

# EMPOWERING PARENTS: A GUIDE TO ADDRESSING CONCERNS IN MANITOBA SCHOOLS

June 2018



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## INTRODUCTION

**The Manitoba Association of Parent Councils** (MAPC) functions as a support dedicated to empowering parents/caregivers/guardians and parent groups within school communities. MAPC is involved in supporting, promoting, and enhancing meaningful parental involvement in schools to improve the education wellbeing of children in Manitoba. As a support, MAPC helps parents to sort out what steps can be taken and determine a possible course of action which might work best for parents and families.

In this guide, the term 'Parent' represents all parents/caregivers/guardians of children attending school in Manitoba. Parent Advisory Council(PAC) represents any parent group operating within a school community. This includes Advisory Councils for School Leadership (ACSL), Parent Councils, Home and School Associations, Parent Groups, or any variation of names which may be used.

*Empowering Parents: A Guide to Addressing Concerns in Manitoba Schools* is a starting point for parents who feel they need help in addressing concerns in their school community. It provides parents with ideas, tools, and directions to address concerns and find agreeable solutions for everyone involved. By working collaboratively with parents, education partners, stakeholders, and Manitoba Education and Training, MAPC continues sharing concerns parents experience while discussing strategies and solutions to address concerns as they arise. While the content of this guide is universal in its basic philosophies, some of the processes may differ between funded and non-funded independent and public schools in Manitoba. If you have a concern involving process and policies involving an independent school, please refer to that school or its board of directors for additional information and clarity.

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While it is the intent of the Guide to assist parents in resolving a concern, there are also additional formal processes and authorities available to help parents.

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## SECTION 1: PARENTAL EMPOWERMENT

### WHAT IS PARENTAL EMPOWERMENT?

MAPC defines parental empowerment as, **"the capacity of families to take control of their personal circumstances to achieve their own goals to help themselves** one of the goals of MAPC is to act as a support to provide the resources and information parents may need to help resolve a concern in a school community.

As your child's parent, **you** are your child's best advocate. You know how they manage concerns. You understand what strategies work best at home when concerns present themselves. You are familiar with their likes and dislikes, and how to best support their needs. No one knows your child as well as you do, which is what makes you a **natural advocate** for your child.

## IDENTIFYING CONCERNS

Consider some of the following questions to **identify the concern** you are faced with and how you wish to proceed.

- 1. What is bothering you or your child? Why?
- 2. Does it impact your value system?
- 3. Does it go against your interests?
- 4. How does it make me/my child feel?
- 5. When did it start and how long has it been going on?
- 6. Who is involved?

### **RESOLUTION**

MAPC understands resolution as being the solution that a family wishes to work towards to solve a problem they are experiencing. Often, parents can be clear about the problem, but sometimes have difficulty deciding how it can be resolved. By having one or more possible solutions in mind, parents can have a starting point for a conversation to address the concern.

- 7. What will happen if you don't address the concern?
- 8. Is this is an issue your child can work out on their own.
- 9. Should you step in to assist with the concern? If yes, who should you raise the concern with?

To help with the process of **sorting your thoughts, feelings, and possible actions** you might explore, consider the following questions:

- 10. What happened and when?
- 11. What difficulties has this caused your child?
- 12. What policies or laws might apply to your situation?
- 13. What are your rights and responsibilities?

Make sure your concerns are based on the facts about what is happening, not your feelings about what your think may have been intended.

## CONSIDER YOUR STRENGTHS

Whatever action you might choose to follow, consider your strengths when working with the school system. The goal is to find an acceptable resolution to your concerns. to plan your path towards resolution.

Consider some of the following when looking to work towards a resolution:

#### 1. Communication Skills

- a. Do you have the communication skills you need to address the concern?
- b. Do you need help with writing letters or emails?
- c. Do you have a support person to help you compose your thoughts and ideas?

### RETRIBUTION

RETRIBUTION IS DEFINED AS "PUNISHMENT FOR DOING SOMETHING WRONG". <u>http://www.merriamwebster.com/dictionary/r</u> <u>etribution.</u> (Merriam-Webster: An Encyclopedia Britannica Company)

*Retribution is a concern* parents and students often worry about. They *might express concerns* about being treated differently, being *identified in the school* community as a 'troublemaker', being denied opportunities to participate in school events, or being watched unnecessarily. From experience, MAPC believes that it is best to discuss the possibility of retribution with all of the parties involved and agree on how to address it. should it become a problem.

#### 2. Time

- a. Do you have the time needed to address the concern?
- b. Can the concern be resolved with a quick phone call to the teacher or principal?
- c. Does the concern require more time to sort out (e.g. meetings with school staff and other parties)
- d. Do you have space in your schedule to accommodate meetings?

#### 3. Fear

- a. Is fear something you need to consider when trying to work towards a resolution?
- b. Are you comfortable working with and speaking to school staff?
- c. Is retribution a concern?
- d. Are school staff members comfortable speaking with you?
- e. Do you have a support person to help you through this?
- 4. Confusion
  - a. Are you confused with school and school division policies?
  - b. Do you know where to find the policies?
  - c. Do you need help sorting through policies?

## Remember, this is your child, your family, and your concern to consider – there may not be one

absolute 'correct' way to address the concern and the resolution you seek must be personal and appropriate for you.

MAPC is here to help you to sort out what steps can be taken and determine what course of action will work best for you and your family.



## **SECTION 2: CONFLICT**

Conflict is a natural part of life. Parents engage in conflict on a daily basis as they guide a toddler or a teenager through life. Many people are uncomfortable with conflict, especially when they feel they are in an unbalanced power situation – such as speaking with a teacher, principal, or superintendent.

Navigating the school system can be a stressful time for parents, so it's safe to assume that conflict will happen – whether intentionally or not.

It often helps to remember five things which can help you to feel the power is more balanced and a positive relationship is



possible:

1) Educators are human and therefore subject to the same stresses and concerns as you. They have mortgages to pay, cars that need repairing,

and pets that occasionally get into the garbage.

- 2) Educators are often parents, who can usually relate to the concerns you and your child are facing.
- 3) Educators enter the teaching profession because they believe in education, they like children, and they want to make a difference in the lives of the children they teach.
- 4) Parents are their child's first teacher which means you know your child best. Teachers are often looked at as a second parent. They know their students well, but in different ways.
- 5) Educators are just as interested in resolving a concern as you are.

