



POSITIVE  
PROFESSIONAL **Parent**  
**Teacher**  
**Relationships**

ONTARIO ENGLISH  
**Catholic**  
**Teachers**  
ASSOCIATION

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# Introduction

It should be no surprise to teachers or parents if we report that education in Ontario is undergoing profound change, that this change is producing instability; and that this instability is generating turmoil.

Since 1995, school boards have been re-structured and amalgamated. Schools have been closed and there has been widespread labour unrest among teachers, causing disruption of the academic and extracurricular life of many students. During that time, both elementary and secondary schools have witnessed rapid and massive changes: new curriculum, new common provincial report card, changes in assessment and evaluation, province-wide tests, and a moved from a 5-year to a 4-year secondary graduation timeline.

The Education Improvement Commission, the College of Teachers and school councils have also been introduced.

In addition to the structural changes, teachers live with increased public scrutiny especially from parents. We hear incessant demands for accountability all around the education sector. We must be more than competent educators; we are learning to respond to the new cultural and political landscape in which we work.

Teachers understand that a strong community of students, their parents, and teachers is at the heart of quality education. The Catholic school community is a center of learning and a community of faith. But in spite of this unique quality, the scale of change in Ontario's school system has created higher levels of stress than ever before. The particular communitarian nature of Catholic schools themselves, and the relationships that are their life's blood, is at risk because of the current turmoil.

It takes good communication and effective relationships to create and maintain a positive school environment. Change, unless it is carefully managed and thoughtfully



introduced, inevitably produces conflict within organizations and among its members. In such a time, effective communication within the school community and among its educational partners is absolutely essential.

OECTA's Unit presidents and the Counselling and Member Services Department see the increase in calls from teachers about difficulties with parent teacher relations. Friction is inevitable in a period of socio-economic stress, rapid change and limited resources. Despite these stresses, parents are our partners in education and our natural allies. We share common goals and concerns. A lot can be accomplished when we work together.

The overwhelming majority of relationships with parents are positive and productive. However some teachers have experienced problematic or destructive relationships with parents. The vast majority of conflicts are a result of misunderstandings that could have been avoided. The sting from poor parent teacher relationships is upsetting at best and can destroy a teacher's career at worst.

It is in everyone's best interest to develop and foster positive and professional working relations with parents. They begin with effective communication.

This resource is intended to provide a realistic and workable guide for teachers in developing positive relations with parents. In the event there is conflict with a parent, this guide provides some useful strategies to handle such situations.

# Effective Communication with Parents

Effective communication is the foundation of all good relationships. What we say, how we say it and what we think other people are saying, colours our perceptions and influences our beliefs.

## ESSENTIAL COMMUNICATION SKILLS

Teachers are highly educated professionals. We possess many talents and skills. Even the most seasoned teacher can improve communication with adults in a professional context.

Communication is both verbal and nonverbal. While most of us pay close attention to what we say and take great efforts to be diplomatic, we often forget our body language. Experts say that 50 per cent of communication is nonverbal. Some kinds of actions serve to block communication such as, arms folded across the chest, avoiding eye contact, foot tapping, pen flicking, leaning back or turning away. We communicate many messages through body language that differ from our spoken words.



The choice of words and the emphasis we place on them greatly influences communication. Be careful with how you describe a student. Try “John needs to complete his homework” instead of “John is lazy.” The intonation of our voice also conveys messages.

Preaching, judging, interrupting, laughing and ridicule, commands, exaggeration, insult, manipulation, control and threats are all communication killers. Avoid them.

Practice active listening skills. Understanding what is really being said is the key to positive relationships. Many times misunderstandings are a result of miscommunication.

>> Ask many questions. Try to understand the whole issue. The most common cause of conflict is a lack of information.

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## TEN COMMANDMENTS FOR GOOD HUMAN RELATIONS

1. Speak to people, not at people.
2. Smile.
3. Call people by their names. Don't use endearments like "Kiddo." If you have forgotten a parent's name, ask to have it repeated.
4. Be friendly and helpful. Many parents visiting a school feel intimidated and lost. The school building you know so well can be a jumble of neverending corridors to a visitor.
5. Be cordial.
6. Be interested in people and what they have to say.
7. Be generous with praise. A compliment will go a lot further than criticism.

8. Be considerate of the feelings of others.
9. Give service when needed.
10. Add humour, patience, and a little humility.

## TEN COMMANDMENTS FOR GOOD LISTENING

1. Stop talking!
  2. Put the speaker at ease.
  3. Show you want to listen.
  4. Remove distractions.
  5. Empathize.
  6. Be patient.
  7. Hold your temper.
  8. Go easy on argument and criticism.
  9. Ask questions.
  10. Paraphrase what you've heard.
-

>> Paraphrase what you have heard to clarify that you have accurately understood what has been said. This also helps probe for more information. It can also slow the pace of the discussion which may be useful when handling a complex problem.

