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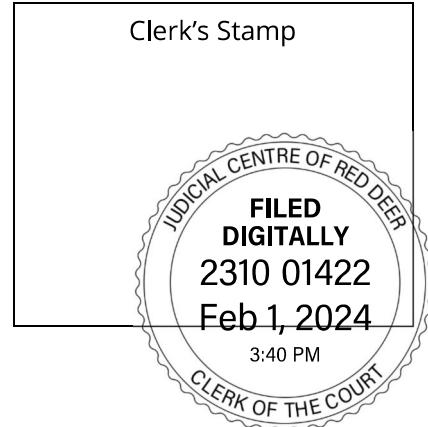
JUDICIAL CENTRE RED DEER

APPLICANT MONIQUE LAGRANGE

RESPONDENT THE BOARD OF TRUSTEES OF THE RED DEER CATHOLIC REGIONAL SCHOOLS

DOCUMENT **CERTIFIED RECORD OF PROCEEDINGS**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT	McLENNAN ROSS LLP #600 McLennan Ross Building 12220 Stony Plain Road Edmonton, AB T5N 3Y4	Lawyer: Teresa Haykowsky, K.C. Telephone: 780.482.9247 Fax: 780.733.9751 Email: teresa.haykowsky@mross.com File No.: 20234805
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1. Please find attached:

- (a) The decision or written record of the act that is the subject of the originating application for judicial review being the November 14, 2023, motion ("Motion") of the Board of Trustees of the Red Deer Catholic Separate School Division ("Board") carried at the November 14, 2023, Special Board Meeting ("Special Board Meeting") (at para. 1.(a));
- (b) The November 24, 2023, Reasons for Decision issued by the Board on the same date in support of the Motion (at para. 1.(b));
- (c) The document which initiated the Special Board Meeting, being the October 16, 2023, complaint letter ("October 16, 2023, Complaint Letter") (at para. 1.(d)(i)(F)(Appendix F) and the October 16, 2023, letter of support ("October 16, 2023, Letter of Support") (at para. 1.(d)(i)(G) Appendix G);
- (d) The evidence and exhibits filed with us;
 - (i) Submissions in support of the October 16, 2023, Complaint letter included:
 - (A) Appendix A – Policy 4: Trustee Code of Conduct
 - (B) Appendix B – Board Motion and Supporting Reasons dated October 13, 2023

- (C) Appendix C – 1:12 p.m. September 29, 2023, Email to the then Trustee LaGrange
- (D) Appendix D – Laura Lynn Talks – The then Trustee LaGrange October 2, 2023, Interview (Rumble News link)
- (E) Appendix E – 2:49 p.m. October 20, 2023, Email to the Board
- (F) Appendix F – October 16, 2023, Complaint Letter
- (G) Appendix G – October 16, 2023, Letter of Support
- (H) Appendix H – Policy 1: Division Foundational Statements
- (I) Appendix I – Administrative Procedure No. 103 – Welcoming, Safe and Caring, Inclusive and Respectful Learning Environments
- (J) Appendix J – Policy 3: Trustee Role Description
- (K) Appendix K – TrueNorth and LifeSite New Articles (7 pages)

(ii) November 10, 2023, Submissions of the then Trustee LaGrange;
and

(e) Anything else in our possession relevant to the decision or act, namely:

- (i) Minutes of a Special Meeting of the Board of Trustees of The Red Deer Catholic Separate School Division held November 13, 2023;
- (ii) Minutes of a Special Meeting of the Board of Trustees of The Red Deer Catholic Separate School Division held November 23, 2023.

2. The following are parts of the notice to obtain record of proceedings that cannot be fully complied with and the reasons why:

There are no such documents.

3. I certify that I have attached all records as required by Rule 3.19(1).

Name of person who certifies this record: Murray Hollman

Position: Board Chair of The Board of Red Deer Catholic Separate School Division

Signature: 
Murray Hollman

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SCHEDULE "A" – BOARD MOTION NOVEMBER 14, 2023

BE IT RESOLVED that further to the November 13 and 14, 2023, in camera discussions, and after having carefully considered all the points raised therein, and in accordance with Board Policy and the Education Act, Trustee LaGrange has violated sanctions issued on September 26, 2023, and had further violated Board Policy and the Education Act. As a result, Trustee LaGrange is hereby disqualified under section 87(1)(c) of the Education Act and Board Policy from remaining as a school board trustee. The Board will issue detailed reasons in support of this Board motion on or before November 24, 2023.

**REASONS FOR DECISION IN FURTHERANCE OF THE
NOVEMBER 13 and 14, 2023, SPECIAL BOARD MEETING**

I. Introduction

The Board of Trustees of Red Deer Catholic Separate School Division (“Board”) possesses those powers statutorily conferred upon it, including pursuant to the *Education Act*, SA 2012, c E-0.3 (“Act”).

The Act grants the Board jurisdiction to review trustee-related complaints, consider trustee conduct, and determine appropriate responses and remedies. In other words, the Board has the statutory authority to govern its internal procedures by regulating the conduct of its members.