#### **SELF-AWARENESS**

You might believe that you react to conflict in a certain way. How do others see you?

Ask your support person to share their thoughts on how you react to conflict. Discuss a time you were involved in a small conflict and how you reacted to it.

*Is it a different picture than you imagined?* 

It is important to understand that another person's understanding of a situation and your reaction to it can impact the outcome. Even though you may see yourself as reacting to conflict in one way, someone else may have seen it differently.

Consider also, that your understanding of how the other person is reacting might also affect the outcome.

## COMMUNICATION

Every individual comes with a different set of communication styles, experiences, understandings, and perceptions. It can be helpful to consider what your approach and attitudes are towards conflict. Consider what supports you need to have in place before engaging in conversations to address a concern.

Do you avoid conflict because you are uncomfortable drawing attention to yourself?

Are you collaborative and try to work on finding solutions together with others involved in a situation?

Are you more assertive and want solutions now?

#### CAREFULLY CONSIDER:

What is under your control to address?

What isn't under your control?

And who or what might be needed to help.

By considering how you can approach these conversations, you may be able to work towards a positive outcome to any conflict you experience.

#### WHERE SHOULD YOU BEGIN?

Working with a school system when you have a concern can be frustrating. It is important to remember it is a policy driven system with a *line of communication* and steps have been put in place for you to follow. Generally speaking, a parent should start with the person most directly involved with the concern. For example, if you have a concern with something that took place in the classroom, you would speak first to the classroom teacher.

## THE LINE OF COMMUNICATION

#### The Line of

Communication may also be referred to in school division policy as a complaints process, appeal process, concern protocol, or other names within school division policies.

Following the line of communication will help you to find the person most responsible in the school division to help you with your concern. If you choose not to follow the process, you may become frustrated trying to get answers, or direction, from the wrong person.

Occasionally, a parent might not be comfortable dealing with the 'right' person in the line of communication. In those cases it may be appropriate to speak to the next person in line.

## WHAT ARE THE EXPECTATIONS FOR PARENTS?

*Be heard and present evidence*. A parent should not be surprised by any decision being made involving their child and should have the opportunity to address it.

*Know the facts* and how a decision has been – or will be – made concerning their child.

*Ensure that the decision maker is unbiased*. The person making the decision should not have an involvement or set of beliefs which could compromise their ability to make a fair decision.

Understanding the <u>line of communication</u> in Manitoba schools is essential in working to resolve a concern in a school community. This line of communication should be followed in this order:

- Classroom Teacher Responsible for providing educational programming and working with parents to achieve that goal
- Principal Responsible for running the school and overseeing the learning environment including safety, discipline of students, and care and maintenance of the building
- 3. **Superintendent** Responsible for providing leadership in all matters relating to education in the school division
- School Board Responsible for determining school division policy and overseeing its implementation. The divisional school board is generally accepted as the 'final word' on school division concerns
- Education Administration Services/Dispute Resolution Coordinator Education Administration Services can provide assistance to parents on government policy and legislation. The Dispute Resolution Coordinator assists parents with concerns

## WHO ELSE MIGHT BE ABLE TO HELP?

Other supports you might want to include in the line of communication (depending on the nature of your concern) include resource teachers, guidance counsellors, community support workers, and divisional student services personnel.

Resource Teacher or Divisional Student Services Administrators are often part of the process when dealing with programming for students with special needs. involving programming and placement for students with Individual Education Plans (IEPs)

**Note:** The Minister of Education and Training is responsible for creating provincial direction for education and will refer concerns to appropriate personnel in the Department or other stakeholder groups when appropriate. The Minister does not provide input on local decision making process (MANITOBA EDUCATION, CITIZENSHIP AND YOUTH, 2004)

## SCHOOL AND DIVISIONAL EXPECTATIONS

Improving your knowledge of the school, school division, and school system in Manitoba will help to increase your understanding of, as well as give you the confidence to work with, Manitoba schools.

Some useful resources to use when addressing a conflict in a school community include; school and division mission statements, school and divisional policies concerning the specific concern, school and divisional codes of conduct for students, teachers, parents, and other stakeholders, and the <u>Public Schools Act</u> and the <u>Education Administration Act</u>. MAPC refers to these items as *legitimizers* – meaning they bring legitimacy to the conversation when addressing an item of concern. These resources are tools that can help you in presenting your concern. You can find these items by contacting your school or division, or locating them on your local school or school division website.

## MAPC is also available to assist with your research!

Speaking with school staff such as educational/teaching assistants about a concern is not appropriate. Teachers and principals are the only staff with the authority to resolve student based concerns and communicate with parents. If you are unsure about the appropriate person to approach, contact the MAPC office!

### **HELPFUL HINT!**

Sometimes misunderstandings (or greater understandings) can be addressed by taking the time to review your child's Cumulative Learning File (CUM File) and Pupil Support File (sometimes referred to as the Student File).

As a parent, it is your right to review these files and request photocopies of any documents contained within.

You cannot remove any documents.

This can create an opportunity to understand your child's education journey. Any questions about the file can be answered by the school principal.

## **REMEMBER TO FOLLOW THE LINE OF COMMUNICATION!**



## ROLE OF A PARENT ADVISORY COUNCIL IN ADDRESSING CONCERNS

Sometimes parents approach the parent council – or a representative of the parent council – to voice their concern about an issue they are facing.

The Parent Advisory Council (PAC) can be a useful resource to learn about the school system. However, due to privacy legislation and protection of individuals, the PAC cannot be used to address two items:

- 1. **Individual student behavior or discipline** this is a confidential matter that must remain between the school staff and the student's family.
- 2. **Staff behavior or discipline** this is a confidential matter that must remain between the staff member and their employer

## There is an obligation for the school to investigate all concerns, but the results of that investigation will not be shared with anyone other than the parties being investigated.

Members of a PAC should know how the education system works, including the <u>line of</u> <u>communication</u>. When parents from the community approach the PAC members they may be



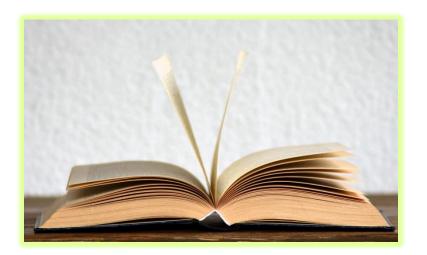
able to assist in determining the appropriate direction needed to address their concern.

