

**STRICTLY CONFIDENTIAL**

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**FINAL REPORT**

November 2, 2020

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Andrew Tremayne  
Arbitrator, Mediator and  
Workplace Investigator  
343 Preston St. 11th Floor  
Ottawa, Ontario K1S 1N4  
Phone: 1-844-244-5644  
Fax: 1-844-432-7941

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## **Mandate**

On August 31, 2020, I was retained by the Ottawa-Carleton District School Board to act as an external investigator into a complaint under the organization's *Board Member Code of Conduct*. The complaint, which the Board received on August 29, 2020, was brought by Trustee Donna Blackburn against Trustee Lyra Evans. On September 3, 2020, Trustee Blackburn filed a complaint against Trustee Justine Bell. Both complaints arose from the same series of events, namely a tweet sent by Trustee Evans that was retweeted by Trustee Bell, so my mandate was expanded to include investigating the complaint against Trustee Bell. The investigation into both complaints is to be conducted under the Formal Review provisions of the *Code of Conduct*.

The mandate of this investigation is to gather and present the facts and to provide a written report. The Formal Review provisions require that a draft written report be provided to the Trustee who is alleged to have breached the *Code of Conduct* and the Trustee who brought the complaint (referred to from this point on as the "parties") for comment before the final report is prepared. The draft report was sent to Trustees Blackburn, Evans, and Bell on October 14, 2000, and I received comments from all three Trustees.

This is the final report, and it sets out the steps taken in the investigation and the evidence that has been collected. I have also incorporated the parties' comments into this report.

The Formal Review provisions of the *Code of Conduct* state that the final report shall not contain a recommendation or opinion as to whether the *Code of Conduct* has been breached. That determination is made by the Board of Trustees as a whole after it receives the final report. I have not made any findings of fact in this

report concerning the interpretation or meaning of the tweets in question because after careful consideration, I have concluded that doing so would require me to offer an opinion, which I am precluded from doing under the Formal Review process.

### **Background and Process**

#### **Contact**

My contact for the investigation is Michele Giroux, Executive Officer (Corporate Services) of the Board. Ms. Giroux provided me with copies of all of the relevant documents in connection with handling of the complaints up to the date of my appointment, as well as copies of the relevant Board policies. She also provided ongoing clarification regarding the Formal Review process and the scope of the investigation.

#### **Board Policies**

The objective of the *Board Member Code of Conduct*, which applies to the parties, is to “establish a standard of conduct and a mechanism for managing inappropriate conduct for Ottawa-Carleton District School Board members in discharging their duties.” All members of the Board are expected to uphold the letter and spirit of the *Code of Conduct*.

*A copy of the Code of Conduct (Policy P.073.GOV) is attached at **Tab 1**.*

The *Code of Conduct* includes the following provisions under the heading Integrity and Dignity of Office:

- 3.6 Board members shall discharge their duties loyally, faithfully, impartially and in a manner that will inspire public confidence in the abilities and integrity of the Board.
- 3.7 Board members shall recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interests of the students of the entire District.
- 3.8 Trustees, as leaders of the Board, must uphold the dignity of the office and conduct themselves in a professional manner, especially when representing the Board, attending Board events, or while on Board property.
- 3.9 Trustees shall ensure that their comments are issue-based and not personal, demeaning or disparaging with regard to Board staff or fellow Board members.

The provisions set out under the heading Civil Behaviour are as follows:

- 3.15 Board members shall not engage in conduct that would discredit or compromise the integrity of the Board during meetings of the Board or at any other time.
- 3.16 Board members shall not make allegations of misconduct and/or a breach of this Code of Conduct that are trivial, frivolous, vexatious, in bad faith or vindictive in nature against another member of the Board.
- 3.17 When expressing individual views, Board members shall respect the differing points of view of other Board members, staff, students and the public.
- 3.18 Board members shall, at all times, act with decorum and shall be respectful of other Board members, staff, students and the public.
- 3.19 All Board members shall endeavour to work with other Board members and staff of the Board in a spirit of respect, openness, courtesy, and co-operation.
- 3.20 All Board members shall have regard for, and model, the behavioral expectations referenced in Policy P.012.GOV, Board Governance,

Policy P.125.SCO, School Board Code of Conduct, and Policy P.009.HR: Respectful Workplace (Harassment Prevention).