To this end, section 87(1)(c) of the Act confers the statutory power on the Board to disqualify a Board member “...from remaining as a trustee of a board if that person has breached the code of conduct of the board established under section 33, where the sanction for the breach under the code of conduct may be determined by the board to be disqualification.”

On November 14, 2023, the Board, seized with the October 16, 2023, Code of Conduct complaint (“Second Complaint”) made by a Board member (“Complainant #2”) against the “Respondent” (at the time of the Second Complaint, Trustee Monique LaGrange), which is attached hereto as Appendix “A”, voted (“Second Motion”) 3-1 in favour of disqualifying the Respondent from her school Board trustee position.

The Second Motion was approved by the Board majority after the November 13 and 14, 2023, special Board meeting (“Second Code of Conduct Hearing”) during which the Board conducted an *in camera* hearing as a result of the Second Complaint. The Second Motion is attached hereto as Schedule “A”.

At the Second Code of Conduct Hearing, the Board heard information, evidence, and argument from both Complainant #2, the Respondent and their respective legal counsel.

These reasons (“November 2023 Board Reasons” or “Reasons”) are issued by the majority of the Board on November 24, 2023, further to the Second Code of Conduct Hearing.

II. Background

The relevant factual background will be briefly reviewed:

First Code of Conduct Hearing

- On September 25 and 26, 2023, the Board held a Special Board Meeting (“First Code of Conduct Hearing”) during which the Board conducted an *in camera* hearing further to the September 7, 2023, Code of Conduct complaint (“First Complaint”) submitted by a Board member (“Complainant #1”) against the Respondent;
- At the First Code of Conduct Hearing, the Board heard information, evidence, and argument from both Complainant #1, the Respondent and their respective legal counsel;
- At the First Code of Conduct Hearing, it was undisputed that, on or about August 27, 2023, the Respondent posted on her personal Facebook account a meme displaying two photographs which respectively showed:
 - a) a group of children holding Nazi flags with swastikas; and
 - b) a contemporary photograph of children holding rainbow Pride flags, and captioned “Brainwashing is brainwashing” (“Original Meme”).

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- During the First Code of Conduct Hearing, the Respondent stated that her intentions were that the Original Meme was not directed toward the Red Deer Catholic Separate School Division (“Division”) and was not a challenge to Division practices;
- After fulsome deliberations, on September 26, 2023, the Board determined that the Respondent had breached Board Policy 3 – Trustee Role Description (“Board Policy 3”), Board Policy 4 - Trustee Code of Conduct (“Board Policy 4” or “Code”), and the Act. The Code is attached hereto as Appendix “B”;
- On September 26, 2023, the Board passed a motion (“First Motion”) censuring the Respondent. The Motion and the related October 13, 2023, Board reasons (“October 2023 Board Reasons”), are bundled and attached collectively hereto as Appendix “C”.

September 28, 2023, Posting

- On September 28, 2023, the Respondent posted two items on her personal Facebook page:
 - a) the first depicting a wolf wearing facial make-up and licking its lips, with the caption, “I just want to read some books to your chickens”; and
 - b) a photograph of a non-binary author with the caption, ““Parental rights really anger me’ non-binary children books author pushes back against parents.” (both of which are attached hereto as Appendix “D”)

At the Second Code of Conduct Hearing, the Respondent’s legal counsel indicated item b) was a news article, not a meme and further, that the Respondent was sharing a news article about an individual who identifies as non-binary. This item is attached hereto as Appendix “E”.

The materials referred to above at (a) and (b) are collectively referred to herein as the “Social Media Posts.”

- On September 29, 2023, the Board Chair emailed the Respondent regarding the Social Media Posts, and informed the Respondent that the issues relating to her conduct as a school board trustee and her corresponding trustee responsibilities are serious. The Board Chair further advised the Respondent that breach of the First Motion could result in further conduct hearings, a possible outcome of which was disqualification from acting as a trustee. This email is attached hereto as Appendix “F”.
- At or around October 2, 2023, “*Laura-Lynn Talks*”, released an interview (“*Laura-Lynn Interview*”) in which the Respondent appeared as a guest. It is the understanding of the Board that the Laura Lynn Interview was recorded sometime between September 26, when the First Motion was passed, and October 1, 2023. At the outset of the Laura-Lynn Interview, the Respondent identified herself as a Red Deer Catholic Regional Schools Trustee and she spoke about the posting of the Original Meme that resulted in the First Code of Conduct Complaint. A link to the Laura-Lynn Interview is attached as Appendix “G”.
- On October 19, 2023, the “*Talk Truth*” talk show (“*Talk Truth Interview*”), which aired on the same date, conducted by Corri and Allen Hunsperger, included an interview with the Respondent a link to which is attached as Appendix “H”.

At the outset of the *Talk Truth* Interview, Corri Hunsperger identified the Respondent as a Red Deer Catholic School Trustee who is currently in the news and who got herself “into a little bit of hot water”.

The Respondent spoke about the Original Meme that led to the Respondent being, “brought up on a code of conduct” “in front of the Board”. When asked if she could “rewind time”, the Respondent stated that: she would “still post” the Original Meme again; “it is not offensive if you understand” “what is actually going on in the world.”; it’s thought-provoking; it’s a warning of what could be. History likes to repeat itself. And so, where are we in that, that you know circle of history. So, you know people need to wake up. They seriously do and parents need to know what’s going on.”

