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Summary of main points for the issue/ concern:

The issues are as follows:

The OCDSB is a state actor that has used censorship to silence the concerns of a parent, and has employed tactics of censorship to silence the concerns of parents and stakeholders.

Article 2 of the Charter of Rights and Freedoms exists to protect individual citizens from state actors who would use their power to silence citizens. This concept is the very foundation of western democracy, which rose as a response to authoritarian monarchic and religious institutional power.

I intend to speak to two issues about law and policy:

One about the OCDSB's legal Charter obligation to respect ALL criticism from constituents under Article 2.

The second is the false INTERPRETATION of law and policy by board members hiding behind claims of human rights.

Using tactics of censorship against citizens leaves the OCDSB vulnerable to the serious harms of group-think, since no dissenting opinions are tolerated. The position of the board appears absolutist, and the problem of significant liability arises if the board is wrong in their assertions about policy.

It also leaves the board exposed to lawsuits - especially having repeatedly employed false, or highly questionable allegations against stakeholders in the public forum.

Recommendation(s) for resolution of issue:

My recommendations are Three:

First: That the OCDSB act in the capacity in which, as a state actor, is is legally obligated to act, in allowing open questions from concerned parents instead of using bullying and public humiliation tactics to silence legitimate questions of school board policy (violating Article 2 of the Canadian Charter of Rights and Freedoms) and to recognize that Article 2 supersedes any claims of justification based on human rights POLICY (not law) instantiated by the school board.

Second: That the OCDSB recognize that in the issue presented by [REDACTED] that there is a conflict of rights at play between several identity groups, and that the school board has an obligation under the OHRC "Policy on Preventing Discrimination because of Identity and Gender Expression," (April 14, 2014) to consider competing rights as outlined

Delegation

in the OHRC POLICY documents - those being protected classes of religion and the sex-based rights of women and girls;

That the OCDSB, in the interest of transparency and to address the legitimate concerns of parents, provide the competing rights analysis that they were obligated to undertake when creating and implementing the policy brought to Issue by [REDACTED]