>> Summarize your understanding. This helps to pull together the facts and the feelings. It provides an opportunity to emphasize the essential information and to prevent the conversation from going off topic.

>> Validate the parent's concerns to acknowledge you respect her or his values, ideas and feelings.

>> Restate your conclusions. It lets the speaker know that the message has been heard and understood. It also lets the speaker hear and assess the message is being sent.

#### EARLY CONTACT

Making early contact sets the relationship off on the right note. It will help lessen the parent's anxiety. It establishes expectations. It can offer insight into the student's needs and concerns.

Begin early in September to establish positive relations with parents. Teachers should develop various methods to communicate with parents about classroom expectations and routines, discipline methods, course guidelines, marking schemes and communication protocols. Many teachers send home a letter to their parents in the first week of school. Ask your principal if there are school policies or templates regarding formal contact with parents.

#### MAINTAIN REGULAR COMMUNICATION

Create a communication protocol for every parent. Once this is established vet it with your administration. To avoid duplication and to prevent contradiction with school and board policies you should keep your principal informed. If a problem with a parent arises, it helps if your principal knows about your actions from the beginning.

#### A CLASSROOM COMMUNICATION PROTOCOL SHOULD INCLUDE:

>> Invitations to parents for their input and information. Let them know that you welcome information that might affect a student's progress in the classroom.

>> Regular communications with home. Keep parents well informed. Let them know about school events, class projects, reporting periods, and the like. Let parents know when and how they can reach you and make them feel welcomed.

>> Expectations and discipline practices. Avoid the comment "if I had known sooner..."

>> Information about how you will communicate serious problems. Parents want to know how you will inform them if something is wrong. You can send a letter home to all parents on a regular basis, then telephone them individually about issues that are more important.

>> Classroom visiting procedures. Parents have the right to visit your classroom in consultation with you and the school according to board policy. These procedures must be clearly explained early and often. It is a good idea to establish a designated parent visiting day when parents may come to observe their children. Always explain your expectations of their behaviour during these visits.

Parents don't like surprises when it comes to their children. Maintaining regular contact with parents prevents misunderstandings. If there is a misunderstanding or a conflict develops with a parent, the teacher can use the protocol to direct the parent's concerns. A parent cannot successfully complain that a teacher didn't keep the parent informed of a problem. A proactive strategy can head off many potential conflicts before they become serious issues. Following your own protocol can help protect you from false allegations.

#### CONFERENCING

Face-to-face communication with parents is by far the most effective. Because it is so time consuming, it is generally reserved for reporting periods or for discussing important issues.

Teachers should keep in mind how stressful it is for many parents to meet their child's teacher. Consequently, a parent's reaction to a teacher's comments may seem defensive. Do your best to put them at ease.

While most teachers had good school experiences, individual parents may have very different expectations and

perceptions about school than you have. Each party may come to the meeting with vastly different mindsets due perhaps to changes to the school system or because of cultural differences.

### TELEPHONING

Direct telephone conversation is usually a good way to communicate with parents. Sometimes a particularly sensitive piece of information is better shared in person while something routine can be communicated in writing.

### WHEN TELEPHONING

- >> Consider the timing of your phone call. No one likes to be disturbed during suppertime or late at night.
- >> Try to make the conversation short and informative.
- >> Stay focused on the reason for your call. Avoid chit-chat.
- >> Be specific about the purpose of your call. Tell the parent about your concerns, expectations and/or action plans. Don't expect the parent to read your mind. If his or her child has misbehaved and you want support for a course of action, state your request clearly.
- >> Call with positive news. Don't always call when there is a problem. Many parents dread the call from school. Many teachers make a habit of making at least

one good news call to every parent. It is surprising how pleased parents are when the school calls with good news.

- >> Telephones are not always private. This can stifle an open honest discussion.
- >> Don't call when you're angry.
- >> Don't be flippant, sarcastic or belittling.
- >> Understand that the topic is their child. Be sensitive to their feelings.
- >> Always be polite and courteous.

When parents call you, return their call as quickly as possible. If the topic becomes sensitive arrange for a personal meeting. If the parent is angry, schedule a discussion for a later time.

### E-MAIL

Teachers are using e-mail to communicate with parents more frequently. E-mail is great for the quick dissemination of straightforward information. E-mail, like letter writing, may not be the best way to convey sensitive information or to communicate when a response or agreement is required. Many households do not have a computer or access to e-mail. Always offer an alternative to e-mail. Remember that e-mail communication to a parent may be saved, printed or forwarded to others to produce a written record of communication. Exercise appropriate discretion.

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### CONFERENCING DO'S

- ✓ Arrive on time. Punctuality is a sign of respect.
- ✓ Greet the parent warmly, be polite at all times.
- ✓ Address the parent by name and with respect.
- ✓ Focus on the issue, don't get sidetracked.
- ✓ Share all information on hand.
- ✓ Seek understanding from the parent.
- ✓ Listen to their concerns and answer their questions openly.
- ✓ Remember the purpose of the meeting is to enhance learning.
- ✓ Listen to the parents and discuss their concerns. Invite suggestions from parents.