The Respondent also indicated in the *Talk Truth* Interview that,

“teachers they’re not in the profession to indoctrinate your children. They, they love children. They’re there to make the world better, um, and so, you know, you have to understand that part of it. But most of us that have gone to university in the last 20 years, we have been victims of this indoctrination ourselves. And so, when you’re indoctrinated, you don’t think anything of what you’re, you know, the way you’re teaching it the words you’re using. And so, it just becomes your normal, um, and so this filters down it’s a very slow drip into our classrooms. And so, it’s you know it’s just being aware of how the process works and the whole agenda of how they’re indoctrinating us, where that’s coming from you have to understand that as well. So be aware, um, as a parent take your authority back. So, you are the primary educator and we can’t forget that. We as parents, so I have a unique perspective here because I’m a parent, I have a background I was a teacher and I’m now a school trustee. So, I’ve seen the whole gambit basically and so I have a very interesting perspective and authority is huge. So, parents have given their authority away to something that maybe they perhaps didn’t recognize. And so, it’s getting that authority back and educating your kids. You should be educating your kids, you know, about relationships and sexuality, that’s your job as a parent. That’s between you, your child, and God. Not the teachers. And so, the teachers are there to do reading, arithmetic, you know that sort of thing right. And you know we need to just make sure that we are as a parent, we know what the boundaries are.”¹

The Laura Lynn Interview and the Talk Truth Interview are collectively, the “Interviews.”

The above events were undisputed at the Second Code of Conduct Hearing.

The Second Complaint

- The Second Complaint related to both the Social Media Posts and the Interviews, and alleged that the Respondent’s Social Media Posts, and participation in and commentary during the Interviews, contravened the Code and the Act, and further breached the First Motion;
- Following receipt of the Second Complaint and in accordance with Appendix A of Board Policy 4 and the Act, the Board scheduled the *in camera* Second Code of Conduct Hearing;
- The Respondent was present (virtually) at the Second Code of Conduct Hearing and was provided with a full opportunity to make submissions; she was represented by counsel who submitted written and oral arguments to the Board.
- Complainant #1 did not participate in any way in the Second Code of Conduct Hearing or the preparation of these Reasons.

III. Materials Submitted at the Second Code of Conduct Hearing

Prior to the Second Code of Conduct Hearing, Complainant #2 submitted the following materials to the Board, the Respondent and her legal counsel:

- a) The Second Complaint;
- b) The October 16, 2023, support letter for the matter to proceed to a hearing;
- c) The 8-page written Submissions of Complainant #2 (“Complainant #2’s Written Submissions”) which included:
 - Board Policy 4;
 - First Motion and October 2023 Board Reasons;
 - Board Chair’s September 29, 2023, 1:12 p.m. email to the Respondent;

¹ Note: These statements are taken from the October 19, 2023, “Talk Truth” talk show.

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- Laura Lynn Interview;
- Board Chair’s October 20, 2023, email (Trustees Only) re: Some New Information;
- Trustee Heistad Complaint re LaGrange conduct 10.02.23;
- Policy 1 – Division Foundational Statements;
- Board Administrative Procedure 103 - Welcoming, Safe and Caring, Inclusive and Respectful Learning Environments (“AP 103”);
- Board Policy 3;
- TrueNorth² and LifeSite news articles;³ and
- Talk Truth Interview.

In response to Complainant #2’s Written Submissions, the Respondent’s legal counsel submitted to the Board, and Complainant #2 and her legal counsel, a 10-page written submission (“Respondent’s Written Submissions”) which did not contain any attachments.

Complainant #2 and the Respondent were both present and were represented by Counsel at the Second Code of Conduct Hearing.

At said hearing, no party objected to the Board composition nor raised issues of procedural unfairness.

Pursuant to Appendix A of Board Policy 4, during the *in camera* portion of the Second Code of Conduct Hearing submissions were made by the parties (i.e., Complainant #2 and her legal counsel, and the Respondent and her legal counsel) to the Board. Board members also posed questions at the Second Code of Conduct Hearing. Following the completion of their deliberations, the Board returned to a public session and, as earlier noted, voted 3-1 in favour of the Second Motion which reads:

BE IT RESOLVED that further to the November 13 and 14, 2023, in camera discussions, and after having carefully considered all the points raised therein, and in accordance with Board Policy and the Education Act, Trustee LaGrange has violated sanctions issued on September 26, 2023, and had further violated Board Policy and the Education Act. As a result, Trustee LaGrange is hereby disqualified under section 87(1)(c) of the Education Act and Board Policy from remaining as a school board trustee. The Board will issue detailed reasons in support of this Board motion on or before November 24, 2023.

IV. Alberta’s Education Act

The preamble of the Act addresses inclusiveness and respect in the provision of education to Alberta students:

WHEREAS students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self;

WHEREAS the Government of Alberta recognizes the importance of an inclusive education system that provides each student with the relevant learning opportunities and supports necessary to achieve success;

² True North Canada News, *Red Deer Trustee has “no regret” about anti-gender ideology post, despite punishment*, by Noah Jarvis, published September 28, 2023, attached as Appendix “I”.

