

Did You Know?

While the job of Principal and Vice-Principal can be extremely rewarding, there can be times in our careers that feel difficult, challenging, and even lonely. One such example is when members receive a complaint against them, resulting in a formal investigation process. Members inevitably question their own actions and ask themselves, “What could I have done to avoid this situation?” While there is no formulaic answer to this question, we will share in this article knowledge, actions, and wisdom from school leaders who have lived through the investigation process, along with guidance from our Member Support Services (MSS) lens.

News that an investigation is being launched to investigate a member’s conduct or actions can be delivered in different ways. In some cases, a member may be called to an in-person meeting, and senior district staff will relay the news. In other cases, the news may be delivered by email during a busy day, or via a phone call from the member’s HR department or supervisor. We have heard from members that regardless of the thought put into the timing and method of delivering the news – whether in a face-to-face meeting, by email, or by phone – it is never easy to receive. Members shared that the act of reaching out as soon as possible for support from the BCPVPA has helped them to gain awareness and prepare for the process.

by

Magdalena Kassis & Ellen Roberts

Directors of Member Support Services, BCPVPA



LESSONS LEARNED

KNOWLEDGE

ACTIONS

WISDOM

Investigations vary depending upon the direction the complainant chooses to take with their complaint, the circumstances of the behaviour being alleged, and the approach of the individual investigator reviewing the allegations. Most complaints are filed at the district level and are investigated either by the HR department or externally hired investigators. These may include investigations of bullying and harassment and generalized ‘misconduct’ as defined by individual school districts. There are also WorkSafeBC claims of bullying and harassment, and Teacher Regulation Branch (TRB) complaints of a breach of the Professional Standards for BC Educators. In some cases, district-level investigations are accompanied by – or followed by – TRB Investigations when complainants are not satisfied with the outcomes at the district level. Even despite these differences, there are common themes among investigations, particularly around the elements that lead to the complaint or investigation.

“Could this investigation have been avoided?” We are sometimes asked if there are common ‘pitfalls’ that our members fall into, or trends that make them vulnerable to workplace investigations. We would agree that we see some recurring behaviours that have led some school leaders to be investigated, but there are many situations that Principals and Vice-Principals could neither anticipate nor prepare for, and other circumstances that catch them completely off-guard when they emerge.

KNOWLEDGE

When MSS works with Principals and Vice-Principals who are responding to allegations, we find out what they know about district policy, the TRB and BCPVPA standards, collective agreements, rules or regulations, and district processes that might serve as a back-drop to the alleged behaviour being investigated. We ensure that by the time a member sits in front of an investigator at an interview, they are confident in their knowledge of any policies or standards, responsibilities under the School Act, their personal services contract, or any other procedural documents that might be germane to their situation. Up-to-date knowledge of these resources that ‘guide and direct our practice’ can go a long way in

preventing unfortunate situations. In some cases, being more familiar with the documents at an earlier stage could have possibly pre-empted the complaint process the member is facing.

For example, when Principals and Vice-Principals are familiar with the Freedom of Information and Protection of Privacy Act (FOIPPA), and carefully follow the procedures established in district policy with respect to protecting student information, they are more likely to be careful with documents, confidential files, and the sharing of information except when necessary. When Principals and Vice-Principals know TRB Standard 1, they are more likely to ensure that safety measures are in place for children on field trips, that programs are meeting the needs of all children, and that the privacy of students is protected. When Principals and Vice-Principals understand that they have a fiduciary responsibility to their employer – their Board of Education – they know that they are the eyes and ears of the district and must never speak out against a direction of the Board, even if they may not personally agree with it.

We spoke with some members who have been through investigations in recent years: when asked about what they knew ahead of time that they believe **helped them** in their situation, this is what they said:

“All employees have the right to make a harassment/bullying claim if they believe that they have been wronged. My comfort came in knowing that I had not violated the policy/procedures. That doesn’t mean that the entire process wasn’t exceptionally stressful and shocking. Being accused of such unprofessional behaviour is unsettling to say the least.”

