



By-Law 9: COMPLAINT EXAMINATION PROCEDURE **Questions and Answers**

Who may use the Complaint Examination Procedure?

The Complaint Examination Procedure is open to the students or, if the student is a minor, to his/her parent(s).

The student of the Lester B. Pearson School Board can be registered in the Youth or the Adult sector; under the Education Act, the parent means *“the person having parental authority or, unless that person objects, the person having custody de facto of the student.”*

Can a complainant remain anonymous?

No. Since the Complaint Examination Procedure is only open to students of the board, or their parents, the person making the complaint will need to identify himself/herself in order for the complaint to be received.

What is the process to follow in making a complaint?

Please refer to the flowchart attached.

In what form can a complaint be submitted?

A complaint can be written or verbal, however, only written complaints will be responded to in writing.

What is the role of the Student Ombudsman?

Under the authority of the Council of Commissioners of the Lester B. Pearson School Board, in conformity with the Education Act, the Student Ombudsman applies the School Board By-law on the procedure for the examination of complaints from students or their parents.

The Student Ombudsman receives complaints from complainants dissatisfied with the handling or the outcome of his/her complaint after the administrative process has been completed. If the complainant has not gone through the administrative process first, the Student Ombudsman redirects the complainant to the appropriate administrator for the administrative process to be completed.

The Student Ombudsman may also take up a complaint at any stage if he/she considers that intervention is necessary to prevent the complainant from suffering a prejudice.

Is the Ombudsman an employee of the school board?

No. The Ombudsman is on contract to the school board on an as-required basis. The school board provides the Ombudsman with an email address (studentombudsman@lbsb.qc.ca).

What is the difference between the Complaint Examination Procedure and the Request for a Reconsideration of a Decision?

The Request for a Reconsideration of a Decision is a process required by the Education Act, Sections 9 to 12. If a student or his/her parent is not satisfied with a decision concerning that student made by an employee of the School Board, it is possible for that student or his/her parent to request that the council of Commissioners reconsider that decision. If the student or his/her parent is not satisfied with the decision of the Council of Commissioners, that student or his/her parent may deposit a complaint with the Student Ombudsman.

The flowchart attached illustrates how the two processes are addressed.

Step 1

The student (or the parent of the student) makes an attempt, in good faith, to resolve the issue with the person who made the decision.

Step 2

If the complainant is not satisfied, he/she may then direct his/her complaint to the immediate superior of the person who made the decision.

Step 3

If the complainant is still not satisfied, he/she may direct his/her complaint to the next level:

- > Principal > Regional Director of Schools*
- > Assistant Director General > Director General*

Or

- > Director of the department > Assistant Director General > Director General*

Step 4

If still dissatisfied, the complainant can address a written complaint to the:

- > Director of Secretariat*

who will start the process for the Reconsideration of a Decision.

COUNCIL OF COMMISSIONERS' DECISION

Decision can be:

- Upheld*
- Reversed*
- Modified*