³ LifeSite, *Canadian Catholic school trustee silenced, forced to undergo ‘sensitivity’ training for opposing LGBT agenda*, by Anthony Murdoch, published September 27, 2023, attached as Appendix “J”.

These recitals are also reflected in beliefs 9 and 10 of Board Policy 1 – Division Foundational Statements:

9. The schools will foster the mental and physical well-being of all students through:
 - 9.1 Selection of appropriate programs which emphasize physical, leisure activities; and
 - 9.2 A respect for the worth and dignity of the individual.

10. The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.

Section 2 of the Act states:

Limitations

2. The exercise of any right or the receipt of any benefit under this Act is subject to the limitations that are reasonable in the circumstances under which the right is being exercised or the benefit is being received.

Section 33 of the Act imposes statutory duties on the Board, some of which are:

- develop and implement a school trustee code of conduct;⁴
- establish and maintain governance and organization structures that promote student well-being and success, and monitor and evaluate their effectiveness;⁵
- ensure that each student enrolled in a school operated by the board and each staff member employed by the board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging;⁶
- establish, implement and maintain a policy respecting the board's obligation under subsection (1)(d) to provide a welcoming, caring, respectful and safe learning environment that includes the establishment of a code of conduct for students that addresses bullying behaviour;⁷ and
- to provide a statement of purpose that provides a rationale for the student code of conduct, with a focus on welcoming, caring, respectful and safe learning environments.⁸

School board trustees in Alberta must adhere to their code of conduct. This requirement is contained in Board Policy 1 and is a statutory requirement under the Act, which states:

A trustee of a board, as a partner in education, has the responsibility to (...) comply with the board's code of conduct (...).⁹

This requirement is also contained at clause 6.20 of Board Policy 3.

⁴ Act s. 33(1)(k).

⁵ Act s. 33(1)(h).

⁶ Act s. 33(1)(d).

⁷ Act s. 33(2).

⁸ Act s. 33(3)(d)(i).

⁹ Act s. 34(1)(c).

Finally, the courts have recognized that school boards have an obligation to enforce a minimum of standard of conduct expected of trustees. This is noted in the Ontario decision of *Del Grande v. Toronto Catholic District School Board*, which the Board cited in the October 2023 Board Reasons. The Board acknowledges that this decision is not binding in Alberta, but continues to find the following principle applicable:

(...) the Board has a statutory obligation to promote student well-being and a positive and inclusive school climate. The Board also has an obligation to enforce a minimum standard of conduct expected of its Trustees. All Trustees have an obligation to comply with the *Code of Conduct* and to assist the Board in fulfilling its duties. Sanctioning the Applicant for making disrespectful comments was not contrary to the *Education Act*, but consistent with the *Act's* statutory objectives.¹⁰

V. Position of Complainant #2

The Second Complaint alleges that the Respondent breached the Code in relation to the above-described conduct (“Alleged Code Breaches”) in the following ways:

- a) failing to carry out her responsibilities with due diligence (Board Policy 4, Section 1, noting the responsibilities outlined in Board Policy 3, Section 6.3, 6.4, 6.7, 6.18 and 6.20);
- b) failing to represent the Board with respect and decorum and to reflect Board policy in public communications (Board Policy 4, Sections 7 and 22);
- c) failing to work in harmony with fellow Board members including in communications to the electorate (Board Policy 4, Sections 5 and 15); and
- d) failing to conduct herself in a dignified, ethical, professional and lawful manner (Board Policy 4, Section 6).

The Second Complaint further alleges that the Respondent failed to comply with the First Motion in the following ways:

- a) continuing to represent the Board in an official capacity in speaking to news and media outlets; and
- b) continuing to make public statements touching upon the 2SLGBTQ+ community.

VI. Position of the Respondent

The Respondent’s Written Submissions

The Respondent contests the reasonableness of the factual and legal findings of the Board as articulated in the October 2023 Board Reasons and intends to seek judicial review of the First Motion. The Board acknowledges that seeking such a remedy is the Respondent’s right. However, as the Respondent has not sought and obtained a judicial stay of the First Motion, it remains in force notwithstanding her disagreement with it.

The Respondent disagrees with the Second Complaint and advances the following arguments:

- a) The definitions used in the First Motion, in particular those of “represent”, “official capacity” and “community”, are vague and uncertain, and must be interpreted according to their ordinary meaning in the absence of a specified definition;

¹⁰ *Del Grande v. Toronto Catholic District School Board*, 2023 ONSC 691, para 81.

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- b) The Respondent did not communicate (intentionally or unintentionally), in the Interviews or otherwise subsequent to the First Motion, in any official capacity as a school board trustee with the media;
- c) The Respondent has spoken only about 2SLGBTQ+ ideology, and not about the “community” being specific individuals or the group of people comprising that community as a whole;
- d) The Respondent has not breached the Code and the Second Complaint arises from a personal disagreement with the Respondent’s personal beliefs; and
- e) The Respondent’s conduct is consistent with her pastoral obligations, as she adheres to traditional Catholic beliefs and values.