### CONFERENCING DON'TS

- ✗ Don't give the parent a student's chair. Remember you are equals.
- ✗ Don't surprise the parent with a new problem. Conferencing is not the time to introduce new problems.
- ✗ Don't blame.
- ✗ Don't engage in idle chit-chat. This is a serious meeting.
- ✗ Don't do all the talking.
- ✗ Don't compare students.

REMEMBER THAT EDUCATION IS  
A PARTNERSHIP.

## PROFESSIONALISM

Teachers hold a position of trust. We are expected to uphold certain values as outlined in the *Education Act*. We are role models and these expectations continue 24 hours a day, 365 days of the year.

Parents are often in the school throughout the day, attending meeting, visiting classrooms or volunteering. Be considerate and careful making comments in the hall or staff room, especially at the end of a hectic day or when you need to discuss concerns with colleagues. The school may not be the most appropriate place to vent. Nor is a neighbourhood bar, especially if you live in a small community.

While we maintain certain boundaries with our students we should also maintain professional distance from parents. Be careful about establishing relationships with parents that become friendships. We are the child's teacher above all. The College of Teachers and the employer considers the teacher's duty or role as paramount, taking precedence over any friendship.

Nor should teachers tolerate from parents unwelcome comments about your appearance, unwelcome touching, unexpected visits to your home, frequent visits to your classroom for no apparent reason, or any behaviour that makes you feel uncomfortable. If this happens to you, tell the parent firmly that the behaviour is unacceptable and immediately report the incident to your principal and OECTA representative.

## BE A PROBLEM SOLVER

A problem-solving approach can help avoid serious problems in the future. A teacher's duty is to identify a problem or concern with a student and look for a workable solution to the problem. A parent wants to know about the strategies to solve a problem in addition to a clear diagnosis. The ideal strategy will be one that the teacher and parent agree to employ together.

Many times parents appear angry and confrontational. We should try to diffuse this. Parents may feel threatened when a teacher reports a problem with their child. Keep the discussion focused on the problem. If a parent is too upset to listen to the teacher's concerns, ask an administrator to join the meeting.

In dealing with parents use the same strategies that we employ with our students and understand their point of view. Although we share many of the same goals, the parent usually focuses on the child while the teacher must consider the needs of an entire class. You may need to explain this perspective to the parent. If the parent cannot or will not accept your position, ask the parent to speak to the administrator.

## DOCUMENT! DOCUMENT! DOCUMENT!

Get into the habit of documenting every single communication with parents. Keep a file on regular forms of communication that you send home with students, all telephone calls, conferences and evaluations. Write brief, objective notes during discussions with parents that include what was said, by whom, problems identified and their resolutions, who took responsibility for what and any expected timelines. Avoid writing opinions or subjective commentary. Remember these notes constitute a formal record and should not be shared in a non-professional context.

We live in a litigious society. Sometimes complaints are raised months or years after an event. While memories fade, objective notes made at the time can be very helpful.

## YOU ARE NOT ALONE

No teacher should ever tolerate rude or abusive behaviour from students or parents. If a parent acts this way, insist that your administrator join the meeting. If it escalates, adjourn the meeting until another time when people are able to talk calmly.

You may want to bring a third party to a meeting you anticipate will be difficult or if an issue is complex. Asking for help does not indicate weakness or an inability. You are entitled to seek support and it indicates good professional judgment. Failure to seek advice or assistance can aggravate a situation.

If a parent's behaviour threatens your professional reputation, disrupts your ability to perform effectively, or becomes a danger to your health, seek assistance immediately. Inform your principal. Contact your OECTA unit office or the Counselling and Member Services department at OECTA's Provincial office. You are not alone.

# Misunderstanding and Conflict

Teachers are sometimes challenged by students, colleagues, administrators, representatives of outside agencies or parents – all people with whom we work. Teaching requires excellent interpersonal skills and we are called upon to use these skills frequently.

Conflict occurs from time to time in the normal course of everyone's career. It is not all counterproductive. Well-managed conflict can help to clarify issues and feelings. All educators should enhance their conflict resolution skills to reduce stress and frustration when conflict does arise.

As a highly skilled education professional you can influence the quality of relationship you have with parents.

## SOURCES OF CONFLICT

To handle a conflict with a parent successfully, learn to understand the sources of conflict. In general there are six main categories.

### 1. RESOURCES

Conflicts may occur when resources are limited. A parent with a special needs child may not understand the lack of resources due to inadequate government funding. A parent may not understand the teacher's decision over the allocation of scarce resources in the classroom. Conflict over the distribution of resources can take many forms – the need for power, the need for recognition, jurisdiction of authority, and assertion of self-esteem.

