

## **Student and parent rights**

The National Student Ombudsman is responsible for applying the complaint and report processing procedure in Québec's education system.

As part of this province-wide and standardized procedure, the National Student Ombudsman is assisted by Regional Student Ombudsmen throughout Québec. Together, they ensure that student and parent rights are upheld. As a result, they contribute to the continuous improvement of education system services.

### ***Filing a complaint***

Should the student or their parent be dissatisfied with the educational services they received, are receiving, should have received, or need, they can file a complaint based on a procedure that consists of a maximum of three steps:

#### **Step 1 – Person directly concerned or the person's immediate superior**

To file a complaint, the student or their parent must first approach the person directly concerned or that person's superior.

The complaint may be verbal, but it is better if it is made in writing.

The person who receives the complaint has 10 working days to respond.

#### **Step 2 – Person responsible for processing complaints**

If the student or their parent is still dissatisfied with how the complaint is being handled, or if the 10-day deadline has expired, they may then approach the person responsible for processing complaints within the school service centre, the school board or the private educational institution, as the case may be.

The complaint may be verbal, but it is better if it is made in writing.

Ms. Jordie Yule, the Guidance Counsellor is the person responsible for processing complaints, and she has 15 working days to respond.

- yule@kells.ca

Here is the link to the complaint form:

<https://www.quebec.ca/en/education/preschool-elementary-and-secondary-schools/student-rights>

### Step 3 – Regional Student Ombudsman

If the student or their parent is still dissatisfied with how the complaint is being handled, or if the 15-day deadline has expired, they may contact their Regional Student Ombudsman, who will help them draft their written complaint.

The student or their parent may choose the form of communication that best suits them among the following:

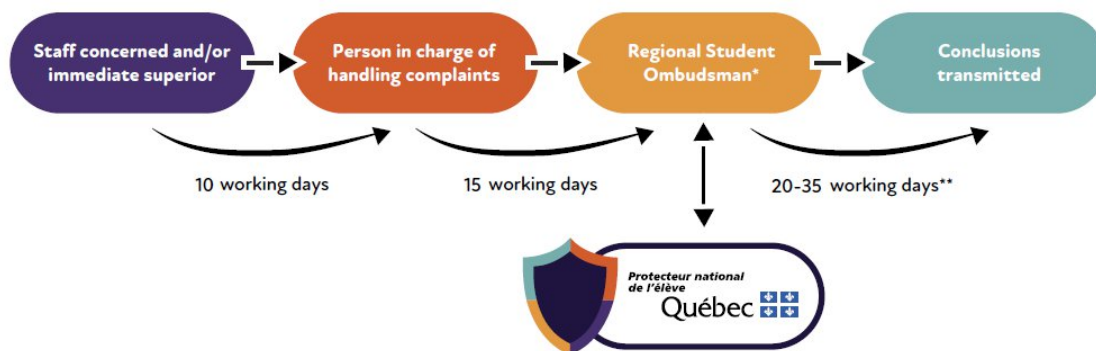
- Web complaint form: [pne.gouv.qc.ca/formulaire](http://pne.gouv.qc.ca/formulaire)
- Phone or text message: 1-833-420-5233
- Email: [plaintes-pne@pne.gouv.qc.ca](mailto:plaintes-pne@pne.gouv.qc.ca)

Regional Student Ombudsmen have 20 working days to examine the complaint and issue their conclusions. If they deem that the complaint is substantiated, they may make recommendations to the school service centre, the school board or the private educational institution.

However, before the conclusions are sent, the National Student Ombudsman examines them. He or she has up to 5 working days to decide whether to examine the complaint in turn. If so, he or she has 10 working days to complete the examination and, if need be, to substitute his or her conclusions or recommendations for those of the Regional Student Ombudsman.

The Regional Student Ombudsman then informs the complainant and the school service centre, school board or private educational institution about the conclusions and any recommendations.

The school service centre, school board or private educational institution has 10 working days to inform the complainant and the Regional Student Ombudsman of whether it intends to follow up on the conclusions and recommendations made to it, or of its reasons if it has decided not to act on them.



\*Note that Regional Student Ombudsmen can examine complaints even though the first two steps did not occur, if:

1. They feel that these two steps are not likely to correct the situation adequately or the timeframe for processing the complaint during the preceding two steps makes their intervention pointless;
2. The complaint concerns an act of sexual violence.

\*\* Regional Student Ombudsmen have 20 working days to examine the complaint and draft the conclusions. The National Student Ombudsman has five working days to inform the Regional Student Ombudsman of whether he/she intends to examine the complaint. If the decision is made to examine the complaint, the National Student Ombudsman has 10 working days to finish examining it and, if he/she deems it appropriate, the Regional Student Ombudsman's conclusions and recommendations are replaced by his/hers.

Note that in the case of **sexual violence**, the student or one of their parents may, if they wish to do so, approach the Regional Student Ombudsman directly.

## ***Making a report***

A report, which anyone can make, is possible only if it concerns sexual violence<sup>1</sup> against a student who attends an educational institution.

Such a report is **made directly to the Regional Student Ombudsman**, omitting the first two steps, by:

- a teacher
- a non-teaching professional staff member
- a member of the executive staff of an educational institution
- other students or one of their parents
- etc.

The person who makes the report may choose the form of communication that best suits him or her among the following:

- Web complaint form:  
<https://www.quebec.ca/en/education/preschool-elementary-and-secondary-schools/student-rights>
- Phone or text message: 1-833-420-5233
- Email: [plaintes-pne@pne.gouv.qc.ca](mailto:plaintes-pne@pne.gouv.qc.ca)

Reports are **fast-tracked**. The information that could serve to identify the person who makes the report is kept confidential, unless the person's consent has been given. If required by law, the Regional Student Ombudsman discloses the person's identity to the Director of Youth Protection.

Regional Student Ombudsmen may also, on their own initiative, process cases of sexual violence.

## **Protection against reprisal**

The *Act respecting the National Student Ombudsman* protects against reprisal people who, in good faith, make a report or file a complaint, cooperate in the processing of a report or complaint or accompany a person who makes a report or files a complaint.

It is also prohibited to threaten to retaliate against a person to dissuade him or her from filing a complaint or making a report.

The following are presumed to be reprisal measures against students or their parents:

- Depriving them of rights
- Treating them differently

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<sup>1</sup> "The concept of sexual violence refers to any form of violence committed through sexual practices or by targeting sexuality, including sexual assault. It also refers to any other misconduct, including that relating to sexual and gender diversity, in such forms as unwanted direct or indirect gestures, comments, behaviours or attitudes with sexual connotations, including by a technological means." For further information about acts of sexual violence, see the Government of Québec page on the [forms of violence](#).

- Suspending or expelling the student

For the staff members of an educational institution who make a report or cooperate in the examination of a complaint or report, the following are presumed to be reprisal measures:

- Their demotion
- Their suspension
- Termination of their employment
- Their transfer
- Disciplinary sanctions or other measures that adversely affect their employment or working conditions.

Fines for a natural person who retaliates or threatens to retaliate range from \$2,000 to \$20,000. Fines can vary from \$10,000 to \$250,000 for legal persons.