

COMMISSION SCOLAIRE SIR-WILFRID-LAURIER  
SIR WILFRID LAURIER SCHOOL BOARD

By-Law n° BL2025-CA-20:	By-Law Establishing Procedure for the Examination of Complaints Relating to the Functions of the School Board
Approved:	Resolution n°
Revised:	Resolution n°

*NOTE: In keeping with its commitment to respecting diversity, the Sir Wilfrid Laurier School Board uses gender-inclusive language in all its written communications. In cases where eliminating references to gender is not possible, gender-specific pronouns and possessive determiners are used solely for purposes of clarity and concision.*

## 1.0 PREAMBLE

The present by-law establishes the procedure for the examination of complaints relating to functions of the school board under section 220.2 of the *Education Act* (CQLR, c. I-13.3).

The present by-law does not apply to complaints filed by a student, a homeschooled child, or the parents of either with regard to the services the school board provides them. Complaints regarding such matters shall be handled in accordance with the *Act Respecting the National Student Ombudsman* (CQLR, c. P-32.01).

It also does not apply whenever a more specific law, regulation, decree, or by-law governs a complaint (for example, a complaint of disciplinary nature concerning an employee).

## 2.0 OBJECTIVES

By means of this by-law, the school board wishes to ensure that complaints related to the functions of the school board are managed quickly and efficiently. More specifically, the objectives are the following:

- a) Ensure that complaints are processed conscientiously and as quickly as possible;
- b) Ensure that complaints are processed with fairness, impartiality, and transparency for all parties involved;
- c) Ensure that the rights of the person who has lodged a complaint are respected;
- d) Ensure that the person who has lodged a complaint is properly supported and guided by providing them with clear and precise explanations;
- e) Encourage and prioritize amicable resolution of complaints whenever possible, emphasizing on cooperation, collaboration, and understanding between the complainant and the person directly concerned by the complaint.

## 3.0 DEFINITIONS

In this by-law, the following words or expressions are defined as follows:

- a) **Complaint:** a verbal or written notice served to the school board regarding a dissatisfaction with the functions of the school board;
- b) **Complainant:** any person who files a complaint;

- c) **Working days:** days on which the school board is open.
- d) **Functions of the school board:** functions that are not related to the services students (including homeschooled students) or their parents received, are receiving, ought to receive, or require from the school board. Complaints related to the functions of the school board are generally related to financial and material resources, for example noise caused by construction work undertaken by the school board or neighbourhood disturbance such as a tree at risk of falling on a neighbouring property.
- e) **Complaints Officer:** the Director of the School Affairs and School Organization Department or their substitute, as designated by the Director General in the absence of the Complaints Officer.

#### 4.0 GENERAL PROVISIONS

- 4.1 The complainant has the right to be accompanied by the person of their choice at any stage of the complaint examination procedure.
- 4.2 The recipient of the complaint must have sufficient information to deal with the complaint. All relevant information or documentation must be provided by the complainant.
- 4.3 All the parties concerned shall have the opportunity to submit their observations.
- 4.4 In making their complaint or during any related step, the complainant may receive assistance from the Secretary General or their substitute.
- 4.5 All complaints will be handled in accordance with the *Act respecting access to documents held by public bodies and the protection of personal information* (c. A-2.1).
- 4.6 All parties must remain civil, respectful, and cooperative at all times as per the school board's Policy no. 2018-CA-25: *Policy on Safe, Caring Schools and Centres*.

#### 5.0 LODGING A COMPLAINT

- 5.1 All complaints will be addressed by following the steps in the order outlined in this section.
- 5.2 The complainant may address a written complaint to the Complaints Officer by using the online form. This form can be modified as often as required.
- 5.3 Within five (5) working days of the receipt of a complaint, the Complaints Officer must inform the complainant as to the admissibility of the complaint.
- 5.4 The Complaints Officer may determine that the complaint is admissible *a priori*, but refer the complainant to the person or to the director of the department directly concerned by the complaint as a first step to find a solution to the problem raised.
- 5.5 The Complaints Officer may summarily terminate the examination of a complaint or reject a complaint if:
  - 5.5.1 it concerns a complaint which would fall under the *Act Respecting the National Student Ombudsman* or any other law, regulation, decree, or by-law addressing the issue more specifically;

- 5.5.2 the complainant refuses to provide any information or document that is considered relevant for a clear understanding of the facts;
  - 5.5.3 they have reasonable grounds to believe their intervention would clearly serve no purpose;
  - 5.5.4 the time elapsed between the facts on which the complaint is based and the receipt of the complaint makes it impossible or irrelevant to examine the complaint;
  - 5.5.5 another person or organization is better suited to examine the complaint;
  - 5.5.6 the complaint was already subject to a decision, opinion, conclusion, or recommendation of the school board, a tribunal, or an administrative tribunal;
  - 5.5.7 the complaint is vexatious, frivolous and/or made in bad faith.
- 5.6 The Complaints Officer can also, when suitable, accompany the concerned parties (the complainant and the person or department directly concerned by the complaint, when applicable) in trying to find a resolution through mediation.
  - 5.7 If the concerned parties are unable to amicably resolve the complaint or if mediation isn't possible or applicable to the situation, the Complaints Officer will explain the situation to the parties, provide their opinion on the merits of the complaint, and, when suitable, offer recommendations to resolve the complaint.
  - 5.8 The Complaints Officer has fifteen (15) working days from the receipt of the complaint to provide the response specified in section 5.7. This delay can be extended if the parties are in the process of trying to find a resolution or for any other valid reason.
  - 5.9 If the complainant or the person is dissatisfied with the response pursuant to section 5.7, or if no response has been provided within fifteen (15) working days of the receipt of the complaint, the complaint may be brought, in writing, before the Assistant Director General of the school board.
  - 5.10 The Assistant Director General will then examine the conclusions, opinions, and recommendations of the Complaints Officer and may require additional information from the complainant, the person directly concerned, or their immediate supervisor. The Assistant Director General may redirect the complainant to the Complaints Officer if the latter had not responded within fifteen (15) working days for a valid reason, as to obtain their opinion on the merits of the complaint in accordance with section 5.7, within a reasonable delay to be determined by the Assistant Director General. In such a case, the Assistant Director General must inform the complainant and the person directly concerned (or their immediate supervisor) that the complaint was redirected to the Complaints Officer to obtain their opinion on the merits of the complaint and of their right to resubmit the matter to the Assistant Director General afterwards in accordance with section 5.9, if needed.
  - 5.11 The Assistant Director General must process the complaint within ten (10) working days of its receipt and, if they consider it advisable, substitute their conclusions or recommendations to those of the Complaints Officer.
  - 5.12 The Assistant Director General must inform the complainant and the person directly concerned (or their immediate supervisor) of their approval or rejection of the Complaints Officer's conclusions, as well as any conclusion or recommendation they chose to substitute. This decision is considered final.

**6.0 FINAL PROVISIONS**

- 6.1 The school board must ensure that no person who, in good faith, has made a complaint, cooperated in the processing of a complaint, or accompanied a person who filed a complaint in accordance with the present by-law is subject to any form of retaliation.
- 6.2 This by-law comes into force on the day a public notice of its adoption by the Council of Commissioners is published and may be reviewed as needed.