### 2. PSYCHOLOGICAL NEEDS

When psychological factors such as self-esteem, feelings of belonging or happiness are threatened, people can sometimes become aggressive. A parent who thinks that he or she has been belittled by a teacher or who believes the child has been picked on, may lash out.



### 3. VALUES

People may feel personally attacked if they think their values are threatened. It is not usually the difference in values but the fear that one set of values is dominating. These conflicts can be difficult to resolve.

### 4. DIVERGENT GOALS

Conflict may result when a teacher and a parent have completely different goals. A teacher who stresses drama, for example, may come into conflict with a parent who values math and science above all.

### 5. INCONGRUENT ROLE EXPECTATIONS AND BEHAVIOUR NORMS

A parent who encourages a child to challenge authority figures may not accept the teacher's discipline of the child for "insubordination."

### 6. INCOMPATIBLE PERSONALITIES

Sometimes conflicts are caused by personality differences.

## RESOLVING CONFLICT

In conflict resolution, it is helpful to reflect on the issues and decide whether they are interests or positions. Interests are our needs that motivate us to act in certain ways and to make certain decisions. A position is a stance that we adopt to meet those needs. It can be changed. Successful conflict resolution focuses on understanding and addressing the interests of the parties rather than their positions. Focusing on interests allows the parties to discuss the real issues.



## SIX STEPS

1. Define the problem or source of the conflict. Use active listening skills to try to understand the parents' concerns and perspective. Reflect on your own actions and feelings. Have you inadvertently aggravated the situation? Have you been overly sensitive and overreacted? Is there any substance to the parent's criticism? If at the end of a meeting you and the parent can agree on the problem you have achieved a lot.

2. Get all the information. Sometimes conflicts occur because one party is unaware of certain facts. For example, is the teacher aware that the parent's child has a hearing disorder? Is the parent aware that the student had noted the project due date in her or his homework book? When discussing issues with parents provide opportunities to share information.

3. State your goal. Be clear and specific. Instead of saying, "I want Jane to do better," explain, "I want Jane to do her math homework because I think it will improve her mark." Ask the parents for their goal. Ask if they agree with your goal.

4. Develop strategies and possible solutions together. Brainstorm and decide which are practical and most likely to succeed. Decide together which strategy to use.

5. Outline timelines and expectations. Together agree on reasonable timelines. When should you expect to improve the student's math mark? What is a reasonable improvement? 1 mark or 10 marks? What should the teacher and parent do if the marks do not improve within the given time?

6. Arrange for a follow-up meeting. Check to see if the parent is satisfied with the agreed actions. Make modifi-

cations to the strategy if necessary and agreed upon. Take detailed notes after each meeting/discussion. This will help to avoid repetition.

## THE DIFFICULT PERSON

From time to time differences of opinion signal other problems. In some disputes, one party may be what psychologists call a "difficult person." In these cases, solving the conflict may require greater patience.

### REMEMBER

>> We are all difficult in one way or another. It is part of human nature.

>> Another person's experience, expectations and fears may be very different from your own.

>> Debates about right and wrong are counterproductive. In a conflict, the challenge is to understand the other person's perception and help him or her to understand yours.

### DON'T

>> Try to prove the other person wrong.

>> Deny there is a problem.

>> Distract from the stated problem.

>> Look for someone to blame.

Healthy people have strong self-esteem and a clear sense of their own identity. They discuss problems and take responsibility for their own actions. They are solution-focused rather than blame-focused. They recognize the world around them and its complexities and understanding that our society today is culturally and socially diverse. Healthy people keep these different perspectives in mind.

Professional assertiveness is important when addressing conflict with parents. Exercise your rights and insist on

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## KEY CHARACTERISTICS OF DIFFICULT PEOPLE:

- The tendency to see the world in black and white. Beliefs and behaviours are rigid.
- Immature or unrealistic perceptions of self and others.
- Limited ability to see other people's points of view.
- Belief that 'normal' people do not have problems. Consequently, when a problem arises

there is a tendency to deny the problem.

- Limited awareness of appropriate expectations and boundaries for themselves and others.

*Use awareness skills to assess your response when you feel a conflict arising that may involve a difficult person. Guard against the natural tendency to view your own position as the 'right' one.*

courtesy. Try to put the situation in context and understand the parent. Do not ignore an upset parent. A parent who yells may be doing so out of fear that he or she is not being heard or understood. It may be a normal communication method for that person. Help by saying calmly, "I want to hear your concerns, please slow down a bit", or "I respect you and I want to discuss this with you, so please speak quietly." Never tolerate rudeness, threats or abuse.

Review the problem, the issues involved and respond to an upset parent with awareness and professional concern.

#### DANGER SIGNALS

If you notice the signs of potential serious conflict, then you will have a better chance at solving the problem and avoiding future stress.

