

Treading on Sacred Ground

Some parents who are undergoing separation or divorce involve their child's daycare or school in their conflict. During the contentious period of resolving custody and access matters the school or daycare may be the battlefield for who picks up the kids and the place where parents vent their emotional distress. Further, some parents seek to enlist the support of teachers and childcare providers in the pursuit of winning their case thus placing teachers and early childhood educators in positions of conflict between mother and father.

Just as parents seek respite from the turmoil and upset of the custody and access battle, children also seek respite from their parents' conflict. Children's "safe place" is usually their school or daycare. It is therefore important for parents to recognize that in the heat of a custody and access dispute, the child's school or daycare may be their last bastion of peace. As such, parents are advised to tread lightly on their children's sacred ground. If parents do not tread lightly, the school or daycare can become tainted by their intrusions however well intentioned. Parents who fail to heed this warning can undermine their child's willingness to return to the daycare or school. If the child feels their daycare or school is a prime battlefield, experienced as a source of contention or conflict between the parents, the child may seek to avoid attending or may demonstrate increased emotional difficulty when in attendance.

Parents are also cautioned against requesting or demanding reports of their children's behaviour linking it to the behaviour of either parent. This intensifies the position of conflict for the educator and asks them to perform a task beyond their role and training. In the context of a custody and access dispute, such reports are suspect. Assessors view them as "one-sided" and it is easy to determine that persons whose expertise is not in custody and access matters and the dynamics therein have provided them. As such, these reports do not necessarily help a parent's case and worse, may hurt the child's sense of security and safety from parental conflict while at daycare or school.

Rather, when in the heat of a disputed custody and access matter, the parents can ease their child's distress by quickly agreeing on who and on what conditions each parent can relate or communicate with the school or daycare. The parents should then provide the daycare or school with a letter detailing the agreement, signed by both parents. Parents should access as many resources as possible to settle these matters amicably. In the event the parents still cannot agree, they are then advised to obtain an interim court order specifying mutual conditions and restrictions as quickly as possible and provide a copy of the order to the daycare or school.

Furthermore, parents need to exercise their good judgment and boundaries and resist bringing the school or daycare into their dispute. If information is absolutely required, parents are advised to restrict their request to factual data such as attendance, developmental or academic performance or behaviour. It is inappropriate to ask the educator to link the data to the behaviour of either parent as this is outside of their professional role.

In the run up to court, parents often seek to enlist allies to support their case. However, parents are cautioned against tainting the school or daycare, undermining the sense of safety and security the setting may provide their children. Parents in distress are advised to speak with their lawyer, consider counselling, mediation, collaborative law, and if matters are still in dispute, an assessment to provide recommendations for settling the matters. But above all, leave the children's school or daycare as a safe place, free from intrusions and leave the staff free to concentrate on supporting your children's development.

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