The Respondent’s Views Expressed at the Hearing

Through her counsel, the Respondent expressed her views at the Second Code of Conduct Hearing consistent with those found in the Respondent’s Written Submissions. The Respondent stressed that she loves all students in the Division, but that truly adhering to Catholic values, beliefs and teachings requires a rejection of what she describes as transgender “ideology” which, in the Respondent’s view, is in fact a mental disorder.

The Respondent also reiterated her arguments that the First Motion was unclear and that she did not violate any of its terms. The Respondent acknowledged that at no time did she seek clarification of any of the terms of the First Motion. In her view, the onus was on the Board to make the First Motion clear, and not on the Respondent to seek clarification.

VII. Issues

After careful consideration of the written and oral submissions of Complainant #2 and the Respondent, the Board determined that the following issues required determination:

1. Did the Respondent’s conduct subsequent to the issuance of the First Motion constitute a failure to comply with the conditions of the First Motion?
2. Did the Respondent’s conduct subsequent to the issuance of the First Motion constitute a further breach of the Code?
3. If the answer to either or both of Issue 1 and Issue 2 is yes, what is the appropriate sanction?

VIII. Reasons

Context to These Reasons: Board Policy and Compliance with the Act

The Board’s mission is as follows:

The Red Deer Catholic Separate School Division is committed to supporting inclusive communities that foster care and compassion of students, families and staff with a complete offering of learning opportunities delivered within the

context of Catholic teachings and tradition, and within the means of the Division.¹¹

The purpose of the Mission Statement is to govern the interactions within the Division and among members of the Division including Board members. Board Policy 1 sets forth beliefs that are meant to govern the interactions of the Division as stewards of Catholic education, including Belief 10 which reads:

The schools will **foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students**, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. **Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.** [Emphasis added]

AP 103 details how the Policy 1: Division Foundational Statements are to be carried out by School Division staff. Among other things, a “Christ-centered, welcoming, caring, respectful and safe learning environment **that respects diversity, equity and human rights and fosters a sense of inclusion and belonging**”¹² is to be maintained. [Emphasis added]

The Code states that the Board “commits itself and its members to conduct that meets the highest ethical standards.” Board members are expected to conduct themselves, at all times, in a mutually respectful way which affirms the worth of each person, especially students:

That trustees are the children’s advocates and their first and greatest concern is the **best interest of each and every one of these children without distinction as to who they are or what their background may be.**¹³ [Emphasis added.]

Section 1 of the Code requires that Trustees carry out their responsibilities as detailed in Board Policy 3 with reasonable diligence. Board Policy 3 is attached in full as Appendix “K”. The Board notes the following provisions in particular:

6. Specific Responsibilities of Individual Trustees

(...)

6.3 The trustee can engage with the public through a variety of communication methods, understanding that all communications and interactions must reflect the principles of the Trustee Code of Conduct.

6.4 Trustees will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division.

(...)

¹¹ Board Policy 1: Division Foundational Statements, Mission (“Mission Statement”).

¹² AP 103, Background.

¹³ Code p. 1.

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6.7 The trustee will support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

(...)

6.18 The trustee will contribute to a positive and respectful learning and working culture both within the Board and the Division.

(...)

6.20 The trustee will adhere to the Trustee Code of Conduct.

Failure to adhere to these responsibilities is considered to be a breach of the Code pursuant to section 1 of Policy 4, which Policy also states:

5. Trustees shall endeavour to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.

6. Trustees shall commit themselves to dignified, ethical, professional and lawful conduct.

7. Trustees shall reflect the Board's policies and resolutions when communicating to the public.

...

15. Work together with fellow trustees to communicate to the electorate.

16. Remember at all times that individual trustees have no legal authority outside the meeting of the Board, and therefore relationships with school staff, the community, and all media of communication is to be conducted on the basis of fact.

...

22. Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.

Consequences for the failure of an individual trustee to adhere to the Code are specified in Appendix "A" to the Code, which sets out a range of sanctions and remedial measures, all of which supplement the disqualification sanction in the Act:

87(1)(c) A person is disqualified from remaining as a trustee of a board if that person has breached the code of conduct of the board established under section

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33, where the sanction for the breach under the code of conduct may be determined by the board to be disqualification¹⁴

Issue 1: Did the Respondent’s Conduct Subsequent to the Issuance of the First Motion Constitute a Failure to Comply with Conditions of the First Motion?

The Board did not arrive at the First Motion lightly. As noted in the October 2023 Board Reasons, the Board carefully reviewed all materials provided to it at the First Code of Conduct Hearing, considered the submissions of Complainant #1 and the Respondent, and engaged in a fulsome and comprehensive consideration of the issues.

The Board notes that the Laura-Lynn Interview was recorded before the First Motion had been issued publicly but after the First Motion had been passed (and was therefore in effect). The Board does not find this distinction to be of any significance. The Respondent did not inform the Board that she had made an effort to halt the release of the Laura-Lynn Interview, or if that was not possible, to publicly disavow it. The Respondent did not alert the Board that this interview was about to be publicly released, nor did the Respondent offer any explanation to the Board as to this interview (rather, the Respondent maintains the Laura-Lynn Interview did not breach the First Motion). The Laura-Lynn Interview is in context consistent with the Respondent’s overall approach and subsequent to the issuance of the First Motion.