PACs will often identify a concern needing to be addressed because of the impact on students and families in the community. Some of these concerns might include: operation of a breakfast or lunch program, policies regarding fundraising, student activities, school safety issues, or parental and education supports for engaged student learning. The PAC is expected to work in collaboration with the school or division to address the concern and possibly strategize how to move the concern to the next appropriate step. For more information about the provincial rights and expectations for parent councils in Manitoba schools, please contact MAPC or visit the following websites:

Advisory Councils for School Leadership (ACSL) Regulation: <u>http://www.edu.gov.mb.ca/k12/docs/policy/admin/school\_a</u> <u>dmin.pdf</u>

#### Parent Groups for Schools:

https://web2.gov.mb.ca/bills/40-2/pdf/b014.pdf (Manitoba: The Education Administration Amendment and Public Schools Amendment Act (Parent Groups for Schools), Bill 14, 2nd Sess., 40th Leg., 2012)



## TYPES OF COMMUNICATION

The method you choose to communicate can either clarify or complicate your concern depending on how it is used. Some pros and cons to every type of communication. Carefully consider which method is the most appropriate form of communication that will be most suitable to your concern.

Parent Advisory Councils will often identify a concern needing to be addressed because of the impact on students and families in the community. These concerns might include: operation of lunch or breakfast programs, policies concerning fundraising and student activities, school safety issues, parental and education supports for engaged student learning and more. The PAC is expected to work in collaboration with the school or division to address the concern and possibly strategize how to move the concern to the next appropriate steps. Your local school board can tell you what process it needs to follow to meet with you formally.

#### PROS

Phone calls are quick and efficient and may clear up a concern before it becomes a conflict. Phone calls allow for conversation and the chance to develop understanding in one short transaction.

#### CONS

Phone messages that are left may not be answered in a timely manner. Body language cannot be used to assist in clear communication to prevent misunderstandings.

#### HINT

Instead of leaving multiple phone messages leave a time or date that you expect to receive a response by and advise that you will follow up if you have not heard from them by that time.



When you do speak with the other party, ask if this is a good time to

talk about your concern or arrange a time that is agreeable for each of you.

#### EMAILS

#### PROS

Emails are quick and efficient. Emails can allow you more time to develop your thoughts when a large amount of information is required.

#### CONS

Emails can be misunderstood because there are no other communication clues such as tone or body language to help in understanding what is being stated. What one party might consider professional in writing, another party might consider as confrontational or aggressive. An email chain involving many people might become excessive during a 'back and forth' transaction, or more complicated due to the number of people involved.

#### HINT

Never send an email when you are upset or angry. Instead, consider waiting for 24 hours before sending it – if it is appropriate. Have your support person review the email before sending it to provide additional feedback regarding the tone and word choice being used.

#### **GROUND MAIL**

#### PROS

Composing a letter requires more time to clarify your thoughts and communicate clearly, allowing you more time to process facts rather than feelings. Correspondence is normally recorded and presented in a formal manner, which can assist in demonstrating a clear timeline of action requests. Letter writing can also be seen as being more committed to resolving a concern.

#### CONS

Writing a letter may be less efficient when time concerns are critical.

#### HINT

Writing can sometime have a calming effect when you are upset or emotional. Plan to rewrite your letter a couple of times before sending and be aware of the tone.

#### FACE TO FACE MEETINGS

#### REQUEST TIME FOR A MEETING AS FAR IN ADVANCE AS POSSIBLE SO EVERYONE CAN CONFIRM THEIR ABILITY TO ATTEND!

#### PROS

Meeting face to face can be helpful in providing an opportunity to discuss a concern before it becomes a conflict. Face to face meetings allow for both parties to work towards greater clarity through the use of verbal and non-verbal (body language and tone) communication. Face to face meetings allow for conversation so misunderstandings are often cleared up quickly.



#### CONS

Face to face meetings can be difficult to coordinate and may be too short in duration for a thorough discussion. They may also be uncomfortable if there is a perceived power imbalance or emotions are high.

#### HINT

Practicing what you will say in advance often helps in preparing for a difficult topic. Write down your main points in advance and practice them. If you are concerned about becoming angry or emotional, have a support person attend the meeting with you. Taking a break during the meeting or arranging another meeting time if needed.

## \*\* USING COMMON COURTESY AND RESPECTFUL LANGUAGE WILL HELP YOUR CONVERSATION. AVOID NAME-CALLING, SHOUTING, SWEARING, THREATS, OR ANY TYPE VERBAL ABUSE \*\*

Manitoba Education and Advanced Learning has a resolution process in place for programming or placement of students with Individual Education Plans, as defined in the <u>Public Schools Act</u>. (Manitoba: The Public Schools Act. C.C.S.M.c P250). The document *Appropriate Educational Programming in Manitoba: A Formal Dispute Resolution Process* (Manitoba Education, Citizenship and Youth, 2006) is available online at

<u>http://www.edu.gov.mb.ca/k12/specedu/aep/pdf/Formal\_DR\_Process.pdf</u>. (Appropriate Educational Programming in Manitoba: A Formal Dispute Resolution Process, 2006)

As noted in <u>Working Together: A Guide to Positive Problem Solving for Schools, Families and</u> <u>Communities.</u> (Manitoba Education, Citizenship and Youth, 2004), the most logical approaches to informally addressing a concern are problem solving, negotiation, and conciliation.

#### APPROACHES TO ADDRESSING CONCERNS

The most logical approaches to informally addressing a concern are problem solving, negotiation, and conciliation.

**Problem solving** – involves people working together in a voluntary and co-operative way to overcome their differences. It allows for flexibility and idea sharing and is dedicated to finding

a solution that works for everyone. The parties work out a solution by themselves and no third party involvement is required.

**Negotiation** – is similar to problem solving, but the parties involved usually have a solution in mind when they enter the conversation and end up working together to find a common area of agreement between them to resolve the concern.

**Conciliation** – is a process that involves a third party to help guide the process. The third party is neutral, trusted by everyone involved, and does not choose anyone's side. They help guide the conversation to identify the issues, find common ground and shared goals, and look for solutions.