- 3.21 All members of the Board shall understand their responsibility for contributing to a respectful workplace, and make every reasonable effort to resolve issues arising as a result of friction, conflict or disagreement in a respectful and professional manner that contributes to a healthy and productive workplace.

Sections 4.15 – 4.17 of the *Code of Conduct* establish an Informal Review Process to resolve complaints without requiring that a formal written complaint be submitted. I understand the Chair of the Board engaged this process, but that attempts to resolve the matters were unsuccessful. The informal review process is conducted in private, so in my view, it would not be appropriate to disclose details of the parties' discussions with the Chair in this report.

The Formal Review process is described in sections 4.18 – 4.27 of the *Code of Conduct*.

## **Complaints**

The first complaint relates to a tweet sent by Trustee Lyra on August 26, 2020, at 10:51 p.m., shortly after the Board voted on the 2020-2021 Staff Recommended Budget. Approximately 1 hour later, Trustee Bell retweeted Trustee Lyra's tweet and added a comment. The second complaint relates to Trustee Bell's retweet.

### First Complaint

*A copy of the formal complaint from Trustee Blackburn alleging that Trustee Lyra breached the Code of Conduct is attached at **Tab 2**.*

In a letter dated August 31, 2020, the Chair of the Board informed Trustee Blackburn that her formal complaint against Trustee Lyra had been received and that a formal review would proceed.

*A copy of the August 31, 2020 letter from the Chair of the Board to Trustee Blackburn is attached at **Tab 3**.*

In a letter dated August 31, 2020, the Chair of the Board informed Trustee Lyra that a formal complaint against her had been received and that a formal review would proceed.

*A copy of the August 31, 2020 letter from the Chair of the Board to Trustee Lyra is attached at **Tab 4**.*

#### Second Complaint

*A copy of the formal complaint from Trustee Blackburn alleging that Trustee Bell breached the Code of Conduct is attached at **Tab 5**.*

In a letter dated September 10, 2020, the Chair of the Board informed Trustee Blackburn that her formal complaint against Trustee Bell had been received and that a formal review would proceed.

*A copy of the September 10, 2020 letter from the Chair of the Board to Trustee Blackburn is attached at **Tab 6**.*

In a letter dated September 10, 2020, the Chair of the Board informed Trustee Bell that a formal complaint against her had been received and that a formal review would proceed.

*A copy of the September 10, 2020 letter from the Chair of the Board to Trustee Bell is attached at **Tab 7**.*

## Interviews

Public health announcements related to the COVID-19 outbreak continue to require rigorous distancing and hygiene measures in addition to placing severe limits on travel outside the home. As a result, and to comply with best practices set out in the applicable public health guidelines, all interviews were conducted by videoconference.

I informed everyone who I interviewed that the matters that we discuss during the interview are confidential.

I interviewed Trustee Blackburn on September 15, 2020. I interviewed Trustee Bell on September 18, 2020. I interviewed Trustee Lyra on September 25, 2020.

## Documents

Copies of the following documents are attached at **Tabs 1-14**:

1. A copy of the *Board Member Code of Conduct* is attached at **Tab 1**.
2. A copy of the formal complaint from Trustee Blackburn alleging that Trustee Lyra breached the Code of Conduct is attached at **Tab 2**.
3. A copy of the August 31, 2020 letter from the Chair of the Board to Trustee Blackburn is attached at **Tab 3**.
4. A copy of the August 31, 2020 letter from the Chair of the Board to Trustee Lyra is attached at **Tab 4**.
5. A copy of the formal complaint from Trustee Blackburn alleging that Trustee Bell breached the Code of Conduct is attached at **Tab 5**.
6. A copy of the September 10, 2020 letter from the Chair of the Board to Trustee Blackburn is attached at **Tab 6**.