The following may be signs of pending conflict:

- >> Frequent and unscheduled school visits.
- >> Calls for no apparent reason.
- >> Calls to your home.
- >> Difficult and uncomfortable meetings.
- >> Refusal to agree on the highlighted concerns.
- >> Student defiance supported by the parent.
- >> Calls to the administrator, Board officials or trustees.
- >> Rumour or gossip from other parents regarding the teacher's abilities or character.
- >> Threats to call the College of Teachers, Children's Aid Society.
- >> Written complaints.

#### **DO NOT IGNORE THESE SIGNS.**

It is extremely rare that a parent who is doing these things will stop. More often the activity escalates.

#### DE-ESCALATING CONFLICT

The first step is to look at the situation as if it were happening to someone else. Are you are being overly sensitive? Does the parent have legitimate concerns that you have not addressed or that need more attention? Have your actions aggravated the problem?

If the parent is raising honest concerns, it is your responsibility and in your best interests to address the concern in a professional, calm manner – meet with parents immediately to find a resolution. Do not avoid

the problem. Tell your principal what is happening and what action you have taken.

Terminate the discussion if the parent becomes unreasonable, if you have previously addressed the concerns or if the parent's behaviour becomes threatening or intimidating in any way. Ignoring abusive behaviour will not resolve the conflict. Make it clear that discussion must be polite and respectful.

It may be necessary to seek intervention by someone with legislated responsibilities and authority to de-escalate conflict with a parent.

Gather background information. Is this the first time the parent has complained? Is there a history or pattern to the parent's behaviour? Is there a history of involvement of outside agencies? What actions have you taken? This information may help you prepare an effective strategy to deal with the parent.

Take this information and speak with your principal immediately. Ideally there should be a meeting with the parent to discuss the conflict. You should attend the meeting. Any positive resolution will involve you. The discussion must remain polite and professional. Remember that the school board has a responsibility to protect employees. Call the local OECTA unit president if your principal fails to honour this board's duty. The principal involved should listen to and support both parents and teachers, but you have a right to be publicly supported by your principal. Discussions about you, teaching duties and abilities should never be held with parents or students.

If every effort has been made to reach a mutually agreeable resolution and the parent is still dissatisfied, call the board superintendent. Give the superintendent your file of notes from meetings and discussions, telephone conversations, notes sent home, requests for assistance and support and descriptors of the student's and parent's behaviour. Include dates and times with your notes. Avoid offering opinion. Let the facts speak for themselves.

Know your rights. Seek help and assistance as needed. Contact your local OECTA unit president or the Counselling and Member Services department at the provincial office. Advice and support are available.

# Bullying and Harassment

## WHAT IS BULLYING?

While there is no fixed legal definition of the term workplace bullying, it is persistent, hostile treatment that erodes a victim's self-confidence and it can seriously affect his or her health and may even ruin a career. It is best understood as acts of commission including hostile verbal and nonverbal communication and interfering actions and omissions, such as withholding resources, time, information, support, that guarantee failure. It can include teasing, criticizing, insulting and gossiping. These activities are motivated by the bully's need to control.

Bullying is primarily psychological and involves criticism and intimidation. Anyone can be a bully. Often people don't initially recognize that they are being bullied. It can begin with subtle, often seemingly honest, debate. A parent's first, second or even third visit to the classroom, or call to the school, may not seem out of the ordinary. The questions asked regarding curriculum might appear honest and legitimate. However, after repeated visits or calls, you may begin to feel frustrated by the same questions and comments. A pattern of behaviour may be developing. Parents are entitled to question their children's progress, but teachers should be concerned when a parent's involvement focuses more on teacher criticism than understanding the child's progress. If questions and comments are counterproductive, controlling and indeed hurtful, bullying may have begun.

## THE PROFILE OF A BULLY

Anyone can be a bully, male or female. The bully is most likely to pick on someone who is competent, often excelling at his or her job and well liked rather than the loner or oddball. Their victims just happen to be in the wrong place at the wrong time.

Adult bullies are very similar to classroom bullies: insecure, with poorly developed social and interpersonal skills. More than anything, bullies fear the exposure of their inadequacies. The bully's goal is to humiliate, crit-



icize, belittle and trivialize. They are predatory and opportunistic. They select targets that they perceive to be vulnerable, with a non-confrontational cooperative personality. The activity is likely to escalate.

You may become a target of a parent bully by unwittingly drawing attention to the parent's actions. The parent may not like what he or she hears when you call to discuss a child's performance. The bully parent may believe you are criticizing his or her parenting skills and may bully you as a consequence. The chance of this happening may be greater with increased teacher competency since you are more likely to identify and diagnose deficiencies.

## THE IMPACT OF BULLYING

Bullying should not be tolerated, yet it is a common experience. According to a study conducted in 2000 by the Campaign Against Workplace Bullying (CAWB) in which 1335 respondents were surveyed, 1 in 5 workers in the United States experienced "bothersome, disruptive mistreatment" in the workplace in 2000. A 1999 International Labour Organization (ILO) report on workplace violence found that physical and emotional violence is the most serious problem facing employees and employers in new millennium.