## WAYS TO PREPARE YOURSELF?

## HAVE A SOLUTION IN MIND

It can be easy to identify a concern, but difficult to determine how it can be resolved.

Consider how you would like to see the concern addressed. Your concern may not be resolved to your satisfaction if you don't know how you want the concern to be addressed.

Before meeting with someone to share your concern, think of solutions that might work for you.

If you are able to identify ideas to resolve the concern, you have a starting place for conversation.

Your solution may not end up being accepted as is, but at least it was considered in determining what will work for everyone involved.

## SHOULD I INCLUDE MY CHILD?

While communication with your child is critical to resolving the concern, it is important for you, as the parent, to determine whether it is appropriate to include them in the discussion process. Parents need to carefully consider the age and stage of development of your child to determine what information is important to share and how that information should be shared.

Remember – the behaviour you engage in today will impact the way that your child works with concerns in the future.

## CONSIDER ENLISTING A SUPPORT PERSON

Working to resolve a concern can be stressful. Consider



having a support person in place. Your support person can be a spouse, a parent, or a trusted friend. Be cautious with what, where, and whom you are sharing your concerns with. You may lose credibility if everyone knows

more about your concern (including your child) than the people who can help resolve it.

Your support person can help you:

- Identify your strengths
- Provide feedback as you prepare for meetings
- Provide emotional support if you need it
- Offer suggestions regarding your body language and tone of voice when preparing for a meeting.
- Practice what you would like to say
- Do research
- Possibly attend meetings with you

## \* A Parental Support Persons is a legal right in the development of Individual Education Plans (IEP).\*

If you choose to have a support person join you in a meeting, explain to the other party (or parties) that this person is attending the meeting to: 1. assist with taking notes, 2. help you to manage your emotions, or 3. assist with understanding language and culture.

### **HELPFUL HINT!**

*If you decide to use* another parent from the same school community as your support person, try to avoid discussing your concern in public places, such as soccer games and hockey rinks. You might also consider carefully what is being discussed around the dinner table. You may *lose credibility if everyone* knows more about your concern (including your child) than the people who can possibly help solve it.

## DOCUMENTING AND NOTE-TAKING

Once you know the process you need to follow put the facts together about the concern. The facts include the details of the concern and what you have done to try to resolve it.

Your notes can be kept in one notebooks information cannot be misplaced or lost. It's not necessary to record every word said, but rather record a summary of what was discussed. Keep track of names, dates, events (or incidents), as well as the actions you have taken, as they happen so you don't forget details later.

## PREPARING AN AGENDA

If you have arranged a meeting time and date to discuss the concern, it's a good idea to prepare and share an agenda in advance listing the points you wish to discuss.

This serves two purposes:

- It allows the other party time to prepare in advance any information, data and documents they may need for the discussion. This saves each of you time and additional meetings in the future
- It allows you a method to organize your thoughts and ideas in advance, so the most important items you need to cover will have time to be covered. The MAPC <u>Meeting Preparation Form</u> may help with organizing your thoughts.

It is also appropriate for you – *as your child's parent and advocate* – to request an agenda from anyone requesting to meet with you about items affecting your child, using the same reasoning that is listed above.

#### **HELPFUL HINTS!**

Keep track of phone calls and emails in the order that they happen so you have a complete record of what conversations took place – and a corresponding timeline for later reference. If you are taking notes during a conversation, it is a courtesy to let the person you are speaking with know that you are taking notes to review at a later time. You might also want to consider sharing the notes as a gesture of being open and transparent.

REMEMBER TO RESPECT THE TIME OFFERED TO MEET WITH SOMEONE. NO ONE LIKES TO BE RUSHED, BUT SOMETIMES YOU MAY RUN OUT OF TIME TO DISCUSS EVERYTHING. IF ITEMS NEED ADDITIONAL TIME FOR BETTER UNDERSTANDING – OR BECAUSE INFORMATION WAS NOT AVAILABLE - REQUEST THAT ANOTHER MEETING BE ARRANGED AT A TIME THAT IS AGREEABLE TO THOSE INVOLVED.

## CLARIFYING YOUR GOALS

## Always keep your goals in mind as you communicate.

It is important to organize your thoughts and clarify your goals before communicating with someone to address a concern. Some of the things you might consider are:

- What are the facts, not the feelings?
- What does the other party need to know? Why is it a concern? When did it start? How long has it been going on? Who is involved?
- What would you like to see happen to resolve this concern? (*Having a solution in mind will allow you to work with the school to determine a course of action to ensure your child's needs are met*)
- What follow up is needed?

## IMPROVING YOUR LISTENING AND RESPONDING SKILLS

Good communication skills are valuable in all aspects of life. Take some time to consider your skills in both listening and responding to ensure clear communication and understanding when addressing a concern.



Difficult conversations can sometimes cause us to become angry, frustrated, upset, or confused about information that is being shared. Take some time to reflect on your communication style. Ensure that you understand the conversation you are participating in.

Consider some of the following tools which could help in your situation.

- Taking notes writing down the main points will help you to stay focused and remember questions that might come up later. Be brief so you can concentrate on the conversation!
- Keeping an open mind and separating the issue from the person keep your concern at the centre of the conversation rather your personal feelings about the person you might be speaking with
- 3. Indicating you are listening and staying focused on understanding have a strategy in place to prevent becoming distracted during a conversation. Make eye contact or verbally express your understanding during the conversation. Take notes or have prepared notes to keep your focus. Make sure children are occupied while you are in a meeting or on the phone.
- 4. Using 'l' rather than 'you' messages Careful use of the word 'l' can help in a tense situation, rather than the word 'you' which can sometimes sound accusatory and causes a defensive reaction.

Example	A better statement might be
<i>"You made a mistake on Billy's report card and you need to fix it!"</i>	<i>"I have a concern about Billy's report card that I believe needs to be clarified."</i>
<i>"You never called me to discuss Sally's attendance. You must have the wrong number."</i>	<i>"I never received a call to discuss Sally's attendance, may I check what phone number is being used?"</i>

Consider the following examples and alternate choice of statements:

- Seeking further information when you are unclear it is important to ask questions if you are unclear about something being shared with you. If you don't understand a point, ask for clarification – otherwise it will be assumed that you do understand.
- 6. Don't interrupt when someone else is speaking.

