

Administrative Procedures Manual	Administrative Procedure 395
	School Level Complaint and Dispute Resolution Process
	APPROVED: August, 2022
Page 1 of 4	AMENDED/REVIEWED:
LEGAL REFERENCE:	Education Act

Background

Section 41 of the *Education Act* requires a Board to implement a school level dispute resolution process. This Administrative Procedure sets out the Grande Prairie School Division's (the Division) school level dispute resolution process.

The purpose of this Administrative Procedure is to provide guidelines for teachers, principals, and school staff employed by the Division to address complaints by parents or independent students which are not otherwise addressed by other policies and procedures.

The guidelines set out in this Administrative Procedure should be used to ensure that complaints are addressed using a consistent and fair process and in a timely and efficient manner.

Definitions

In this Procedure the following terms shall have the following meaning when capitalized:

Complainant means the name of the person submitting the complaint

Division means the Grande Prairie School Division;

Respondent means the employee(s) of the Division whose decision has been appealed pursuant to this Procedure;

Procedure shall mean this Administrative Procedure 395: School Level Complaint and Dispute Resolution Process.

Guiding Principles

The following principles of procedural fairness must inform how teachers, principals and other school staff receive and respond to complaints from parents and independent students:

- Each step of the complaint process must be fair. The process may be appropriately modified on a case-by-case basis to ensure that each complainant has a full and fair opportunity to have their complaint considered.
- The complaint must be fully considered and investigated in good faith at each step of the process prior to making a decision on the complaint.
- Decisions regarding how a complaint will be addressed must be made by unbiased decision-makers. Complaints will be referred to an appropriate school staff member who can address the concerns without bias.
- A complainant has the right to make a complaint without the fear of retaliation. No teacher, principal, or school staff may take any adverse action, or threaten adverse action, against a student or parent because a complaint has been made.

Administrative Procedures Manual	Administrative Procedure 395
	School Level Complaint and Dispute Resolution Process
	APPROVED: August, 2022
Page 2 of 4	AMENDED/REVIEWED:
LEGAL REFERENCE:	Education Act

- Complaints will be addressed in a timely manner.
- The respondent shall be provided with an opportunity to respond to any complaint which is brought forward to him/her or against him or her.
- Both the complainant and the respondent shall have the opportunity to be engaged in the process to resolve the complaint and will be informed of the resolution of the complaint.
- Throughout the complaint process the *Freedom of Information and Protection of Privacy Act* (FOIP) and/or *Personal Information Protection Act* (PIPA) will be observed as required.
- Although it is preferable to resolve a matter on an informal basis, the complainant and respondent shall be informed about all formal avenues of recourse which may be available.

Process for Parents Making a Complaint

Step 1

A complainant shall first attempt to resolve the dispute by speaking to their child's teacher.

- Division employees should encourage complainants to attempt to resolve complaints by speaking directly with the employee(s) who are responsible for the subject matter of the complaint.
- Where a complainant makes a complaint to a Division employee about that employee's practices, the employee must make reasonable efforts to resolve the dispute directly with the complainant.
- If the employee is unable to resolve the complaint with the complainant, the employee shall inform the complainant that they may bring the complaint to the attention of the principal.
- If an employee receives a complaint about another employee, the employee will direct the complainant to speak directly to the other employee about the complaint or refer the complaint to the school's principal as may be appropriate in the circumstances.

Step 2

- Where the matter cannot be resolved to the complainant's satisfaction at Step 1, or where a complaint is brought to the school principal at first instance, the school principal will meet with the complainant to identify the specifics of the complaint.
- Upon receipt of the written account of the complaint, the principal will assess the merits of the complaint by reviewing the complaint and making whatever inquiries the principal deems appropriate or necessary to determine if the complaint has merit and is not frivolous or vexatious.

Administrative Procedures Manual	Administrative Procedure 395
	School Level Complaint and Dispute Resolution Process
	APPROVED: August, 2022
Page 3 of 4	AMENDED/REVIEWED:
LEGAL REFERENCE:	Education Act

- If, after assessing the complaint, the principal finds that the complaint does not have merit, the principal shall inform the complainant that the principal has assessed the complaint, made relevant inquiries into the allegations, and has determined that there is no need for corrective action. The complainant will also be informed that if they are dissatisfied with the principal’s decision, they may refer the complaint to the Director of Student Supports, at the Division office, under Step 3.
- If, after assessing the complaint, the principal finds that the complaint has merit, the principal shall make reasonable efforts to resolve the dispute by whatever means the principal deems to be appropriate. This may include:
 - meeting with the complainant;
 - meeting with any respondent(s) involved in the complaint;
 - meeting with both the complainant and respondent(s) involved;
 - encouraging further, or enhanced communication between the employee(s) and the complainant.
 - directing respondent(s) to adjust their practice in a particular area; and
 - any other steps or actions within the principal’s authority that the principal deems appropriate.
- If principal is able to resolve the complaint, the principal will communicate in writing to both the complainant and respondent(s) explaining the steps taken to resolve the complaint and any follow up or other relevant information for the complainant and respondent(s).
- If the principal is unable to resolve the complaint, the principal shall inform the complainant that the complainant may request that the Director of Student Supports review the complaint and the principal’s decision under Step 3.

Step 3

- Where a complaint is not resolved to the complainant’s satisfaction at Step 2, the complainant may bring the complaint to the attention of the Director of Student Supports, in the Division office.
- The Director of Student Supports will review the complaint, the steps taken by Division employees at Step 1 and Step 2 and make all other inquiries the Director of Student Supports deems necessary or appropriate to assess the merits of the complaint.
- If, after assessing the complaint, the Director of Student Supports finds that the complaint does not have merit, the Director of Student Supports shall inform the complainant that the Director of Student Supports has assessed the complaint, made relevant inquiries into the allegations and has determined that there is no need for corrective action. The complainant will also be informed that if they are dissatisfied with the Director of Student Supports’ decision, they may refer the complaint to the Superintendent of Schools under Step 4.

Administrative Procedures Manual	Administrative Procedure 395
	School Level Complaint and Dispute Resolution Process
	APPROVED: August, 2022
Page 4 of 4	AMENDED/REVIEWED:
LEGAL REFERENCE:	Education Act

- If the Director of Student Supports finds that the complaint has merit, he/she shall make reasonable attempts to resolve the dispute by whatever means they deem to be appropriate.
- If the Director of Student Supports is able to resolve the complaint, they will communicate in writing to both the complainant and respondent(s) explaining the steps taken to resolve the complaint and any follow up or other relevant information for the complainant and respondent(s).

Step 4

- Where the matter cannot be resolved to the complainant's satisfaction at Step 3, the complainant may bring the complaint to the attention of the Superintendent of Schools.
- The Superintendent of Schools will review the complaint and the steps taken by Division employees at Step 1, Step 2 and Step 3.
- The Superintendent of Schools will inform the complainant if the Superintendent of Schools deems their complaint to have merit and, if so, may take whatever actions the Superintendent of Schools deems appropriate to resolve the complaint.
- The decision of the Superintendent of Schools is final subject to any right of appeal to the Board or Minister of Education provided for in the *Education Act*.