

Statement from the Board of Trustees

Clarification of Changes to DPCDSB Procedural By-Law

October 4, 2023

As your partner in the education and well-being of your children, Dufferin-Peel Catholic District School Board (“DPCDSB”) Trustees are committed to sharing important information with students and their families in a timely manner. In this regard, an issue that has been misrepresented by certain individuals and organizations needs to be clarified.

The DPCDSB Procedural By-law governs the meetings of the Board of Trustees and its Committees. The issue requiring clarification relates to a recent change to the Procedural By-Law regarding delegations at meetings.

Specifically, inaccurate information is circulating stating that DPCDSB is censoring delegations at Board of Trustees meetings. This is unequivocally false. What we are doing is requesting that delegations revise parts of their presentation that perpetuate negative stereotypes or express certain views about individuals and groups of individuals who are protected by the *Ontario Human Rights Code* (the “Code”).

By way of background, at its September 26 meeting, the Board of Trustees approved an addition to its Procedural By-law that simply reiterates the DPCDSB’s legal obligation to comply with the Code, as follows:

“The Chair may rule that the delegation is out of order and end the delegation, if, in the Chair’s opinion, either of the following occurs:

- *The information in the delegate’s oral speech is significantly different than the written speech provided;*
- *The delegate’s speech, notes, and/or other materials contain, or if the Delegate begins to use language that, in the opinion of the Chair, constitutes either of the following:*

A. *an invasion of privacy, breach of confidentiality, defamation of character or is obscene;*
or;

B. *discrimination against an individual, or group of individuals, based on a protected ground under the Ontario Human Rights Code, R.S.O. 1990, c. H. 19, the Chair may rule the delegation out of order and end the delegation. The following are currently the protected grounds:*

- *age*
- *Ancestry, colour, race*
- *Citizenship*
- *Ethnic origin*
- *Place of origin*
- *Creed*
- *Disability*
- *Family status*
- *Marital status (including single status)*
- *Gender identity, gender expression*

- *Receipt of public assistance (in housing only)*
 - *Record of offences (in employment only)*
 - *Sex (including pregnancy and breastfeeding)*
 - *Sexual orientation.”*

This section of the Procedural By-law simply sets the DPCDSB’s legal obligations that have existed for many years. There is nothing new. The inclusion of this language highlights DPCDSB’s commitment to ensuring that every staff member and student is able to work and learn in an environment that is free from discrimination, in accordance with the Code.

DPDSB welcomes and encourages delegations. Every delegation’s presentation is reviewed in advance to ensure that it complies with the Code. This is our legal obligation.

DPCDSB also has a legal obligation to ensure a safe learning and working environment, including not exposing its staff and students to presentations that include language that has, or may have, the effect of negatively generalizing about an individual or group of individuals in a way that perpetuates negative stereotypes, or constitutes harassment or discrimination, contrary to the Code. The consequence of permitting such delegations would lead to the violation by DPCDSB of its legal obligations. This will be strictly enforced. This is not only our legal obligation; it is also our moral obligation.

While freedom of speech is a constitutional right, the restriction of such right is demonstrably justified when the speech, or portions of the speech, have the consequence of violating ones’ human right to work and learn in a discrimination and harassment-free environment.

If it is deemed that a delegation’s proposed presentation would have the effect of causing the DPCDSB to violate its legal obligation, we will work with the delegate with a view to ensuring that the delegate’s presentation does not violate any applicable laws. Again, it is a matter of ensuring compliance with laws.

There is absolutely no intention to limit anyone delegating the Board of Trustees about Catholic doctrine and this has always been the case. We will, however, be vigilant of language that perpetuates negative stereotypes or that constitutes hate speech, or may be perceived as hate speech, as defined by the Ontario Human Rights Commission:

“Hate speech is the use of extreme language or a form of communication that expresses detestation for or vilifies an individual or group of individuals based on colour, ethnicity, place of origin, race, creed, gender, or sexual orientation, among other grounds of discrimination under Ontario’s Human Rights Code. Hatred is often rooted in anti-Black, anti-Asian and anti-Indigenous racism, misogyny, homophobia, transphobia, antisemitism, Islamophobia and white supremacy.” (From: [Taking action to build awareness and challenge hate in Ontario | Ontario Human Rights Commission \(ohrc.on.ca\)](https://www.ohrc.on.ca/en/taking-action-to-build-awareness-and-challenge-hate-in-ontario))

We value parents and guardians as important partners in the education of children, and we strive to create and maintain working and learning environments that are welcoming, safe, caring, and inclusive for all. We teach the Ontario curriculum infused with Catholic teachings and values as articulated by the Assembly of Catholic Bishops of Ontario (ACBO) and the Institute for Catholic Education (ICE).

We thank you for your attention to this important information and we trust this provides parents, guardians, and community members with clarity on the issue.