



Wednesday, May 17, 2017

Me. Geneviève Dugré  
Assistant Director of Secretariat and Legal Services  
Lester B. Pearson School Board  
1925 Brookdale Avenue  
Dorval, QC H9P 2Y7

**Subject: Consultation of By-Law 9A and By-Law 9B, Complaint Examination Procedure**

Dear Me. Dugré,

In regard to this proposed by-laws, the Special Needs Advisory Committee supports the Council's efforts in preparing this consultation for the LBPSB community to comment on. SNAC would like to provide the following input:

**GENERAL FEEDBACK:**

- The by-law proved to be a challenging read and as a result, likely to discourage parents/students from initiating an official complaint.
- We feel that the slides in Annex A- outlining the steps, provided a clearer picture of the complaint examination process.
- We think that the procedures for filing a complaint and making a request for reconsideration seem cumbersome.
- We believe that due to the length of the process and the amount of time and energy it would require to follow thru, complainants are unlikely to fully pursue a complaint, even if they feel it is warranted.
- We feel that the stipulations for having the Ombudsman intervene and examine a complaint before it has passed through the various steps, should be broadened.



## **QUESTIONS AND CLARIFICATIONS:**

- On page 2 of By-Law 9A, the last sentence of paragraph 1 states:  
*“It is understood that all individuals involved in this process will interact respectfully at all times and will maintain the confidentiality of the individuals involved.”*

In the event that confidentiality is not respected by the complainant, would this be grounds for the complaint being dismissed?

- On page 4 of By-Law 9A, the first sentence of paragraph 1, item 4.1 states:  
*“Only the student concerned or his parent(s), if the student is a minor, may make a complaint.”*

Does this mean that if the student is not a minor, the parent cannot make a complaint? Does this clause also apply to students with special needs whom, although legal age, may require a parent to intervene on their behalf?

- On page 9 of By-Law 9A, in the sixth paragraph, item 8.6 states:  
*“The School Board will make the by-law available on the School Board website along with the contact information for the Student Ombudsman.”*

No mention is made of the contact information for Regional Directors, the Director General or their delegates, or the Secretary General; whom are all potentially part of the complaint examination process. Will this information be easily accessible on the School Board website for complainants?

- What qualifications or specific titles must the Student Ombudsman have?



### **SPECIFIC RECOMMENDATIONS:**

- 1) In addition to making the by-law available on the School Board website, ensure each school/center also includes either the by-law, or a direct link to it, on their school/center website.
- 2) On Individual Education Plans, include not only that there is a complaint examination procedure, but also where it can be accessed. Specific mention of Annex A and Annex B may also be beneficial.
- 3) In *Annex A- Steps Powerpoint*, include where and how to access the contact information for the person(s) to whom the complaint will be addressed at each step.
- 4) Include, within the policy, that complaints regarding the conduct of a staff member should be directed to the Center, School or Department head of said staff member, who will then forward the complaint to Human Resources.
- 5) At each step of the complaint examination procedure, ensure decisions are rendered within a reasonable delay by setting a specific time frame for said delays. The Student Ombudsman must give the Council of Commissioners an opinion on the merits of the complaint within 30 days after he received it, and, if required, recommend any appropriate corrective measures. Specific time frames need to be applied to all steps of the complaint examination procedure to ensure complaints are handled expediently and without unnecessary delay.

It is our hope that most parents and students are able to address and resolve any issue they may have at the school/center level. However, when that is not possible, we would like to ensure that students and their parents have a process that is both clear and expedient that aids them in resolving their conflicts. SNAC feels strongly, that the by-law as written, will likely result in limiting the complaints that will be made by students or their parents. We encourage the Council of Commissioners to consider the recommendations we have provided.

Thank you for the opportunity to participate in this consultation.

Respectfully,

Jennifer DiMarco - Chair  
Special Needs Advisory Committee, 2016-2017

CC: Special Needs Advisory Committee, LBPSB