Condition (b) of the First Motion

Condition (b) of the First Motion (“Condition (b)”) states:

As a result, as of today’s date [September 26, 2023] and up to and including the Trustee’s Term of Office (“End Date”), the Trustee

a.

b. shall not **represent the Board/School Division in any official capacity**, including Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and **speaking with news/media outlets**. [emphasis added]

The Respondent’s Written Submissions indicate that the First Motion lacks clarity surrounding the meaning of “represent” and “official capacity”, and that in the absence of any specific definition, the plain and ordinary meaning of those terms must be used. The Respondent further argues that at no time in any of the Respondent’s media comments, either personally or through counsel, did she purport to “represent” the Board in an “official capacity”.

The Board agrees with the Respondent that the interpretation of Condition (b) must be in accordance with the plain and ordinary meaning of its language; however, such interpretation must also be reasonable and account for the context in which it was written. The Respondent was identified, introduced or described as a school board trustee in the Interviews. The topics of discussion were in both of the Interviews related to educational issues within the scope of a Trustee’s job responsibilities, and/or the First Motion which was the result of a process applicable only to school board trustees. The Board is of the view that a reasonable person, reading or hearing comments or social media postings of a school board trustee introduced and/or

¹⁴ Act s. 87(1)(c).

self-described as such, would not anticipate that such comments were offered solely in the trustee's personal capacity absent, at minimum, a specific declaration to that effect from the trustee.

The Respondent's arguments in this regard are unconvincing and the Board does not accept them. The Board finds that the Respondent has not complied with Condition (b) of the First Motion in relation to the Interviews.

Condition (c)

Condition (c) of the First Motion ("Condition (c)") states:

As a result, as of today's date [September 26, 2023] and up to and including the Trustee's Term of Office ("End Date"), the Trustee

a.

c. shall cease making any public statements in areas touching upon or relating to,

- i. **the 2SLGBTQ+ community**; (emphasis added) and
- ii. the Holocaust

The Respondent submitted that the term "community" is not clear or defined, and accordingly must be understood to refer to specific individuals or the group of 2SLGBTQ+ individuals as a whole. By contrast, the Respondent argues that her comments related to ideas and ideology, not this particular community. For the reasons following, this argument is unconvincing, and the Board does not accept it.

A critical feature of the 2SLGBTQ+ community is the gender and sexual orientation of its individual members as expressed as a member of that community. To separate those individuals from that core understanding of their own identity is artificial. Further, it is a strained interpretation that is at odds with any possible "plain meaning" of the term "community".

Further, the Respondent has argued that the Original Meme and Social Media Posts are not about the 2SLGBTQ+ community but about "transgender ideology" (as the Respondent puts it). This argument is similar to that rejected by the Board in the First Code of Conduct Hearing in which the Board found that the nuanced message allegedly sought to be conveyed by the Respondent in the Original Meme to an audience, including elementary-aged school children, was not adequately conveyed by a three word, two picture meme.

The Respondent cannot insist on a plain meaning interpretation of language only when it suits her.¹⁵

The Board finds that the Trustee has not complied with Condition (c) of the First Motion by making public statements in areas touching upon or relating to the 2SLGBTQ+ community, *inter alia* through the Interviews.

In addition, the evidence provided in the Second Complaint of the Social Media Posts demonstrates posting of content of a similar nature to the Original Meme at issue in the First Complaint, touching upon or related to the 2SLGBTQ+ community. The Board finds that the Social Media Posts are an additional violation of the First Motion.

¹⁵ Respondent Submissions paras 10 and 26.

Intended Breaches of First Motion Not Part of the Reasons

The Board notes that the 90-day timeline granted to the Respondent has not yet passed since the First Motion. As a result, the Board does not find that the Trustee violated conditions (d) or (e) of the First Motion related to sensitivity training and an apology.

Issue 2: Did the Respondent's Conduct Subsequent to the Issuance of the First Motion Constitute a Further Breach of the Code?

The Respondent expressly relies on her prior submissions at the First Code of Conduct Hearing (para. 4). She is entitled to do so. However, the Board carefully reviewed and considered those submissions before issuing the First Motion, which remains the Board's valid and as yet uncontested ruling on the matter.

The Respondent's Written Submissions (paras. 30-33) essentially dismiss the Second Complaint as a disagreement over personal beliefs and politics while dismissing the Complainant #2's views as "liberal" or "woke".

The October 2023 Board Reasons clearly outline the Respondent's Code breaches that led to the First Motion, and to the extent that the Respondent continues to express disagreement with them, the Board hereby adopts and incorporates those reasons. As noted above, the Respondent has continued with a course of conduct that is disparaging of the 2SLGBTQ+ community, disregarding of the inclusivity guidance promulgated by the Board and the Division, and disrespectful of the Board, all the while offering no new rationale or explanation. In this regard, the Board agrees with and accepts the submissions of Complainant #2 in finding that the Respondent has breached the following provisions of the Code:

- Policy 3, Sections 6.3, 6.4, 6.7, 6.18 and 6.20; and
- Policy 4, Sections 1, 5, 6, 7, 15 and 22.

