

Red River Valley School Division  
**ADMINISTRATIVE PROCEDURE H6**  
**PUBLIC COMPLAINTS AND CONCERNS**



The Red River Valley School Division Board of Trustees believes that open communication between parents/guardians, the community, and school staff is essential for student success.

The Division adheres to a “closest to the source” philosophy, meaning disputes or concerns should be resolved at the level where they occurred whenever possible. This procedure ensures that complaints are handled fairly, promptly, and in accordance with the principles of natural justice.

### **Guiding Principles**

- **Natural Justice:** No action shall be taken against an employee based on a complaint without the employee having the right to know the particulars of the complaint, the identity of the complainant, and being given a fair opportunity to respond.
- **Representation:** Employees have the right to have representation - union or other, present during any meetings regarding a formal complaint.
- **Confidentiality:** All parties (complainant, respondent, and administration) will respect the confidentiality of the process. Information will only be shared on a “need to know” basis.
- **Anonymous Complaints:** The Division will not act on anonymous complaints unless they involve matters of criminal activity, child protection, or significant safety risks.
- **Protection of Staff:** The Division will not tolerate verbal abuse, harassment, or threats toward staff. If a complainant engages in such behaviour, the administrator may terminate the meeting and require that all future communication be in writing.

### **Procedures for Resolution for MTS (Manitoba Teachers Society) Staff**

**(Administrators, Teachers, Specialists, Guidance, Curriculum Support, and Resource Teachers)**

#### **Level 1: Informal Resolution (Direct Communication) for professional staff**

- Parents/Guardians or community members with a concern regarding a staff member are expected to communicate directly with that employee first to seek clarification and resolution (oral or written communication) within ten (10) working days following the incident in question.
- Communication should be respectful and focused on the specific issue.
- Staff may request representation of their choice.
- **Exception:** If the complainant involves allegations of sexual harassment, criminal behaviour, or child abuse, the complainant should bypass Level 1 and contact the Superintendent/CEO immediately.

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Level 2: School Administration (Principal/Supervisor)

- If the issue is not resolved at Level 1, or if the complainant feels unable to approach the staff member directly due to valid safety concerns, they may contact the School Principal or immediate supervisor (oral or written communication) within ten (10) working days.
- The principal shall:
  - Gather facts from the complainant;
  - Inform the employee of the complaint and provide them an opportunity to respond; and
  - Facilitate a meeting between the parties (if appropriate) or mediate a resolution.
- The principal will document the concern and the resolution attempts.

Level 3: Divisional Administration (Superintendent/CEO)

- If the complainant is not satisfied with the decision at Level 2, they may appeal to the Superintendent/CEO within ten (10) working days.
- This appeal **must be in writing** (*see **Administrative Form: Level 3 - Formal Complaint to Superintendent/CEO** form below*).
- The Superintendent/CEO (or designate) will review the process to ensure policy was followed and may conduct further investigation.
- The Superintendent/CEO will provide a written decision to both the complainant and the employee, typically within ten (10) working days.

Level 4: Board of Trustees (Final Appeal)

- If the complainant believes the Superintendent/CEO's decision was procedurally unfair or unreasonable, they may appeal to the Board of Trustees.
- The appeal must be submitted in writing to the Secretary-Treasurer and Chair of the Board.
- The Board will determine if a hearing is warranted.
  - If granted, the hearing will generally be held **in-camera** (private) to protect personnel privacy. The Board acts as a review body, not a primary investigator. They will review whether the administration followed a fair process.

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- The School Board will not receive any complaint that has not been previously explored by the appropriate administrative levels. Any matter dealing with personnel will then be addressed in camera.
- The decision of the Board is final and binding within the Division.

**Procedures for Resolution for Support Staff**

**(Educational Assistants, Librarians, Administrative Assistants, Custodians and Bus Drivers)**

**Level 1: School Administration (Principal/Supervisor)**

- The complainant must contact the School Principal or immediate supervisor (oral or written communication) within ten (10) working days.
- The principal shall:
  - Gather facts from the complainant;
  - Inform the employee of the complaint and provide them an opportunity to respond; and
  - Facilitate a meeting between the parties (if appropriate) or mediate a resolution.
- The principal will document the concern and the resolution attempts.

