

Don Quixote Rides Again

Now he's tilting at a school board, not a windmill, but he's getting the same results.

By Nancy Wagner

What happens when a parent is told that his child's classroom is no longer a safe haven and that a teacher's behaviour towards some of her charges has become abusive? As parents, we would like to believe that we can turn to school officials and have the matter handled in the best interests of all concerned.

Here in Waterloo Region, one school board has faced such a test and failed. In March of 1996, the Quixote* family of West Montrose withdrew their nine-year-old son from his grade 4 class when other parents told them that their son's classroom was in chaos and that the teacher's behaviour was at times unstable, leading her to verbally abuse their son.

In short order, it was learned that two other families had already removed their children from this teacher's classroom and from the school. The Quixotes were the third; there soon was a fourth, followed by the threat of a fifth. The fifth child remained in the classroom only after the parents' demands were met for a full-time teacher's aide in the room to ensure the child's safety.

Looking for answers, Mr. Quixote took his concerns to the school principal, his trustee and the superintendent. After four weeks of getting nowhere, a frustrated Mr. Quixote erected a sign on the roof of his car that said, "[Teacher's name] is unstable. Remove her now." He drove to the front of the school where he parked with his sign for a short time and then went home.

In the past 18 months, this case has unfolded as follows.

- Mr. Quixote has been banned from the premises of both the school where his son attended at the time of the original incident and the one where he now attends. This, even though the teacher no longer teaches at either of these schools. (Oddly, Mr.

Quixote has not been banned from the teacher's new school.)

- Unless he follows a strict board protocol, notifying board officials each and every time he steps on school property even to pick up his child, the police are called and a charge of trespass is laid.
- The school board was told by police that Mr. Quixote is certainly no threat to anyone and that "his weapons are words."
- To date, Mr. Quixote has been charged with trespass more than a dozen times. With one exception, all charges have been withdrawn or dismissed. The one conviction has not been appealed because he cannot afford the legal costs.
- Mr. Quixote has spent 25 hours in jail, charged with obstructing police. This charge was apparently based on the fact that he had accumulated several trespass charges. After being asked by the crown attorney to do so, the judge threw the charge out.
- The teacher launched a two million dollar libel suit against the Quixotes, one of several suits ongoing in this matter.
- Although the school board has been repeatedly asked to investigate why so many parents have removed their children from the teacher's class, parents have had no response from board officials.
- For the 1996/97 school year, the teacher was transferred to another school. Two more families have pulled their children from her class and from the new school.
- The chair of the school board was quoted in the local paper as saying, "At no time was [Mr. Quixote] coming to the school out of concern for the safety of his child" and "the board's first obligation is to the safety and security of students and staff." These are curious statements from the chair, especially given that one of the children pulled from the teacher's class is his own sister's grandchild.

- On the day of the federal election in June, Mr. Quixote was advised by his son's principal that he would need permission from the school board to exercise his franchise, since his polling station was at one of the schools involved. Mr. Quixote went ahead and voted without such permission — and school board officials tried to have him charged with trespass yet again. The police refused to lay a charge this time and advised the board to read the Canada Elections Act.
- In July, both the police and the crown attorney stated that they are no longer interested in either laying or prosecuting any further trespass charges against Mr. Quixote.
- Responding, the school board said it might lay a private charge and hire its own prosecutor.

To date, trying to wring some accountability out of the school board has cost the Quixotes \$25,000. They are currently without legal representation as they can no longer afford a lawyer.

This case should give all parents pause. It points out clearly the imbalance of power when parents come up against the system. Unless they are rich, they simply cannot match a school board's bottomless purse. It would be interesting to find out how much local taxpayers have unwittingly contributed to the actions against Mr. Quixote.

Trustees are our elected representatives, but even those who were willing to help appear to be powerless. It would seem that, while teachers are backed by unions, parents and children have no one.

(Mrs. Wagner is the former president of the Waterloo Region chapter.)

* The name has been changed to protect the parties involved.