Employers are now beginning to recognize that bullying ranks with sexual harassment and alcohol and drug abuse as a problem in the workplace. School boards have a moral, financial and legal responsibility to address the problem.

Bullies poison the work environment and create stress in the work site. Work performance suffers, relationships can deteriorate and friendships may cool. Bullying must never be tolerated!

## PARENTAL HARASSMENT

There is a story of a parent who had a disagreement with his son's teacher. The teacher met with the parents numerous times to discuss the problem. With each answer and solution the teacher provided, the parent introduced a new complaint. The teacher referred the problem to the principal for assistance. The teacher, the principal and the parent met but were unable to satisfy the parent's concerns. Soon after, there was a meeting with the teacher, principal, parent and the superintendent. During this meeting, the parent grew increasingly hostile and accused the teacher of incompetence. Later the parent wrote to the director of education and school board trustees accusing the teacher of being mentally incapable. When the school board officials supported the teacher, the parent took his accusation outside to the community. He distributed a petition and flyers to other parents and students and wrote letters to the editor and members of the community. The parent was sued for defamation of character and criminal harassment.

This is an extreme situation. The employer has a responsibility to protect this teacher and the school community against such harassment and defamation.

Harassment is a term recognized in law as either criminal or civil harassment. Within each type, there are four kinds of harassing behaviour ranging from oral, physical, telephone, to written harassment. A legal definition of harassment is a course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purposes. A person who harasses can be prosecuted under the Criminal Code or the human rights policies of the Ontario Human Rights Code.

Though not technically legal term, parental harassment may be understood as persistent parental or community criticism of or interference with school programs, teacher performance or interaction with students that is unwarranted and/or unsubstantiated.

As Alberta lawyer, Daniel Carroll sees it, parental harassment is the use by parents of confrontation tactics which attack a teacher or which have the consequence of reducing a teacher's ability to conduct herself effectively within the school and which harm the teacher's well-being or professional reputation.

Defamation of character is commonly defined as making public or, available to a third person words or matter containing an untrue attribution against another. Such communication in writing is called libel, when the communication is conveyed orally it is called slander.

A concerted response is needed when a teacher is victimized by some form of bullying, intimidation and/or harassment, particularly where focused problem solving has had no success. The teacher and school authorities, in consultation with board lawyers, should study alternative strategies. The teacher should also contact OECTA for resources and assistance.

## SOFT RESPONSE

A soft response involves intervention by the school administration using the powers available to them.

A person in authority, such as the principal may provide an opportunity for legitimate expression of concerns, diffusing those concerns and setting rules for acceptable conduct.

A school board policy or procedure may apply to the situation and provide some direction as to how these issues should be approached. Meetings should be restricted to discuss the specific topic only and should not become a venue for a parent (or parents) to continue with harassing behaviour. Proper conduct for the meeting should be outlined to the parent(s) by school board officials and agreed to prior to the start of the meeting. All parties must be courteous and demonstrate respect.

Some boards may employ the use of mediation resources, facilitators or trained mediators. An independent mediator may establish a problem-solving atmosphere. This can be useful, especially when emotions are running high. An 'outsider' can bring an air of objectivity to the discussion and diffuse the situation, thereby allowing the parties to focus on the issues and not the positions.

The board should use all of the tools it has available to protect the teacher and the school. This may include restricting the parent's access to school property. The principal may invoke the provisions of the *Education Act* or *Trespass to Property Act*, if, in the principal's judgment,

the parent's presence in the school would be detrimental to the physical or mental well-being of the pupils.

#### HARD RESPONSE

A hard response involves external intervention by the police and the courts.

A hard response is needed in cases of severe harassment or actions that violate the Criminal Code or other laws. In these cases the police or appropriate authorities should be contacted.

Under the Criminal Code, a person assaults when "he or she attempts or threatens, by an act or gesture, to apply force to another person, if he or she has, or causes that other person to believe upon reasonable grounds that he or she has an ability to effect his or her purpose."

In circumstances of harassment where there is reason to believe that a person may cause injury to the person, his or her family or property, an application may be made before a judge of the Ontario Court (Provincial Division) or justice of the peace. If the judge or justice of the peace is satisfied that the person has reasonable grounds for his or her fears, an recognizance to keep the peace may be ordered for a period of time not exceeding twelve months. A person who commits a breach of the recognizance is guilty of an offense.

Depending on the circumstances of the situation and evidence, the police may make a charge under the "stalking" or "criminal harassment" provision of the Criminal Code.

Alternately, a harassing parent may be put on notice that her or his behaviour is unwelcome and, if the behaviour persists, may be cause for a civil suit. The board's lawyer can write a 'demand' letter or a 'cease and desist' letter. Such correspondence notifies the parent about potential civil action or other consequences. Usually these formal letters put an end to the problem. It is a cold wake-up call. Occasionally they escalate the harassment if the parent is gratified by the reaction and attention.

