

APPEALS AFTER THE IPRC MEETING

See the complete guide

See the complete guide "Special Education in Ontario: A guide for students and caregivers" available at www.jfcy.org/specialeducation

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If you disagree with an IPRC decision

Within 15 days, make a written (email, typed, or handwritten) request to the principal to ask for a second IPRC meeting to review your concerns; or

Within 30 days, write to the secretary of the school board explaining why you disagree with the decision and to ask for an appeal to the Special Education Appeal Board (SEAB)



START

Second IPRC Meeting (Review)

After the meeting, the second IPRC will either agree with the first IPRC decision or change the decision. If you disagree with the second decision, you can appeal to the SEAB.

IPRCs are reviewed regularly; you can also ask for a review after the student has been in a special education program for at least three months

Special Education Appeal Board (SEAB)

This is a formal review process with a three person panel organized by the school board; parents choose one of the panel members.

The SEAB will review the documents related to the IPRC decision (including the decision).

If you have new and/or more complete expert information, you can ask the SEAB to consider it. The SEAB will host a meeting, also called a hearing, to consider the appeal.

School staff, parents, students 16+, and their representatives (if any) are usually at the SEAB hearing.



Special Education Tribunal (SET)

This is a formal process.

SET may dismiss the appeal, grant the appeal and set aside the identification and/or placement, or make changes to the identification and/or placement.



The school board usually has a lawyer and parents can also have a lawyer.

The SET decision will be made in writing, and is final.

SEAB Decision

Parents, students 16+, and the school board will receive a written statement of the recommendations.

The school board must decide whether to accept some, all, or none of the recommendations within 30 days.

If you disagree with the outcome, you can appeal to the SET within 30 days of receiving the school board's decision.



IPRC appeals are about the Identification and Placement decision only.

Disagreements about the Individual Education Plan (IEP) cannot be appealed. But if you have serious concerns about the IEP not meeting a student's needs you might be able to use human rights law options- e.g. complaint to the Human Rights Tribunal of Ontario.

See IEP pamphlet for further information.