



Riverside School Board

By-Law Name:	Examination of Complaints
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1. Reference

Article 220.2 of the Education Act; Regulation regarding the Complaint Examination Procedure Established by the School Board

2. Introduction

This By-Law is intended to assist students, parents and/or guardians and the School Board in resolving problematic situations in a logical and systematic manner. It is also designed to try to resolve the issue at the level closest to where the situation has occurred. It is understood that all individuals involved in this process will interact calmly and respectfully and will maintain the confidentiality of the individuals involved.

3. Definitions

3.1 Complainant: the person making the complaint.

3.2 Interested parties: the complainant and his/her parent(s)/guardian(s) if applicable; and the person against whom the complaint is being made.

3.3 Student Ombudsman: person designated by the school board to receive complaints from students or their parents and/or guardians who are dissatisfied with the way the complaint was handled or with the outcome.

a) The Student Ombudsman is designated after consultation with the Parents' Committee and on the recommendation of the Governance and Ethics Committee.

b) The term of the Student Ombudsman may not be for less than three (3) years. It may only be revoked by a vote of at least two-thirds of the commissioners entitled to vote.



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c) The Student Ombudsman must be under the responsibility of the Council of Commissioners.

d) The Student Ombudsman may not be a member of the Council of Commissioners or a member of the School Board personnel.

4. Procedure to Examine Complaints

4.1 At the School Level

In order to ensure that the complainant has sufficient time to communicate his concerns regarding a problematic situation to the teacher or person concerned, it is recommended that a call be made to their workplace to make an appointment for a meeting if the problem has not been resolved by telephone.

If the communication with the staff member concerned has not resolved the matter, the next level of contact is the principal or vice-principal of the school. It is recommended that a first communication be initiated by telephone to discuss the situation and determine whether it is necessary to meet in person.

4.2 Referral to School Board Administration

If the school administration has not resolved the situation, the next level of contact is the Director of Elementary or Secondary Schools. This should first be done by telephone. He or she will request a written copy of the complaint.

4.3 Referral to the Assistant Director General or Director General

Should the matter remain unresolved after the procedures outlined above have been exhausted, the next level of contact would be the School Board's Assistant Director General or Director General; a request for an appointment should be made.

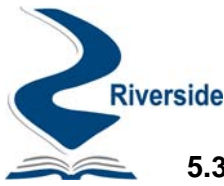
4.4 Referral to the Student Ombudsman

After having exhausted all levels described herein, the complainant may refer the complaint to the Student Ombudsman if he/she believes that the matter has not been resolved satisfactorily. The Secretary General shall provide the necessary assistance to put the complainant in contact with the Student Ombudsman.

5. Rights of the Complainant

5.1 The complainant has the right to be accompanied by the person of his choice at any stage of the complaint process; however, interventions may only be made by the student and/or parent/guardian;

5.2 Although the Student Ombudsman normally intervenes after the complainant has exhausted other remedies provided herein (Section 4.1 to 4.3 "Procedure to Examine Complaints), the complainant may contact the Student Ombudsman to take up the complaint at any stage of the complaint examination procedure. The Student Ombudsman will determine whether or not to undertake the examination of the complainant.



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5.3 The complainant has the right to confidentiality and to freedom from any form of retaliation.

6. Student Ombudsman

6.1 The Student Ombudsman may require the cooperation of any staff member of the School Board whose expertise is considered necessary by the Ombudsman and may, with the authorization of Council, call on an outside expert.

6.2 The Student Ombudsman must provide an annual report to the Council of Commissioners stating the number of complaint referrals received and their nature, the corrective measures recommended and any action taken. This report must be included in the Board's annual report.

6.3 An assistant may be designated to assist the Student Ombudsman in the exercise of his duties.

6.4 The Student Ombudsman must declare to the Council of Commissioners if, on a particular case, he is in real or perceived conflict-of-interest. In particular, this should be declared if there is a personal or business relationship with a person involved in the complaint, other than their business relationship with the school board.

In the case of the assistant to the Student Ombudsman, he must declare if he is in real or perceived conflict-of-interest to the Student Ombudsman and recuse himself from the case.

7. Obligations of the School Board

7.1 At the beginning of each school year, the School Board shall inform its students and parents and/or guardians of Riverside's complaint examination procedure. The procedure and the contact information of the Student Ombudsman shall be published on the School Board's website.

8. A Complaint made to the Office of the Student Ombudsman

8.1 A complaint may be made to the office of the Student Ombudsman either verbally or in writing. An anonymous complaint will not be considered. The identity of the complainant must be verified. The complainant will give his/her reasons why the Student Ombudsman should examine the complaint.

8.2 The Student Ombudsman must refuse or cease to examine a complaint upon becoming aware or being informed that the complaint concerns a fault or an act for which a complaint has been filed with the Minister under article 26.



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8.3 The Student Ombudsman may dismiss a complaint upon summary examination if he is of the opinion that it is frivolous, vexatious, made in bad faith or if too much time has elapsed since the event that gave rise to the complaint.

8.4 The Student Ombudsman or his assistant may invite the complainant to meet with the interested parties and follow the 'Procedure to Examine Complaints' in an effort to resolve the issue. At this point, the complainant may be requested to submit the complaint in writing.

8.5 The Student Ombudsman may decide to undertake the examination of a complaint if he decides that the complaint is serious in nature, and cannot be suitably resolved using the Procedure of Examination of Complaints. The complaint must be in writing.

8.6 The Student Ombudsman must advise the complainant, in writing, if he is undertaking the examination of the complaint.

8.7 In conducting the investigation of a complaint, the Student Ombudsman may invite the interested parties, where applicable, to submit their observations. He must give an opinion on the merits of the complaint within thirty days.

8.8 In the event that the Student Ombudsman finds the complaint unfounded, he shall advise the complainant and the Council of Commissioners.

8.9 In the event that the Student Ombudsman finds the complaint has merit, he shall so inform the complainant and the Council of Commissioners, give an opinion on the merits of the complaint and submit any recommended actions.

9. Recommendations Submitted to the Council of Commissioners by the Student Ombudsman

9.1 The Council of Commissioners will delegate the Executive Committee to decide on the actions to be taken and ensure that the complainant, the interested parties, the Student Ombudsman and the Council of Commissioners are advised.

9.2 The Procedure to Examine Complaints cannot be used more than once for the same situation, event, or decision.