#### CIVIL LITIGATION

One of the last resorts for the teacher who is harassed is civil legal proceedings. This should not be considered lightly. There are a few bases upon which harassing parents might be sued: for libel or slander and nuisance, or in extreme cases, assault/battery. Any lawsuit is lengthy, expensive, public and emotionally draining. This should only be started after close examination and discussion with the board's legal counsel. Only a few teachers in Canada have ever successfully sued parents for harassment.

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#### DEFAMATION LAW EXISTS TO BALANCE THE "TWIN VALUES OF REPUTATION AND FREEDOM OF EXPRESSION." TO PROVE DEFAMATION ONE MUST SHOW THAT A STATEMENT:

1. is not true.
2. injures the person's reputation or good name.
3. was made publicly.

An accusation about a teacher to the principal or even the CAS that is later proved unfounded is not likely to be defamation, because it was not made publicly. It would be different if the parent printed the accusation on a banner and displayed it on a downtown street. A requirement for libel/slander is that the offending party makes the false statements public.

#### THERE ARE THREE DEFENSES TO DEFAMATION

1. the statements are "justified," substantially true
2. the statement was a "fair comment"; or an expression of an honestly held opinion founded on true facts on a matter of public interest
3. there is "Qualified Privilege", in which the person making the communication has an interest or a duty, be it legal, moral or social, to make the statement. Justification is a complete defense. It can be defeated as a defense if one can prove there was "malice." Malice is not simply "ill-will"; there must be proof of some ulterior motive.

A person who privately harasses a teacher, where the harassment does not involve a third party, but does not necessarily make a defamation statement, may be sued on the basis of nuisance. The common law of nuisance protects against acts or omissions whereby a person is unlawfully annoyed, prejudiced or disturbed in the enjoyment of land. A person can be charged for making persistent telephone calls, and/or unwanted visits to someone's home or place of work. The test is whether the harassment "amounts to undue interference with the comfortable and convenient enjoyment by the plaintiffs of their respective property."

No incident of harassment should be taken lightly. A teacher who experiences any form of harassment should

inform the employer immediately. A parent's actions are unlikely to stop without intervention.

All educators should develop awareness of the initial stages of harassment and board policies. Many times with the proper strategy, the actions can be stopped without criminal or civil intervention. A proactive strategy is always better than a reactive one. Any successful proactive strategy must include board officials and their legal counsel. It is their responsibility. An individual teacher should never be expected to handle the problem alone. Contact your local OECTA president or the OECTA Provincial office if you have questions or concerns.

## CHAPTER FIVE

# Rights Responsibilities and Expectations

The following is a summary of some of the many rights and responsibilities of parents, teachers and the school board in relation to each other. The information here is intended to be a review of important issues, but is not complete. Contact OECTA for more detail.

### TEACHER RESPONSIBILITIES

Teachers have a duty to adhere to their various duties as mandated by legislation. The following clauses in *Education Act* deal specifically with Teachers' duties in relation to parents and parental expectations.

- >> Sec. 264: teachers must teach diligently and faithfully, encourage pupils to learn, act as models and maintain discipline.
- >> Regulation 298: teachers are responsible for instruction, training and evaluation of the progress of pupils; must report about pupils' progress to the principal; assist the principal to maintain close co-operation with the community; prepare teaching



plans and outlines and submit them to the principal as required.

### TEACHERS HAVE THE RIGHT TO:

- >> Be informed of parental complaints if board officials act upon those complaints.
- >> Receive copies of letters from parents if they are placed in the teacher's personnel file.
- >> Have OECTA representation in any manner that is, or might be construed to be, disciplinary.
- >> Expect their employer to follow appropriate regulations, policies, procedures and legislation.
- >> Request administration assistance with curriculum, assessment, classroom management and discipline.
- >> Request assistance from their administration in all communications with parents.
- >> Work in a safe environment, free from harassment, intimidation or bullying.

- >> Be treated with courtesy and respect.
- >> Contact OECTA about any matter, problem or question at any time.

The following laws, contracts and policies define roles, responsibilities and rights.

**The Ontario Human Rights Code, 1981**

- >> Part I, sec. 5 (2) states an employee has the right to freedom from harassment in the workplace if the action is based on one or more of the prohibited grounds, which include race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offenses, marital status or handicap.

**The Occupational Health and Safety Act, 1990**

- >> Sec. 25 (2) (h) states employers have a duty to take every precaution reasonable in the circumstances for the protection of a worker.

**The Criminal Code of Canada**

- Sec. 180: Nuisance
- Sec. 264: Criminal Harassment
- Sec. 265: Assault
- Sec. 372: Harassing telephone calls
- Sec. 810: Reasonable fear for personal safety or property

**Education Act** (as amended by the *Safe Schools Act*, 2000).

- >> Sec. 301(2) sets out the purposes of the code of conduct including that all members of the school community are to be treated with respect and dignity and that an environment should be maintained where conflict and differences are addressed in a civil manner.