**Level 2: Divisional Administration (Superintendent/CEO)**

- If the complainant is not satisfied with the decision at Level 1, they may appeal to the Superintendent/CEO within ten (10) working days.
- This appeal **must be in writing** (see ***Administrative Form: Level 3 - Formal Complaint to Superintendent/CEO*** form below).
- The Superintendent/CEO (or designate) will review the process to ensure policy was followed and may conduct further investigation.
- The Superintendent/CEO will provide a written decision to both the complainant and the employee, typically within ten (10) working days.

**Level 3: Board of Trustees (Final Appeal)**

- If the complainant believes the Superintendent/CEO's decision was procedurally unfair or unreasonable, they may appeal to the Board of Trustees.

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- The appeal must be submitted in writing to the Secretary-Treasurer and Chair of the Board.
- The Board will determine if a hearing is warranted.
  - If granted, the hearing will generally be held **in-camera** (private) to protect personnel privacy. The Board acts as a review body, not a primary investigator. They will review whether the administration followed a fair process.
- The School Board will not receive any complaint that has not been previously explored by the appropriate administrative levels. Any matter dealing with personnel will then be addressed in camera.
- The decision of the Board is final and binding within the Division.

**Documentation and Record Keeping**

- Notes and correspondence regarding unsubstantiated complaints will not be placed in an employee's personnel file.
- Records of substantiated complaints and resulting disciplinary action will be maintained in the personnel file in accordance with collective agreements and privacy legislation (FIPPA).

**The Commissioner of Teacher Professional Conduct**

Teaching is a regulated profession in Manitoba. School clinicians (e.g., social workers, speech-language pathologists, occupational and physical therapists) also hold certificates issued by Manitoba Education and Early Childhood Learning and are considered certified Manitoba teachers.

If you have a professional conduct or competence concern regarding a certified Manitoba teacher or clinician working in schools, and you believe your concern is not adequately addressed by the school division, you may file a complaint by submitting the [Public Complaint Form](#) to the Commissioner of Teacher Professional Conduct.

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**ADMINISTRATIVE FORM: LEVEL 3 - FORMAL COMPLAINT TO SUPERINTENDENT/CEO**

This form is to be used only after proper steps have been followed, and review by the school principal has been completed without a satisfactory resolution. Please submit this completed form to the Superintendent/CEO's Office.

*Note: In accordance with the principles of natural justice, a copy of this complaint will be shared with the employee(s) named below to allow them an opportunity to respond.*

**Section A: Complaint Information**

Name of Complainant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Date: \_\_\_\_\_

If applicable, please provide Student Information:

Student Name: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

**Section B: Procedural Checklist**

*The Division follows a "closest to the source: conflict resolution model. Please verify that the following steps have been taken:*

**1. Level 1:** Have you spoken directly to the employee regarding this concern?

☐ Yes

☐ No (If no, please explain why in Section C)

Date of discussion: \_\_\_\_\_

**2. Level 2:** Have you discussed this matter with the School Principal/Supervisor?

☐ Yes

☐ No

Date of discussion: \_\_\_\_\_

**3. Outcome of Principal's Review:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Section C: Details of the Complaint**

*Please provide specific details including dates, times, locations, and witnesses if applicable.*

*Attach additional pages if necessary.*

Name of Employee(s) involved: \_\_\_\_\_

Description of Incident/Concern: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section D: Proposed Resolution**

What outcome or remedy are you seeking to resolve this issue? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section E: Signature**

I declare that the information provided in this statement is true and accurate to the best of my knowledge. I understand that this information will be shared with the employee(s) involved and the School Administration for the purpose of the investigation.

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

| FOR OFFICE USE ONLY              |                                                          |
|----------------------------------|----------------------------------------------------------|
| Date Received:                   | Received by:                                             |
| Copy provided to Employee:       | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Investigation Assigned to:       |                                                          |
| Date of Response to Complainant: |                                                          |

*Personal information collected on this form is protected by the Freedom of Information and Protection of Privacy Act (FIPPA) and will be used only for the purpose of resolving the complaint.*

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