“I was fortunate to have taken a two-day workshop on the topic and what the role of the investigator is, the process etc., so I felt that I hadn’t conducted myself inappropriately in terms of my interactions with the individual.”

“Our district has a good process for complaints – as this was one of my very first ones, it was interesting to navigate through it. I took it as a pro-d and learning experience. I was appreciative of having Ellen support me through it and the Short Course helped provide context to how important my decisions are as a Principal.”

“I knew that there were times when staff had made accusations against their admin that were investigated. I knew that I could ask for help and support from the BCPVPA if I was involved in an investigation.”

Some members noted what they wished they had known:

"I did not realize how much assistance the BCPVPA can offer in these situations. The experience made me really appreciate the role of the BCPVPA acting on our behalf. I would strongly encourage all administrators to be part of the BCPVPA. While my district was 100% supportive, I did not realize that they can be called as witnesses for investigations and may not always be able to provide direct support as they needed to maintain neutrality. The BCPVPA walked me through every step and provided practical and emotional support as well as much needed wisdom on the investigation process in a non-judgmental way."

"I wish I had known more about the full definition of bullying and harassment as described by both WorkSafe BC language and the Collective Agreement language. I was surprised and shocked that what I thought was my sound work ethic in fulfilling my roles and responsibilities could be construed as bullying/intimidation/harassment."

"I would have liked to know more about what is involved in an investigation interview for the administrator and how the person making the accusations might cause a number of staff members to also be involved in interviews. I would like teachers to know that if their admin is involved and they are asked that although it is confidential, admin will not hold it against them and that it will not impact their relationships with them. I felt badly for teachers that may have felt caught in the middle of this process and that they may say something that would negatively impact me. That is a heavy burden for them."

ACTIONS

In addition to the knowledge a Principal or Vice-Principal may have, we talk about the actions the Principal or Vice Principal took or, sometimes as importantly, did not take that may have contributed to the investigation. How we communicate our decisions, conduct meetings, respond to difficult situations, and prioritize our daily work can have an impact on our relationships with our staff and affect how we are perceived by parents and the school community. Some Principals who find themselves under investigation are very familiar with rules and regulations and are careful to act accordingly. However, despite knowing the 'rules', they may find themselves in hot water for the way they communicate their decisions.

Having suggested that what members know and do can affect the likelihood of being involved in an

investigation, there are situations that cannot be anticipated or prevented that lead to investigations.

In some cases, complaints reflect complex issues the complainant is facing in their personal life, and there is nothing a Principal can do to avoid the complaint. In other cases, staff members or parents will lodge a complaint against a Principal about a particular decision, even when it may be a decision the Principal has not made. Sometimes the staff member or parent does not agree with a district decision or policy. In situations like these, it is unfortunate when the complainant chooses to file a complaint against the Principal, as the district then has no alternative but to follow through with an investigation.

Some BCPVPA members we spoke with who faced investigations have offered the following learnings and guidance for their colleagues. These were things that they were glad to have previously done as they navigated the process:

“Document everything that is odd, uncomfortable, challenging, threatening, awkward—anything that you walk away going hmmm... Time, place, date, who was there, what was said, how was it said, etc. Handwritten notes are the best in my opinion for awkward, in-person/face-to-face interactions, however responding via email in a professional, positive, and kind tone (even if you don’t want to be) at the end of the day of an investigation, shows that you maintained your professionalism even in the face of unprofessional behaviour on the other person’s part.”

“Make sure you keep your senior administration team in the loop.”

“I was completely emotionally unprepared for the phone call from the district.”

“I think when things begin to go sideways in a relationship, reaching out to them with a ‘care and concern meeting’ involving their union reps (school rep or district rep) really helps when personal meetings go sideways. I also think reaching out to an assistant superintendent and our HR reps really helps when working through difficult situations. That way it is not just my interpretation, but a collaborative approach to working through challenges with an employee.”

“Luckily I had kept all records of communication and taken notes at all meetings. While I never expected an investigation, I was aware that the particular parent was often critical of school staff. While the process was very time consuming, detailed notes and emails allowed the Commissioner to understand the full picture to be able to rule fairly.”