- >> Your own collective agreement.
- >> Your school board's harassment and assault policies

**THE SCHOOL BOARD HAS THE RESPONSIBILITY TO:**

- >> Ensure all members of the school community, especially people in positions of authority, are treated with dignity and respect.
- >> Provide a safe workplace.
- >> Provide a workplace free from harassment and intimidation.

- >> Comply with applicable statutes including the *Education Act*.

- >> Provide teachers with the appropriate supports and work environment so that they can do their jobs successfully.

- >> Use the tools at their disposal to ensure their employees are treated respectfully and fairly.

**THE SCHOOL BOARD HAS THE RIGHT TO:**

- >> implement and adhere to board and school codes of conduct, and relevant sections of the *Education Act*:

- >> Sec. 212 (1), it is an offense to disrupt the activities of a school or a classroom.

- >> Sec. 265 (m), the principal's duties include the prevention of access to the classroom of anyone whose presence would be detrimental to the physical or mental well-being of the pupils.

- >> Sec. 305, provisions governing access to school premises (in accordance with regulation) empower the principal to direct people to leave the school property.

- >> Under the *Trespass to Property Act*, principals can give notice to an individual (including parents) to leave school premises.

- >> Board policy. Principals can ask parents and others to respect and follow school behaviour codes and policies. Principals can require parents and others to follow meeting restrictions, which may include specifying meeting times, locations, attendance and agenda.

**PARENTS HAVE THE RESPONSIBILITY TO:**

- >> Abide by the law.
- >> Behave in a civil and respectful manner.
- >> Follow school rules and procedures.
- >> Acknowledge and abide by school board policies and procedures.

There is no specific legislation that mandates or directs parents or gives special attention to parental rights. In the educational setting, rights, and responsibilities are mandated for educators, school authorities and other officials and authorities, such as the Children's Aid Society. Parents, legitimately, have high expectations that teachers should respect.

#### PARENTS EXPECT TO:

- >> Know what is being taught and how it will be taught.
- >> Know how learning will be evaluated and the evaluation and assessment criteria employed.
- >> Be fully informed of their child's progress and problems when or if they arise.
- >> Upon request, and within the confines of any school policy, meet with teachers regarding the progress of their child and arrange with the teacher to visit the classroom. Appointments for visits and

#### CHAPTER SIX

## Resources

*Black's Law Dictionary*. Sixth Edition.

*Bully OnLine website of the UK National Workplace Bullying Advice Line*, [www.successunlimited.co.uk/bullying.html](http://www.successunlimited.co.uk/bullying.html)

*Bullying in the Workplace*, Canada Safety Council, excerpt from web-site, [www.safety-council.org/info/OSH/bullying.html](http://www.safety-council.org/info/OSH/bullying.html)

*The Campaign Against Workplace Bullying*, excerpt from web-site, [www.bullybuster.org/def.html](http://www.bullybuster.org/def.html)

Carroll, Daniel. *Parental Harassment: When Reasonableness Fails*. Prepared for the CAPSLE Conference, 1998.

*Developing a Positive School Environment: A practical and legal guide for members*, The Ontario English Catholic Teachers' Association, 1994.

Keel, Robert G. *The Spectre of Parental & Intruder Harassment*, Keel Cottrelle, 2000.

*Parent Teacher Relations: Putting the Pieces Together*, Elementary Teachers' Federation of Ontario, 2000.

Roher, Eric M. *Dealing with the Problem Parent*, Partner of Borden Ladner Gervais LLP, prepared for CAPSLE Conference, 2000.

*We can make schools better by becoming Partners in Learning*, The Alberta Teachers' Association, 1996.

- meeting should be arranged by mutual agreement.
- >> Know the approved discipline methods in a class and the school. This includes the teacher's classroom expectations and the school's philosophy and expectations regarding discipline.
- >> Speak with the teacher and/or board personnel about their concerns. While it is usually more beneficial and productive for parents to contact the teacher directly parents may contact board officials directly.



#### FOR FURTHER INFORMATION:

Bramson, Robert M. *Coping with Difficult People*, Bantam Doubleday Dell Publishing Group, Inc. 1981

Robin, Daniel. *Dealing with Difficult People*, excerpt from web site, [www.abetterworkplace.com/difficult.html](http://www.abetterworkplace.com/difficult.html)

[www.work911.com/pages](http://www.work911.com/pages) Articles on Anger Management, Communication, Stress Management, Work Related including Conflict Management.

[www.angermgmt.com](http://www.angermgmt.com) Anger management techniques to cover such Coping with Your Co-workers or Boss, Understanding Children's' Negative Behavior.

Contact OECTA if you have questions and concerns [www.oecta.on.ca](http://www.oecta.on.ca)