal must be scheduled within thirty (30) days of the letter being received.

5. At the special meeting of the Board, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted and that the conflict shall be heard in an in-camera session of the special meeting.

The Board Chair shall ensure fairness in dealing with the conflict by adhering to the following procedures and outlining them to all parties at the beginning of the meeting:

- 5.1 The appeal will be heard in-camera with the school council representative(s), the principal and Associate/Superintendent in attendance.
- 5.2 The appeal hearing will be conducted in accordance with the following guidelines:
 - 5.2.1 The Board Chair will outline the purpose of the hearing which is to provide:
 - 5.2.1.1 An opportunity for the parties to make representation in support of their respective positions to the Board. The information presented may include both written and verbal communications;
 - 5.2.1.1 The Board with the means to receive information and to review the facts of the conflict;
 - 5.2.1.1 A process through which the Board can reach a fair and impartial decision.
 - 5.2.2 Notes of the proceedings will be recorded for the purpose of the Board's records.
 - 5.2.3 The Superintendent and/or staff will explain the decision and give reasons for the decision.
 - 5.2.4 The school council representative will present their position on the conflict and their preferred resolution.
 - 5.2.5 The principal will present their position on the conflict and their preferred resolution.
 - 5.2.6 Board members will have the opportunity to ask questions or clarification from both parties.
 - 5.2.7 No cross-examination of the parties shall be allowed:
 - 5.2.7.1 Questions may be directed to the other party through the Board Chair with the permission of the Board Chair.
 - 5.2.7.2 The Board may ask questions of the parties to help their understanding of the conflict.
 - 5.2.7.3 The Board Chair may facilitate more discussion if it is felt that will assist the Board in resolution or understanding of the conflict.
 - 5.2.8 The Board will meet without the respective parties to the appeal in attendance to arrive at a decision regarding the appeal. The Board may have legal counsel in attendance.
 - 5.2.9 If the Board requires additional information or clarification in order to make its decision, all parties to the appeal will be requested to return to the hearing for the required additional information.
 - 5.2.10 The Board decision and the reasons for the decision will be communicated to everyone once a decision has been reached.

5.2.10.1 If a decision is not reached immediately following the hearing then it shall be communicated and confirmed in writing following the hearing.

5.2.10.2 Included in the communication to all parties shall be information that the decision of the Board is final.

5.2.11 Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at an appeal hearing.

6. The Board may request the Minister dissolve a school council without notice at any time if the Minister is of the opinion that the school council is not carrying out its responsibilities in accordance with this Act and the regulations.

Legal Reference: Section 55(8), (9) Education Act