- 7. **Summarize, don't criticize** confirm key points that have been shared with you to ensure that you are in agreement about what has been discussed. Determine what the next steps or actions will be to move forward.
- 8. **Practice** use listening skills whenever an opportunity presents itself. The more you do it, the better you will become.

## **SECTION 3: THE NEXT STEPS**

## FOLLOW UP

After every meeting it is important to list what actions will be taken to resolve the concern. Who is the person responsible for each action (including you)? What will the timeline look like to complete each action? Once these timelines have passed it is a good idea to either check in to see how things are going and that the concern is continuing to be resolved or set up another meeting to plan your next steps.

Once the concern has been successfully addressed – or resolved - an occasional 'check in' with the involved parties might help ensure that your relationships with the school community continue to be positive and that the concern doesn't reoccur.

## FORMAL DISPUTE RESOLUTION

Formal dispute resolution may become necessary when people in the dispute feel they cannot resolve the issue by themselves. Formal processes are used for children in schools who are experiencing concerns involving Appropriate Education, and normally have an Individual Education Plan (IEP) in place. Formal Dispute Resolution can include mediation, arbitration/adjudication, or legal recourse. Each of the processes involves an outside third party such as a mediator, judge, or jury. Formal dispute resolution should only be used when all other avenues – including using the <u>line of communication</u> in the school system – have been exhausted.

(*Working Together: A Guide to Positive Problem Solving for Schools, Families and Communities* (Manitoba Education, Citizenship and Youth, 2004)

## MAKING THE HARD DECISIONS

There are times that despite everyone's best efforts, a concern may not be resolved to a parent's satisfaction. A difficult decision then has to be made. This is a good time to reflect on the options available to you. One of the things you may have to ask yourself is: "As a family, are we able to live with the situation as it currently stands?"

This is a highly personal decision. Only you know what is best for your child, yourself, and your

family. Consider some of the following options and whether or not they might address the concern:

### **Homework Assistance/Tutoring**

If the concern involves providing additional supports for your child and the school is unable or unwilling to provide them, parental help with homework assistance or outside tutoring might be an option you wish to explore.

## **Changing Schools/Schools of Choice**



Some families believe that the answer to a concern they are facing is to change schools and get a fresh start. It is important to know whether the school you wish to switch to is within your school division or whether the school is outside your catchment area (the immediate area surrounding the school which includes your home). There may be a fee involved to register in an independent school or one outside of your school division. Factors such as transportation and enrollment numbers at the school you are considering may impact your child's ability to attend. Carefully consider all details before deciding to switch. This should include having a conversation with the school's principal, as switching schools may not resolve the concern you are experiencing. A request to enroll at a school of choice must be completed before <u>the</u> <u>middle of May</u> of each year. More information can be found at <u>http://www.edu.gov.mb.ca/k12/schools/choice/index.html</u>

**Homeschooling** – Sometimes families may choose to homeschool their child to address a concern that could not be resolved in their school. While there are many supports available to parents who choose to homeschool, it is important to note that **homeschooling**, **including all costs**, **is the responsibility of the family**. *No government funding is available and homeschooling families must submit annual program outlines and progress reports to the Homeschooling office of Manitoba Education and Training*. More information can be found at http://www.edu.gov.mb.ca/k12/schools/ind/home\_sch.html.

## REFLECTING ON OUR RELATIONSHIPS

As a parent, you are expected to model the behavior you hope to see in all children involved in our school community.



As an adult, you know that you will experience conflict with other people. Life will be filled with concerns that need to be addressed. How you address these

concerns demonstrates to your children your hopes and expectations of how they will react to concerns and conflicts they will face in the future.

Some questions you might want to ask yourself as you come to the conclusion of addressing your concern might include:

- What have I learned from this experience?
- Is there an age appropriate "teachable moment" I can share with my child, which will help them in their future when they are facing a challenge?
- Do I need to apologize for something I have said or done, which might help to repair a relationship in my child's school community? What might that apology look like? What closure might a sincere apology from me to the other party give to me and my family?
- Can I forgive an action, which was made against me or my child, either with or without an apology? What closure might forgiveness towards the other party give to me and my family?

No matter what the outcome is, it is in your control to decide how you will proceed from this point on.

## USING THE MEDIA – GOOD OR BAD IDEA?

MAPC does not recommend using the media as it usually does little to solve the concern.

Before going to the media, ask yourself:

Will the media portray me in the way that I see and know myself?

Will the media portray my concern in a fair and unbiased manner?

Will I be exposing my family, child, or community to positive, or negative, community criticism?

How will media exposure impact my relationship with the school community?

Are there any other avenues that I might explore to help address the concern?

## RIGHTS, RESPONSIBILITIES, DUTIES, AND POWERS AS OUTLINED IN THE PUBLIC SCHOOLS ACT AND THE EDUCATION ADMINISTRATION ACT

PLEASE NOTE THAT THIS INFORMATION IS GENERAL AND NOT SPECIFIC TO INFORMAL DISPUTE RESOLUTION.

### **RIGHTS OF STUDENTS**

- To attend a designated public school in their home division/district
- To receive regular testing and evaluation of academic performance and achievement
- To receive at least once a year and free of charge a transcript or record of academic achievement
- Subject to certain conditions, have access to his or her student file if the student has attained the age of majority
- To be accompanied by a parent or other adult to assist and make representations to the school board before a decision is made to expel

## **RIGHTS OF PARENTS**

- To enroll his or her child in public school
- To be informed regularly of the student's attendance, behaviour, and academic achievement
- To have access to their child's student file, subject to conditions
- To receive information about programs that are available
- To be informed of discipline and behaviour management policies of school/division, and be consulted before the policies are established or revised
- To form an ACSL (Advisory Council for School Leadership) where a petition has been signed by 10 or more parents
- To be a member of an ACSL, local school committee, or school committee
- To accompany the child and assist him or her to make representations to the school board before a decision is made to expel the child

## **RESPONSIBILITIES OF STUDENTS**

- To attend school and classes regularly and punctually
- To comply with discipline and behaviour management policies
- To complete assignments and other related work required by teachers or other employees of the school division
- To treat with respect school property and property of others employed at or attending the school
- If property of a school/division is destroyed, damaged, lost, or converted by the intentional or negligent act, the child and his or her parents are jointly and severally liable to the school board for the loss