The Board's detailed reasons for finding breaches are as follows:

- Board Policy 3, Section 6.3: For the reasons noted, the Respondent failed to communicate with the public in a manner that reflected the principles of the Code;
- Board Policy 3, Section 6.4: For the reasons noted, the Respondent's activity on/in relation to the Social Media Posts failed to reflect any recognition of her obligation to represent the interests of the Board, her duties as a trustee, or awareness of public perception;
- Board Policy 3, Section 6.7: For the reasons given, the Respondent has failed to support the First Motion and October 2023 Board Reasons, indeed, the Respondent through her counsel has publicly denigrated them and indicated an intention not to comply. While the timeline for compliance has not yet expired such that the First Motion has not yet been breached with respect to these declarations, these expressions, as an *obiter* statement, nevertheless contradict section 6.7;
- Board Policy 3, Section 6.18: For the reasons noted, the Respondent has failed to contribute to a positive and respectful learning environment; to the contrary, a community within the Division has been made to feel unwelcome and unsafe;
- Board Policy 3, Section 6.20: For the reasons noted, the Respondent has not adhered to the Code;

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- Board Policy 4, Section 1: For the reasons noted, the Respondent failed to carry out her responsibilities under Policy 3 with reasonable diligence. The Respondent instead knowingly has declined to carry out the above-described responsibilities with respect to the 2SLGBTQ+ community;
- Board Policy 4, Section 5: For the reasons noted, the Respondent did not endeavour to work with her fellow trustees in a spirit of harmony and co-operation. Rather, the Respondent conducted herself contrary to Board and Division guidance, disregarded a motion of the Board, and has through her counsel denigrated and disrespected her fellow trustees;
- Board Policy 4, Section 6: For the reasons noted, the Respondent has not conducted herself in a dignified, professional and ethical manner. Rather, she has disrespected and denigrated the Board and a valued and respected community within the broader educational community that she was elected to serve;
- Board Policy 4, Section 7: For the reasons noted, the Respondent has not reflected Board policy and resolutions in her public communications, in fact, she has openly disregarded and/or expressed the intention to disregard them. While the time to comply with certain conditions of the First Motion has not yet passed and accordingly it has not yet been breached, repeated open affirmations of the intent not to comply are inconsistent with this provision;
- Board Policy 5, Section 15: For the reasons noted, the Respondent has not worked together with the Board to communicate with the electorate. Rather, the Respondent has engaged in her own communications contrary to Board and Division policy and the First Motion;
- Board Policy 4, Section 22: For the reasons noted, the Respondent has failed to represent the Board responsibly and with proper decorum and respect for others in Board-related matters. In a public interview, in which the Respondent is identified as a trustee and does not state that she is speaking solely in her personal capacity, at which business of the Board is discussed, the Board finds this provision applicable. The Respondent failed to show respect for either the Board or the 2SLGBTQ+ community.

Accordingly, the Board finds that the Respondent has committed further and additional breaches of the Code, in addition to her non-compliance with the First Motion.

Catholicity-related Arguments raised by the Respondent and her Counsel

According to the Respondent's Written Submission, the Respondent seeks to protect children, protect parental rights, and uphold Christ-inspired beliefs with integrity even in the face of alleged political persecution by her fellow Board members. The Respondent's legal counsel argued that it is not of value to be able to secretly hold one's beliefs but not be able to espouse them.

The Board wishes to highlight what it wrote in the First Motion regarding the Respondent's ability to raise any education-related concerns, including those relating to what the Respondent refers to as "gender ideology":

- a) the Respondent could bring forward any educational-related issue for discussion and debate to the Board through the Board's standard procedures and practices; and
- b) the Board welcomes open debate or education-related issues in accordance with Board policy and procedures, including sensitive or difficult topics.

The Respondent Suggests that Board Members Act as if they Serve on a Secular Board

At the Second Code of Conduct Hearing the Respondent's legal counsel suggested the Respondent acted as if she served on a religious Catholic school board whereas the other Board members acted as if they served on a secular school board. Paragraph 35 of the Respondent's Written Submissions addresses this as follows:

... Much of the political disagreement between Trustee LaGrange and the Board has arisen precisely because Trustee LaGrange adheres to traditional Catholic beliefs and values about gender, sex, family, and protecting children, while the Board has prioritized the liberal secular values that promote LGBT ideas and gender ideology and undermines parental rights.

During the Second Code of Conduct Hearing the Respondent's legal counsel submitted that:

- a) it is disingenuous to say that gender ideology and the sexualization of children are Christ-centered; they are not;
- b) No true follower of Christ, who is both honest and reasonable, would claim that they are;
- c) That Catholic beliefs are at odds with "LGBTQ ideologies", and this is the source of conflict between the Respondent and the Board.

However, the issue before the Board does not turn on whether the Respondent's impugned conduct contravened Roman Catholic values but whether the same violated the Act, the Code and the First Motion.