7. A copy of the September 10, 2020 letter from the Chair of the Board to Trustee Bell is attached at **Tab 7**.
8. A copy of the Committee of the Whole, Budget Report from August 11, 2020 is attached at **Tab 8**.
9. A copy of the Committee of the Whole, Budget Report from August 13, 2020 is attached at **Tab 9**.
10. A copy of the Committee of the Whole, Budget Report from August 26, 2020 is attached at **Tab 10**.
11. A copy of the Special Board Public Minutes from August 26, 2020 is attached at **Tab 11**.
12. A copy of Trustee Lyra's August 26, 2020 tweet is attached at **Tab 12**.
13. A copy of Trustee Bell's comment on Trustee Lyra's August 26, 2020 tweet is attached at **Tab 13**.
14. A copy of Trustee Bell's reply to Trustee Lyra's August 26, 2020 tweet is attached at **Tab 14**.

### **Allegations**

#### **Budget 2020-2021: Meetings, Motions, and Decisions**

A brief review of the Board's deliberations around the 2020-2021 Staff Recommended Budget will provide necessary background and context for the complaints.

On August 11, 2020, the Board met as a Committee of the Whole to review the 2020-2021 Staff-Recommended Budget. This was a continuation of a July 21, 2020 budget meeting where staff presented the 2020-2021 Staff Recommended Budget.



*A copy of the Committee of the Whole, Budget Report from August 11, 2020 is attached at **Tab 8**.*

At the August 11, 2020 meeting, Trustee Lyra brought the following motion and an amendment to that motion:

- A. THAT the unconsolidated 2020-2021 operating budget of \$1,008.3 million as presented in Report 20-063, 2020-2021 Staff-Recommended Budget and detailed in the 2020-2021 Staff-Recommended Budget Binder be approved, subject to Ministry authorization to use the accumulated surplus in the amount required to balance the budget;
- B. THAT the 2020-2021 capital budget of \$97.9 million as presented in the 2020-2021 Staff-Recommended Budget Binder, be approved; and
- C. THAT the In-Year Deficit Elimination plan as presented in the 2020-2021 Staff-Recommended Budget Binder, be approved.

An amendment moved by Trustee Lyra Evans,

- A) THAT \$95,976 be removed from School Programs and Support budget which pays for two dedicated School Resource Officers (SROs) at Gloucester High School and Ridgemont High School; and
- B) THAT \$95,976 be put towards hiring a conflict mediator, and a reconciliation officer; to be placed in the same schools to which the SROs were assigned.

(Committee of the Whole, Budget Report from August 11, 2020; pg. 8-9)

Trustee Lyra introduced the amendment, saying that the motion is the first step in a process to rebuild the trust of the Black, Indigenous and other racialized communities that have suffered at the hands of the police. She said that by hiring additional police, the Board accepts the treatment of those communities in schools.

The Director and Associate Director commented on the safe schools policy and the SRO program.

Trustee Bell moved the following sub-amendment:

THAT the OCDSB pause the SRO program and conduct a review of the program and the impact (both positive and negative) that it has on student populations.

(Committee of the Whole, Budget Report from August 11, 2020; pg. 10)

The meeting adjourned without a vote on the Budget Motion, the amendment, or the sub-amendment.

The meeting of the Committee of the Whole continued on August 13, 2020.

Trustee Bell withdrew her sub-amendment. There was a discussion about Trustee Lyra's original amendment to the Budget Motion and the SRO program generally.

*A copy of the Committee of the Whole, Budget Report from August 13, 2020 is attached at **Tab 9**.*

Trustee Ellis moved the following sub-amendment:

THAT Part B of the amendment be revised to read "THAT the \$95,976 be apportioned to the two schools on a per pupil basis to be administered within the urban priority high school framework."

(Committee of the Whole, Budget Report from August 13, 2020; pg. 5)

After a discussion, the sub-amendment was carried.

The discussion returned to Trustee Lyra's original amendment to the budget motion, which now read as follows:

- A THAT \$ 95,976 be removed from the School Programs and Support budget which pays for two dedicated School Resource Officers (SROs) at Gloucester High School and Ridgemont High School; and
- B. THAT the \$95,976 be apportioned to the two schools on a per pupil basis to be administered within the urban priority high school framework.

