



OTF Guidelines Regarding Harassment Complaints That Arise During Practicum Placements

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OTF GUIDELINES REGARDING HARASSMENT COMPLAINTS THAT ARISE DURING PRACTICUM PLACEMENTS

CONTEXT

“A member shall strive at all times to achieve and maintain the highest degree of professional competence and to uphold the honour, dignity, and ethical standards of the teaching profession.”

- Regulation made under the Teaching Profession Act

In situations of harassment, it is imperative that processes and supports are in place to ensure teachers can fulfill aspects of their professional responsibilities in a competent manner. In general, liability occurs when people act negligently or incompetently.

There are many intricacies and complexities inherent in the teacher candidate - associate teacher relationship. With regard to the specific question of harassment, the following realities must be considered:

- Concerns identified may range from personality clashes to bad behaviour to harassment under the Human Rights Code.
- The overlap of responsibilities and the application of appropriate policies and legislation can be challenging. A number of policies potentially apply in claims of harassment, including the school board's harassment policies, OTF and Affiliate bylaws and policies on harassment, the university's harassment policy and the Ontario Human Rights Code.
- This is the transition from a “student to teacher” relationship to a “professional to professional” relationship.

- As associate members of the Federation, teacher candidates are subject to the exact same responsibilities as full members of the Federation, although they do not have all the same rights. This means that they are subject to the same member to member duties, as stipulated in the Regulation made under the Teaching Profession Act. In particular, when making an adverse report about a fellow member, they are required under clause 18.1.b to furnish the member with a written statement of the report within three days.

In attempting to resolve accusations of harassment, it is important to consider the above realities. In the context of a professional relationship, it is incumbent upon the faculties, OTF, and the Affiliates to provide support to resolve the issues in a collegial manner.

PREFERRED PROCESS FOR ADDRESSING COMPLAINTS OF ALLEGED HARASSMENT MADE BY AN ASSOCIATE TEACHER ABOUT A TEACHER CANDIDATE

In cases where the associate teacher believes he/she is the subject of harassment, the following process is recommended:

- The associate teacher should discuss the issue with a Federation representative, typically, the local President. Depending on the severity and nature of the concern, the associate teacher should be encouraged to first take it up with the teacher candidate. If the associate teacher is uncomfortable doing so, the associate teacher should contact the Faculty Advisor, and propose a meeting with Federation and faculty support to mediate the situation.
- If the matter cannot be resolved in this way, the associate teacher might choose to pursue it in a more formal venue. Typically this would entail a complaint made by the associate teacher to the university, which would then follow the university's harassment policy.

PREFERRED PROCESS FOR ADDRESSING COMPLAINTS OF ALLEGED HARASSMENT MADE BY A TEACHER CANDIDATE ABOUT AN ASSOCIATE TEACHER

In cases where an associate teacher believes he/she is the subject of a complaint of harassment made by a teacher candidate, the following process is preferred:

- The associate teacher should discuss the issue with a Federation representative, typically, the local President. Together, the local President and associate teacher should ascertain whether a formal complaint has been registered by the teacher candidate and in what venue(s). This is an important step since teacher candidates who believe they are the subject of harassment by an associate teacher may potentially register their complaints in a wide variety of jurisdictions, including the school principal, school board office, faculty of education or university, and the Ontario College of Teachers.
- If a formal complaint has NOT been registered by the teacher candidate, the associate teacher should be encouraged to take up the matter with the teacher candidate. If the associate teacher is uncomfortable doing so, the associate teacher should contact the Faculty Advisor, and propose a meeting with Federation and faculty support to mediate the situation.
- If a formal complaint HAS been registered by the teacher candidate, the regular mechanisms that the Federation has in place for dealing with complaints against members should immediately be activated.

PREFERRED PROCESS FOR TEACHER CANDIDATES TO FOLLOW FOR COMPLAINTS OF ALLEGED HARASSMENT

In cases where a teacher candidate believes he/she is the subject of harassment, the following process is recommended:

- The teacher candidate should discuss the issue with the Faculty advisor. Depending on the severity and nature of the concern, the teacher candidate should be encouraged to first take it up with the associate teacher. If the teacher candidate is uncomfortable doing so, the Faculty advisor should contact the associate teacher, and propose a meeting with Federation support to mediate the situation.
- If the matter cannot be resolved in this way, the teacher candidate might choose to pursue it in a more formal venue. Typically this would entail a complaint made by the teacher candidate to the school principal, who would then follow the board's harassment policy. In such cases, the teacher candidate is obliged to provide the associate teacher with a written statement of the complaint registered with the principal within three days.