## RESPONSIBILITIES OF PARENTS

- To co-operate fully with teachers and other school/division employees to ensure child complies with school/division discipline and behaviour management policies
- To take all reasonable measures to ensure the child attends school regularly
- To assume responsibility jointly and severally with the child where school/division property is damaged by the intention or negligent act of that child



## DUTIES OF TEACHERS

- To teach diligently and faithfully according to terms of agreement with school division and according to The Public Schools Act and regulations
- To keep a record of attendance
- To provide to the Minister or field representative any required information
- To notify the principal of any pupil attending school who he or she believes has been exposed to or is suffering from a communicable disease

- To seize or cause to be seized and take possession of any offensive/dangerous weapon brought to school by a student and hand over same to the principal
- To provide progress reports as determined by the school board
- To admit to the classroom student teachers enrolled in a teacher education institution approved by the Minister, for the purpose of practice teaching and of observing instruction
- To suspend a student for up to two days when that student engages in conduct the teacher considers detrimental to the classroom learning environment, or which contravenes a school code of conduct

## DUTIES OF PRINCIPALS

- To supervise buildings and grounds during school hours, including safety, repairs, cleanliness, et cetera
- To admit (or not admit) visitors to school premises
- To remove persons from school premises who are causing a disturbance or interruption, trespassing, or who are present for a purpose not reasonably associated with the normal functioning of the school
- To provide each student, free of charge, a transcript of his or her record of achievement at least at the end of each school year
- To supervise and discipline each student in the school from the time of the student's arrival at the school until the student's departure for the day, including the noon hour for those students who are eligible to remain at school, and including school field trips
- To provide disciplinary authority over students from the period they enter in, ride on, and alight from a school bus
- To suspend students for up to six weeks for engaging in conduct that the principal considers injurious to the school's welfare or educational purpose, except where, by resolution, the school board has prohibited the principal from suspending a pupil for more than one week without the superintendent's approval
- To prepare the plan for loading and unloading of school buses; to designate loading and unloading zones; to supervise or assign a responsible person to supervise loading and unloading
- To oversee the testing and promotion of students
- To implement optional supplementary curricular and extracurricular activities, subject to approval of the school board and Minister

## DUTIES AND POWERS OF SUPERINTENDENTS

Upon delegation by the school board, a superintendent may:

- Employ, within the establishment and budgetary limits set by the school board, necessary staff, except senior officers and employees holding administrative or supervisory positions
- Appoint attendance officers
- Administer the day-to-day affairs of the division
- Supervise teachers, vice-principals, and principals
- Suspend a student from school for up to six weeks for engaging in conduct that the superintendent considers injurious to the school's welfare



## DUTIES AND POWERS OF SCHOOL BOARDS

- To provide or make provision for education in Grades 1 to S4 inclusive for all resident persons who have the right to attend school
- To provide adequate school accommodation for the resident persons who have the right to attend school
- To regulate the use of public school buildings and property
- To keep school buildings, contents, and premises in proper repair

- To employ teachers and other personnel as may be required, prescribe their duties, and arrange for the payment of their salaries
- To determine the number, kind, grade, and description of schools to be established and maintained
- To determine the times when and the manner in which reports and other information respecting pupils shall be delivered or provided or made available by teachers
- To report to the Minister any teacher employed in a school within their jurisdiction who has been charged with or convicted of an offence under the Criminal Code of Canada relating to the physical or sexual abuse of children
- To provide to school advisory councils, local school committees, and school committees any information that is reasonably necessary for their operation
- To provide to the Minister, at the times and in the form and manner determined, such information as is required
- To establish written procedures respecting the collection, storage, retrieval, and use of information respecting pupils
- To provide or make provision for the transportation of all resident pupils to and from school who would have more than 1.6 kilometres to walk in order to reach school, or for any pupils, regardless of distance, who are unable to walk to school because of physical or other handicaps
- To report any offenses committed by a staff person or convictions of a staff person concerning the physical or sexual abuse of children, or where there are implications for the safety, health, and well-being of students

In addition, a school board has the right

- To enter into an agreement with the Minister to establish and conduct special courses that are not part of the public schools program
- To provide, with or without charges, lunches to pupils
- To provide materials, appliances, and equipment for school sports and games and supervise and direct sports and games during school terms or vacation
- To purchase books and other instructional materials to be given to the pupils or to be loaned to them with or without charge
- To provide technical and vocational instruction as may be approved by the Minister for pupils enrolled in or attending the schools
- To establish and administer, with the consent of the Minister, a system of medical and dental inspection of pupils and employees, including arrangements for attending to the health, cleanliness, and physical condition of the pupils and employees
- To establish, operate, maintain, and regulate a system of patrols for the protection of children from traffic accidents

- To suspend or expel any pupil who, upon investigation by the school board, is found to be guilty of conduct injurious to the welfare of the school
- To grant a leave of absence to any employee, and grant the employee a monthly allowance as the school board deems advisable

## POWERS OF MINISTER OF EDUCATION AND TRAINING

- To order a public school to be closed in an emergency or where it is deemed in the best interest of the community, and cancel the order where the emergency no longer exists
- To release information relating to pupil achievement and the effectiveness of programs in public or private schools
- To enact regulations as are deemed necessary with respect to:
  - o duties and qualifications of teachers and principals
  - o classification, organization, discipline, and governance of public schools
  - establishment of school advisory councils, including their formation, composition, and mandate prescription of the minimum standard of academic and professional education acceptable for the certification of teachers
  - suspension of pupils including authorization to suspend, the circumstances under which pupils may be suspended, the periods of suspension that may be imposed, and any other matter related to suspensions
  - prescription of the records to be maintained by a school board
  - prescription of the standard to be attained by pupils on entering or leaving any grade or level in any school
  - prescription of methods and procedures for the assessment and evaluation of any aspect of pupil achievement and for the assessment of courses of study and programs
  - information that school boards are required to provide to the Minister, including the times and form and manner in which it is to be provided information concerning pupil achievement that school boards are required to release to the public, and procedures governing the release of the information
  - o generally all matters having to do with education

RIGHTS, RESPONSIBILITIES, DUTIES, AND POWERS AS OUTLINED IN THE PUBLIC SCHOOLS ACT AND THE EDUCATION ADMINISTRATION ACT (Manitoba Education, Citizenship and Youth, 2004, p. 27-31.)