(Committee of the Whole, Budget Report from August 13, 2020; pg. 7)

The amendment was carried.

The discussion moved to other matters, namely a new amendment to the Budget Motion to increase funding in areas of the Board's operations affected by the COVID-19 pandemic. The meeting adjourned without a vote on the Budget Motion or the new amendment.

The meeting of the Committee of the Whole continued on August 18, 2020. The SRO program and the sections of Trustee Lyra's Budget Motion (now amended) on the 2020-2021 Staff Recommended Budget related to the SRO program were not discussed.

The final meeting of the Committee of the Whole during which the Budget Motion was discussed took place on August 26, 2020. At the start of this meeting, the Committee received 7 Delegations, all of whom spoke about the SRO program.

*A copy of the Committee of the Whole, Budget Report from August 26, 2020 is attached at **Tab 10**.*

Additional amendments to the Budget Motion were moved, discussed, and voted on. At the end of the meeting, the following Budget Motion was carried [emphasis added]:

- A. THAT the unconsolidated 2020-2021 operating budget of \$1,008.3 million as presented in Report 20-063, 2020-2021 Staff-Recommended Budget and detailed in the 2020-2021 Staff-Recommended Budget Binder be approved, subject to Ministry authorization to use the accumulated surplus in the amount required to balance the budget, amended as follows:
  - a. THAT \$ 95,976 be removed from the School Programs and Support budget which pays for two dedicated School Resource Officers (SROs) at Gloucester High School and Ridgemont High School; and
  - b. THAT the \$95,976 be apportioned to the two schools on a per pupil basis to be administered within the urban priority high school framework.
  - c. THAT a budget allocation of \$150,000 be made for the funding of effective school councils across all schools and the work of an engaged Parent Involvement Committee to ensure it meets obligations regarding communications with school councils and to “undertaking activities to help parents of pupils of the Board support their children’s learning at home and at school”. d. THAT the Board approach the province for more funding, if necessary, to ensure the safety of OCDSB students and educators. e. THAT the Chair of the Board communicate immediately with the Minister of Education and Premier, with a copy of the communication also sent to Ontario Public School Boards’ Association (OPSBA) member boards and local media, calling on the province to:
    - i. Commit to making school boards whole with respect to their extraordinary COVID-19 related use of reserves,
    - ii. Commit to making school boards whole with respect to any unplanned COVID-19 related shortfalls arising directly however from either (i) their Ministry-confirmed plans, 1. further changes in Ministry direction, or 2. unforeseen and unavoidable local COVID-19 related circumstances, and
    - iii. Commit to asking Ontario’s Chief Medical Officer to immediately review and publicly respond fully and directly to the expert advice on COVID-19 risk reduction for schools provided on August 19 2020 by the Registered Nurses’ Association of Ontario (RNAO), and the Minister and Premier

then to reassess as may be indicated the province's financial support and direction around COVID-19 risks reduction in its schools;

- B. THAT the 2020-2021 capital budget of \$97.9 million as presented in the 2020-2021 Staff-Recommended Budget Binder, be approved;
- C. THAT the In-Year Deficit Elimination plan presented in the 2020-2021 Staff-Recommended Budget Binder, as amended, be approved;
- D. THAT the accumulated surplus be used to further increase the recommended \$4.0 million COVID expense provision by \$471,491;
- E. THAT the new funding of \$3.5 million as shown in Ministry of Education Memo 2020:B11, Investments to Support School Reopening in Response to the COVID-19 Outbreak, be added to the 2020-2021 Staff-Recommended Budget operating revenues and that a corresponding increase in planned operating expenses be reflected; and
- F. THAT the new funding of \$1.9 million as shown in Minister of Education Memo dated August 14 2020, Additional Guidance and Funding for School Reopening, be added to the 2020-2021 Staff-Recommended Budget operating revenues and that a corresponding increase in planned operating expenses be reflected.