WISDOM

We wish we could offer a no-fail recipe for avoiding workplace investigations for all of our members, but we know that such a thing does not exist. We can, however, share some words of wisdom that we feel might be helpful for Principals and Vice-Principals to consider.

- ♦When in doubt about how to proceed with an unfamiliar and potentially controversial situation, ask a trusted colleague or district staff, or reach out to MSS to talk through the situation. We are always happy to help point members in the right direction.
- ♦If a situation appears poised to escalate beyond the school, let the supervisor know. Superintendents and district staff do not want to hear a bad news story about a member or the school community on the news. It’s always best to be proactive and transparent.
- ♦Remain familiar with key documents and resources that will help guide and direct your practice.
- ♦Don’t put off responding to challenging situations with parents, staff, or community members. This

does not mean answering emails in the middle of the night, but if someone has expressed a concern that goes unanswered, another concern has just been added to the list. Consider responding promptly, if only to confirm that there will be a more fulsome follow-up response to come.

- ♦When implementing significant changes that may not be accepted with enthusiasm by staff or community, plant the seeds early and allow people time to ask questions and warm to the idea. While a change may have been considered by leadership for a significant time, this may be the first time that staff or community has heard about it, and they will need time to adjust. This includes changes to calendar or bell schedules, movement of classes, or programs within the school.
- ♦If a member receives a letter of investigation from the district or the TRB, contact MSS right away. Our support can begin on the first day.

Members in the field who have been through investigations share their words of wisdom to assist colleagues in avoiding investigations, and navigating them if they become a reality.

“Keep accurate and organized notes and files. Make sure your notes are factual and non-biased.”

“Ensure you are approaching difficult decisions with informed and evidence-based decision making. Emotions and personalities should not impede progress, especially if the interest of kids is at stake.”

“Follow up difficult conversations with an email. Again, keep it factual, non-biased, and reinforce the rationale behind the decision. Acknowledge the emotions and difficulties.”

“As difficult as it is, try not to take it personally. Remember, your best intentions may not always be perceived the way you intend and hope.”

“Reflect. Pay attention to your own biases and judgements and ensure they are not factoring into your decision making.”

“Despite the horrible feeling of an investigation, I feel my actions were grounded in policy and in the best interest of the child. As long as you can back your decisions in policy and show communication with your district leadership team, I would still suggest leading from an ethic of care for kids even at the risk of a pending investigation from unhappy parents.”

“The investigator is not your friend, it is their job to investigate and, after compiling the information, make a decision as to whether or not you violated the policy; they want to make a decision regarding who is the more credible person. The investigator is looking for consistency in facts, who presents themselves (through your record and under investigation recollection of events) in the most consistent and professional manner. Does what you are saying/recalling when responding to the investigator’s questions reflect your evidence?”

“When an employee’s performance is falling apart, make sure to document meetings, the support you offer and give, and ensure that they have support from their union, and health and wellness services.”

“Don’t put off making your own wellness a priority, because for your family, friends, colleagues, and the people you work with, there is only one you.”

When members face an investigation process, it can often feel very isolating, as the process is very confidential. Principals and Vice-Principals have often expressed a desire to be able to share their personal learnings and reflections to help colleagues around the province either avoid a situation or navigate it as smoothly as possible. We extend our deep appreciation to those who have gone through the process, and who have shared their words of wisdom.

The MSS Team at BCPVPA offers professional guidance when members are facing difficult situations, and can present workshops to local Chapters on the “Legal Side of Leadership”. We fully support and represent members through an investigation process if they find themselves facing a complaint.

“Reach out for help and support from the BCPVPA as soon as you receive the letter or get the phone call. Those immediate few hours or days would be so much more bearable if I had done so immediately instead of waiting.”

Contact us:

Phone 604-689-3399

Toll-Free in BC 800-663-0432

Find resources on our website:

bcpvpa.org - Member Support Services

Find resources in the BCPVPA Member Portal under Member Support Services