## **SECTION 4: ADDITIONAL INFORMATION AND RESOURCES**

Parents can also consider the following organizations and agencies to learn more about Manitoba schools and other supports which may be useful to them.

### ALTERNATIVE EDUCATION OPTIONS

#### HOMESCHOOLING

For information on homeschooling, please contact the Homeschooling Office of Manitoba Education and Advanced Learning at 204-945-8138 or visit <u>http://www.edu.gov.mb.ca/k12/schools/ind/home\_sch.html</u>.

#### MANITOBA FEDERATION OF INDEPENDENT SCHOOLS

The Manitoba Federation of Independent Schools is the umbrella organization for funded, nonprofit independent schools in the Province of Manitoba. It represents schools who serve those families in Manitoba that support parental choice and excellence in education. For more information, please call 204-783-4481 or visit <u>http://www.mfis.ca/</u>.

#### CHILDREN AND FAMILY ADVOCACY AND SUPPORT NETWORKS

#### COMMUNITY LIVING MB

Community Living Manitoba is dedicated to the full inclusion of persons of all ages who live with an intellectual disability (defined as a life-long condition that interferes with one's ability to learn at the same pace or to the same extent as others). We have a number of local Associations for Community Living in Manitoba (ACLs) and also work with a national federation of ACLs through the Canadian Association for Community Living. We provide services, supports and resources to all Manitobans needing assistance navigating the world of intellectual disabilities. Our resources are developed to be relevant to all families of children and adults with disabilities in our province and include: A <u>Parent's Guide to Inclusive Education</u>, a popular resource for families in Manitoba and around the world; and, **Planning Inclusive Community Schools**, a process that engages school communities in promoting the vision and values of inclusive education.

For more information, please call 204-786-1607 or visit https://www.aclmb.ca/.

#### THE CHILDREN'S ADVOCATE OF MANITOBA

The Children's Advocate of Manitoba is an independent office dedicated to advocating for systemic change for the benefit of children and youth under *The Child and Family Services Act* and *The Adoption Act* in Manitoba. The Children's Advocate ensures that the voices of children and youth involved with the child welfare system are heard.

For more information, please call 204-988-7440 or visit <u>http://manitobaadvocate.ca</u>.

#### RAINBOW RESOURCE CENTRE

The Rainbow Resource Centre is a non-profit organization dedicated to providing supports, education and resources to foster a proud, resilient, and diverse LGBT2SQ+ community in Manitoba. Rainbow Resource Centre provides education resources such as: policy consultation and review, Gay Straight Alliance (GSA) consultation and training workshops, and general consultations. Rainbow Resource Centre also provides supports for families in the LGBT2SQ+ community.

For more information, please call 204-474-0212 or visit <u>http://www.rainbowresourcecentre.org/</u>.

#### CANADIAN MENTAL HEALTH ASSOCIATION

As the nation-wide leader and champion for mental health, CMHA facilitates access to the resources people require to maintain and improve mental health and community integration, build resilience, and support recovery from mental illness.

For more information, please call 204-982-6100 or visit <u>http://www.cmha.ca/</u>.

#### LEARNING DISABILITIES ASSOCIATION OF MANITOBA

The Learning Disabilities Association of Manitoba helps people with learning disabilities and attention deficit disorders reach their goals and live better lives. They work with people of all ages – from school children and teens to adults – while also providing educational and networking support for their friends and families.

For more information, please call 204-774-1821 or visit <u>http://ldamanitoba.org/</u>.

### SAFETY AND BULLYING

#### CYBERTIPS, OPERATED BY CANADIAN CENTRE FOR CHILD PROTECTION

The Canadian Centre for Child Protection is a charitable organization dedicated to the personal safety of all children. Their goal is to reduce child victimization by providing national programs and services to the Canadian public. The Canadian Centre for Child Protection operates Cybertip.ca, Canada's tip line for reporting the online sexual exploitation of children. For more information, please call 866-658-9022 or visit <u>https://www.cybertip.ca/app/en/</u> or <u>https://www.protectchildren.ca/app/en/</u>.

#### **DISPUTE RESOLUTION**

## STUDENT SERVICES/SPECIAL EDUCATION DISPUTE RESOLUTION: WHEN PARENTS AND SCHOOL DIVISIONS DISAGREE

Both informal and formal processes are available to parents. School Divisions in Manitoba have information available to parents about local or school division policy. It is important to read the school division policy and to follow the line of communication provided.

For more information, please call 204-945-7907 or visit <u>http://www.edu.gov.mb.ca/k12/specedu/aep/dr.html</u>.

#### HUMAN RIGHTS COMMISSION

The Manitoba Human Rights Commission is the agency responsible for carrying out the provisions of **THE HUMAN RIGHTS CODE** (Manitoba), which is the legislation dealing with discrimination in this province. It is an arms-length agency, funded by the Manitoba Government. It has the mandate of administering the Human Rights Code (Manitoba).

The role of the Commission is to promote and educate about human rights in this province and to enforce the anti-discrimination provisions of THE CODE through its complaint process. Anyone, including a group or organization, can make a complaint if they believe that a practice or policy unreasonably discriminates against them. The Commission investigates those complaints to determine if there is enough evidence to warrant a public hearing of the complaint.

For more information, please call 204-945-3007 or visit http://www.manitobahumanrights.ca/v1/

#### THE OMBUDSMAN

The Ombudsman investigates complaints from the public concerning decisions made by government departments or municipal bodies. The Ombudsman does not have jurisdiction over educational bodies except in complaints relating to access of information and privacy rights under The Personal Health Information Act (PHIA) and The Freedom of Information and Protection of Privacy Act (FIPPA).

For more information, please call 204-982-9130 or toll free 1-800-665-0531 or visit <u>https://www.ombudsman.mb.ca/</u>.

#### EDUCATION PARTNERS

#### MANITOBA SCHOOL BOARDS ASSOCIATION (MSBA)

MSBA is a membership organization of elected public school boards. In addition to the services which it provides to school boards and school divisions, the MSBA also responds to parents and citizen inquiries regarding the role and legal obligations of school boards in Manitoba, concern protocols and processes in school divisions, and aspects of provincial education policy and law. The association is key in providing leadership and oversight to the Safe Grad and TADD (Teens Against Drunk Driving) programs. For more information please call 204.233.1595 or visit <a href="http://www.mbschoolboards.ca/">http://www.mbschoolboards.ca/</a>.