(Committee of the Whole, Budget Report from August 26, 2020; pg. 15-17)

The Board moved immediately from its August 26, 2020 meeting of the Committee of the Whole to a Special Board Meeting. The Budget Motion (set out above) was before the Board.

*A copy of the Special Board Public Minutes from August 26, 2020 is attached at **Tab 11**.*

Trustee Ellis requested that the first two parts of the Budget Motion (underlined above) regarding the SRO program at Ridgemont and Gloucester High Schools be voted on separately. It was clarified that a vote against these two parts of the amendment would eliminate them from the final motion and would result in the funds being allocated as proposed in the original 2020-2021 Staff Recommended Budget.

There was a discussion about the merits of the SRO Program and the first two parts of the motion. Trustee Lyra moved the following:

THAT \$ 95,976 be removed from the School Programs and Support budget which pays for two dedicated School Resource Officers (SROs) at Gloucester High School and Ridgemont High School; and

THAT the \$95,976 be apportioned to the two schools on a per pupil basis to be administered within the urban priority high school framework.

(Special Board Public Minutes from August 26, 2020; pg. 4-5)

The motion was defeated. At Trustee Ellis's request, a recorded vote was held and the motion was defeated on the following division:

FOR: Trustee Ellis, Lyra Evans, Bell, (3)

AGAINST: Trustee Boothby, Hough, Campbell, Jennekens, Penny, Fisher, Schwartz, Scott, (8)

ABSTENTION: Nil (0)

### Comments on Twitter

Shortly after the meeting adjourned, Trustee Lyra posted the following message on Twitter:

Tonights board meeting: OCDSB Trustees voted 8-3 in favour of putting extra police in high needs, low income, disproportionately racialized schools. Instead of community supports. Shoutout to @justinegbell and @School1Zone6 for joining me in opposing systemic racism.

10:51 PM · 2020-08-26

*A copy of Trustee Lyra's August 26, 2020 tweet is attached at **Tab 12**.*

A few minutes later, Trustee Bell retweeted Trustee Lyra's post and added the comment, "I am disappointed beyond words."

*A copy of Trustee Bell's comment on Trustee Lyra's August 26, 2020 tweet is attached at **Tab 13**.*

The next day, August 27, 2020 at approximately 1:00 p.m., Trustee Bell replied to Trustee Lyra's August 26, 2020 tweet with the following message:

I believe that Trustees voted against removing the @OCDSB \$\$ to 2 SROs and putting it into the urban priorities because they want to conduct an SRO review first/consult, and/or did not have sufficient info. #disappointed. Our calls to action @ 3:51 here: [youtube.com/watch?v=KcsoHH](https://www.youtube.com/watch?v=KcsoHH)

*A copy of Trustee Bell's reply to Trustee Lyra's August 26, 2020 tweet is attached at **Tab 14**.*

### **Interview with Trustee Blackburn**

Trustee Blackburn says that although she has a Twitter account, she has never used it and has never sent a tweet. Trustee Lyra's August 26, 2020 tweet was brought to her attention by someone in her Zone who monitors Twitter. In her complaint, Trustee Blackburn identified three main concerns about the tweet.

First, it is incorrect to say that the Board "voted 8-3 in favour of putting *extra* police." This is because the Board voted to continue the status quo. The Board did not vote in favour of more SROs; it voted to keep things exactly the same. Trustee Lyra's tweet makes it look like the Board changed the status quo by voting for extra SROs in the two schools (Gloucester High School and Ridgemont High

School). That is, the tweet makes it look like the Board voted to put more SROs in those schools than there were before the vote, which is not true.

Second, by saying “*instead* of community supports,” the tweet gives the false impression that no community supports are currently in place at the two schools. This is not true, because there are many community supports at the schools, including a social worker, an addiction specialist, and others. The Board did not vote to reduce any community supports, and it did not vote for anything instead of community supports. The Board’s vote was in favour of the status quo.