#### EDUCATION AND PROGRAMMING INFORMATION

#### MANITOBA EDUCATION ADMINISTRATION SERVICES

Education Administration Services is responsible for matters relating to the administration of schools, particularly with respect to legislation, regulation and policies (e.g. school safety, student records, pupil transportation). For further information, contact Education Administration Services at 204-945-6899.

#### MANITOBA FIRST NATIONS EDUCATION RESOURCE CENTRE INC. (MFNERC)

The Manitoba First Nations Education Resource Centre Inc. (MFNERC) provides leadership in education, administration, technology, language and culture services to First Nations schools in Manitoba. For more information, please call 204-594-1290 or visit <u>http://www.mfnerc.org/</u>.

#### INDIGENOUS INCLUSION DIRECTORATE

The Indigenous Inclusion Directorate provides leadership and co-ordination for departmental initiatives in Indigenous education and training. The Indigenous Inclusion Directorate operates from within Manitoba Education and Training. The primary role of the Indigenous Inclusion Directorate is in research, policy development and strategic initiatives. This is accomplished in the spirit of cooperation and consultation with many groups and individuals, such as school administrators, educators, students, parents, Indigenous and community organizations and other government departments. The Indigenous Inclusion Directorate works in partnership with First Nations communities and organization in Manitoba. The Directorate's work is further supported by the guidance of two advisory councils from the Indigenous community.

The Indigenous Inclusion Directorate is responsible for administrating and supporting The Building Student Success with Aboriginal Parents program (BSSAP) and the Community School Program (CSI) to qualifying schools within Manitoba.

For more information, please call 204-945-7886 or visit http://www.edu.gov.mb.ca/aed/.

#### STUDENT SERVICES ADMINISTRATORS ASSOCIATION OF MANITOBA (SSAAM)

Student Services Administrators Association of Manitoba provides provincial leadership and informed advocacy to support appropriate educational programming for all students. They can also provide assistance to parents who have questions regarding programming.

For more information, please call 204-681-3415 or visit <u>http://www.ssaam.mb.ca/</u>.

#### ADDITIONAL ONLINE RESOURCES

Working Together: A Guide to Positive Problem Solving for Schools, Families, and Communities

http://www.edu.gov.mb.ca/k12/specedu/problem\_solving/pdf/complete\_document.pdf

Working Together: A Parent's Guide to Formal Dispute Resolution

http://www.edu.gov.mb.ca/k12/docs/parents/dr/formal\_dr.pdf

Appropriate Educational Programming in Manitoba: Standards for Student Services

www.edu.gov.mb.ca/k12/specedu/aep/index.html

Administrative Handbook for Schools in Manitoba

http://www.edu.gov.mb.ca/k12/docs/policy/admin/school\_admin.pdf

## **SECTION 4: APPENDICES**

ME	ETIN	١G	GUI	DE

Note details such as:	The topic of the meeting is:
Who is setting the agenda?	
What is the goal of this meeting?	
What questions do I want to ask?	Note who will be attending the meeting:-
What strategies work well for my child at home?	
Do I need to provide additional information regarding my child's:	My goals are:
<ul> <li>Behaviour</li> <li>Activities</li> <li>Goals</li> <li>Learning needs</li> <li>Health</li> <li>Emotional needs</li> </ul>	
	The information I need to participate effectively:
Should I take a support person? Would it help me to have someone taking notes?	

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# What does my child want shared? \* It is important to include your child whenever possible, but...you need to determine whether it is

appropriate for your child to attend.

## HAVE CONFIDENCE IN YOURSELF! YOU KNOW YOUR CHILD AND HAVE IMPORTANT THINGS TO SHARE!

#### If you feel unsure or confused:

Review the purpose of the meeting and focus on what will work for your child. Openly share information that will lead to better decisions, and remember - If you do not understand something -- ask!

## If you need more time, ask for it:

- You may want to consider options, reflect on the needs of your child, or gather more information. It may be better to delay the final decision rather than make a decision while under pressure.
- If you agree to something during a meeting and later realize that it won't work for you or your child, ٠ ask that the decision be reviewed.
- As the meeting draws to a close, summarize the meeting from your perspective to ensure ٠ understanding.

#### Plan your next steps. Discuss:

- What you would do -- contact the school?
- What the school would do -- contact you -- speak to your child?
- What your child would do -- phone home -- speak with someone at school?

## A SELF HELP GUIDE TO ADDRESSING CONCERNS

Note details such as:	Concern:
What happened and when?	
What difficulties has this caused for my child?	
What policies/laws might apply to my situation?	
What are my rights and responsibilities?	Note the events/incidents that have led to this concern:
Make sure your concerns are based on what you know to be true from your experience or your child's experience.	

#### **Possible Information Sources:**

- School or school division policies and/or procedures
- Your local Parent Advisory Council
- Manitoba Association of Parent Councils
- Local service agencies
- Community and school based counseling services

Actions Taken: It is important to keep all of your information together for easy reference, including records of whom you have spoken to, what correspondence you have sent and received, etc.

Note details such as: Who you talked to and when.	Date:	Action:	Outcome:
How? Letter, phone, email, etc.?			
What they said they would do for your child.			
When and how will they let you know what action has been taken.			
What you said you would do.			
Do you need to follow up?			

What will best meet my child's needs? How will I know agreements are upheld? Who will be responsible? When will the action plan be started? Who should I talk to if I have further concerns?

#### List some of your ideas for addressing the concerns(s):

1.	
2.	
3.	

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## Feedback for MAPC's Empowering Parents: A Guide to Addressing Concerns in Manitoba Schools



MAPC's intent is to review and update this guide on an annual basis to ensure it continues addressing the needs of our membership. Your feedback is vitally important to us - please share your comments with us at any time. Please complete this form and fax to 204-956-7780 or scan and email to info@mapc.mb.ca.

#### 1. What section(s) did you find most useful? Please list in order of importance.

a	
b	_
C	
Comments:	
	-
2. What section(s) did you find least useful?	
Comments:	
3. Was the language clear and easy to understand? Circle One. Yes No	•
Comments:	
4. Was the layout easy to use and understand? Circle One. Yes No	•
5. What additional information might be missing or difficult to find?	
Comments:	
Additional comments - please attach an additional sheet, if required.	