Third, the message identifies Trustee Bell and Trustee Ellis as “joining” Trustee Lyra in opposing systemic racism. This part of the tweet gives the impression that only these three Trustees are opposed to systemic racism and that by implication, all other Trustees are not opposed to systemic racism. In this way, the tweet also suggests that other than Trustees Lyra, Bell, and Ellis, every Trustee a racist,.

Trustee Blackburn says that Trustee Lyra’s tweet is contrary to section 3.18 of the *Code of Conduct*. The tweet is disrespectful to Trustees, and also to students and the public, because it lies about how the Board voted. It is also disrespectful to accuse Trustees of not being opposed to systemic racism and of being racists.

The tweet is also contrary to section 3.28 of the *Code*, because it does not tell the truth about the Board’s discussion and resolution. As a result, the tweet does not uphold the Board’s resolution, it undermines it. While there are provisions for bringing a motion for reconsideration, Trustee Lyra did not do so.

Finally, section 3.29 of the *Code* says that a Trustee may respectfully state her position on a resolution provided it does not in any way undermine the implementation of the resolution. Trustee Lyra’s tweet is contrary to this section



because the tweet is not factual – it misrepresents the Board’s resolution. It undermines the implementation of the resolution because it suggests that the Board voted to change the status quo, which it did not. The tweet also undermines the implementation of the resolution by suggesting that those who opposed it did so because they are not opposed to systemic reasons, or are racists.

Turning to Trustee Bell’s retweet and comment on Trustee Lyra’s original tweet, Trustee Blackburn says that by retweeting the message, Trustee Bell endorsed the misrepresentations in Trustee Lyra’s tweet. This is clear because Trustee Bell adds a comment that she is “disappointed beyond words” about the Board’s decision. By retweeting and endorsing the original message, Trustee Bell has also contravened the same sections of the *Code* as Trustee Lyra.

### **Interview with Trustee Lyra**

Trustee Lyra says that each year, the Board is responsible for approving an entire budget. The Board simplifies the process by looking at the changes to the previous year’s budget, because it would take too long to construct a budget “from the ground up” each year. However, the Board is nevertheless approving the entire budget each year. In the 2020-2021 Staff Recommended Budget, there are more SROs at Gloucester High School and Ridgemont High School than there are at other schools, so there are, in fact, “extra” SROs at these two schools. In other words, the word “extra” in the tweet refers to “extra” compared to all other schools as opposed to “extra” compared to last year’s budget. From this perspective, says Trustee Lyra, the tweet is fair and accurate. Trustee Lyra believes that what she wrote is true.

With respect to the part of the tweet that refers to community supports, Trustee Lyra says that the motion she proposed would have moved funds from the extra SROs to community supports. This is not to say that there are not already

community supports in place at the two schools, but that if the motion had passed, those funds would have gone to community supports.

Trustee Lyra adds that she takes the responsibility to inform her community about Board proceeding seriously, and that many people rely on Twitter for information. Twitter has word limits, so it is not always possible to provide the same level of detail as a press statement. While more information and context is good, Twitter provides a brief, immediate, and direct format. The August 26, 2020 tweet is nevertheless accurate as it stands, because the Board did decide to put funds into additional SROs rather than community supports.

Turning to the allegation that the tweet suggests that Trustees other than Trustees Lyra, Bell, and Ellis are not opposed systemic racism and that the tweet also suggests that every other Trustee a racist, Trustee Lyra strongly disagrees. She does not believe that people are or are not racists. She does not say that people are racists; rather she refers to peoples' actions or choices as enabling racism. Similarly, saying that someone has failed to oppose systemic racism is not the same thing as calling someone a racist. Trustee Lyra says that her worldview is in line with two books provided to all Trustees by the Board last summer: "How to Be an Antiracist" and "So You Want to Talk About Race."

Systemic racism or institutional racism is difficult to change because decisions look innocuous, but the result is inequity for racialized students. When the Board decides to put extra police in schools, the Board, even with the best intentions, is enabling the school to prison pipeline to continue. Viewed in this light, the Board's decision upholds systemic racism. If the opposite of upholding is opposing, then the tweet is accurate.

## **Interview with Trustee Bell**

Trustee Bell says that she read Trustee Lyra's tweet after the August 26, 2020 Board meeting. Trustee Bell did not see anything inaccurate in the tweet, and she did not think it was misleading. It was late at night, after a lengthy Board meeting, and she had been up very early doing a radio interview. Trustee Bell says that she did not have the energy to do anything except add a brief comment and retweet Trustee Lyra's tweet.

Trustee Lyra's tweet is accurate, says Trustee Bell, because the Board voted to support the extra SROs with Board funds. When she read the tweet, she interpreted "extra" as meaning *in addition to* what the City provides for SROs. It would also have been possible to say that the Board continued to fund existing SRO programs. Both statements are accurate, but they explain the outcome in a different way. She may not have used the same words as Trustee Lyra, but the tweet reflects what happened, and there is nothing wrong or inaccurate about it.

The motion also proposed to take away funds from SROs and put them into social supports. The tweet does not say that the Board is not funding social supports. However, the choice was between using Board funds for SROs or social supports, and the motion to move the funds to social services was defeated, so the tweet is accurate.

Trustee Bell says that systemic racism exists and that the motion was an opportunity for the Board to make a decision that opposed systemic racism. According to Trustee Bell, her understanding of the terms "racism," "racist," and "systemic racism," align with the definitions of these terms in the two books provided to all Trustees by the Board: "How to Be an Antiracist," and "So You Want to Talk About Race." She took action by voting to move funds that are

being spent on SROs to social supports by means of the urban priority program. The actions of the Trustees who voted against the motion were not racist; rather, they did not seize an opportunity to dismantle systemic racism. She understands that some of her colleagues wanted more information and more consultation before voting on the issue. They may believe that their opposition to systemic racism will be more effective if they get more information. Trustee Bell says that she did not need more information before voting in favour of the motion.

With respect to the comment that she added when she retweeted Trustee Lyra's tweet, Trustee Bell says that she was very disappointed in the Board's decision, but that saying so is not disrespectful.

Trustee Bell says that the next day, August 27, 2020, after some discussions with her colleagues, she recognized that Trustee Lyra's tweet could be misinterpreted and that not everyone may have interpreted it the same way she did. As a result, Trustee Bell says, she wanted to provide some extra context for the Board's decision. She decided that the best way to do this was to engage the community that had already seen Trustee Lyra's original tweet, so she composed a tweet alongside the original tweet. This tweet clarifies that Trustees voted against the motion because they wanted to "conduct an SRO review first/consult, and/or did not have sufficient info."

Trustee Bell adds that in her view, Trustee Blackburn's complaint against her is vexatious and was not brought in good faith. In the spring of 2020, a complaint was filed against Trustee Blackburn, and Trustee Bell was vocal in her criticism of Trustee Blackburn's conduct and described her actions as racist when the matter came before the Board. Since that time, Trustee Bell says, Trustee Blackburn has been aggressive and disrespectful to her in emails. On August 27, 2020, Trustee Blackburn sent her an email accusing her of calling her colleagues

racist and of spreading misinformation by retweeting Trustee Lyra's August 26 tweet. Examples of those emails were provided for this investigation. From the perspective of Trustee Bell, the allegation is inaccurate and ridiculous. Trustee Bell holds that she did not contravene any of the provisions in the *Code of Conduct* through her retweet of Trustee Lyra's tweet.

[Note: Until Trustee Blackburn read the draft report, she was not aware of Trustee Bell's position that her complaint against Trustee Bell is vexatious and was brought in bad faith. As a result, I have set out Trustee Blackburn's response below.]

Trustee Blackburn responds that Trustee Bell's assertion that the complaint against her is vexatious and was brought in bad faith is false, and it has nothing to do with any claims that Trustee Bell has made against her in the past. Trustee Blackburn adds that her complaint against Trustee Bell was filed ten days after filing the complaint against Trustee Evans. This is because it was Trustee Blackburn's sincere hope that the matter could be addressed informally under the Informal Review Process and without the need for a formal written complaint.



November 2, 2020  
Andrew Tremayne  
Ottawa, Ontario