To the extent the Respondent is suggesting that her personal interpretation of Catholic doctrine entitles her to disregard the Act and Board Policies 3 and 4, which the Board views as reasonable, it does not. The Respondent has obligations to the Board on which she serves, to the Division, and to its students, which obligations are set forth in legislation and in Division and Board policy, all of which govern trustee conduct.

Furthermore, the Respondent was free to seek to change Board Policies 3 and 4 and related Board practices to better align with what she believes to be the proper approach to Catholic education. Following the First Code of Conduct Hearing, the Respondent did not put forward any "gender ideology"- related agenda items for the Board to examine and debate.

The Board does not find that the Catholicity-related arguments have a bearing on its decision as to whether or not the Respondent is in breach of the Code or the First Motion.

Additional Arguments of the Respondent

At paragraph 31 of her Written Submissions, the Respondent argues that the Board is "misusing" its disciplinary power to "...silence and discipline the other side through the abuse of power". The Board rejects this characterization.

As noted above, the Respondent was free to bring matters to the Board for discussion and debate; she did not. The Respondent was free to seek a judicial stay of the First Motion; she did not. Rather than making an effort to work with the Board following the First Motion, which did not call for the disqualification remedy, the Respondent continued with the same or similar course of conduct. With respect, it is hardly an abuse of power, or indeed even a surprise, that the parties now find themselves here. The Board Chair attempted to engage with and inform the Respondent that the path she was on could lead to this outcome (i.e. Board Chair's September 29, 2023, 1:12 p.m. email to the Respondent); again the Respondent paid no heed.

At paragraph 33 of the Respondent's Written Submissions, the Respondent further argues that the Code is not a "tool to silence or expel trustees who hold to minority views or beliefs...". The Board agrees. The

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Board is not reacting to or addressing “minority views or beliefs”. The Board is addressing one of its members’ failure to comply with a validly issued Board motion, and with the Code.

The Board is reluctantly utilizing the Act and the Code in the manner outlined in these Reasons because the Respondent has left it no choice.

Responses to the Dissent

The Board acknowledges the concerns of the trustee who ultimately voted against the Second Motion (“Dissenting Trustee”). The Respondent did not raise issues of procedural unfairness at the Second Code of Conduct Hearing. In any event, as noted in the October 2023 Reasons, the Board had concluded that the First Code of Conduct Hearing was conducted in a fair manner in accordance with the principles of procedural fairness.

Concerns with the availability, and appropriateness, of the disqualification sanction were also expressed. The availability of the sanction is found at s. 87(1)(c) of the Act. This Board has deliberated upon the suitability of the sanction, finding that disqualification is appropriate.

The Board wishes to be clear - the Second Motion is not the result of the Original Meme, or a single social media post or single interview. Rather, the conduct considered at the Second Code of Conduct Hearing was as outlined in the Second Complaint. The content of the Social Media Posts and the Interviews also have an impact beyond a single trustee. Trustee conduct which suggests a lack of inclusivity of all individuals, regardless of sexual orientation or gender, impacts the community that the Division serves and students in particular.

Lastly, the Dissenting Trustee proposed an alternative resolution whereby the Respondent would be invited to a meeting to discuss an agreed resolution to these matters. With the utmost respect, the Board sees no indication of a willingness on the part of the Respondent to conduct herself in accordance with Board Policies 3 and 4, which, again, in the view of the Board are reasonable.

The Board notes the following in support of its view that the Respondent is unwilling to discuss an agreed resolution to these matters, including:

- i. The Respondent, via her counsel, has indicated through the media that she will not comply with the First Motion’s apology condition, and likely not with the condition that she receive sensitivity training;¹⁶
- ii. The Respondent’s Written Submissions state at paragraph 2 that she “contests the reasonableness of the factual and legal findings of the Board as articulated in the Reasons and contests the lawfulness of the censure as contained in the Motion. Trustee LaGrange intends to file an Application for Judicial Review of the Motion and Reasons.” Again, the Respondent is entitled to seek such a review. However, the First Motion remains the valid decision of the Board, which the Respondent dismisses throughout her submissions;
- iii. The Respondent expresses in the Interviews that she would not do anything differently if given the chance;¹⁷
- iv. The Respondent’s Written Submissions contain gratuitous and disrespectful interjections, for example:

¹⁶ True North Canada News, *Red Deer Trustee has “no regret” about anti-gender ideology post, despite punishment*, by Noah Jarvis, published September 28, 2023, attached to the Reasons as Appendix “I”.

¹⁷ Laura Lynn Interview, attached to the Reasons as Appendix “G”; Talk Truth Interview, attached to the Reasons as Appendix “H”.

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- a. Para. 4: "... submissions of Trustee Heistad, *such as they are.*";
 - b. Para. 21: "Unfortunately, the Board fails to grasp this, *whether disingenuously* or by honest mistake.":
 - c. Para. 22: "...*by believing or convincing themselves...*";
 - d. Para. 22: "failure on the part of the Board, *intentional or unintentional...*".
(The emphasis is ours.)
- v. The Respondent's Written Submissions go on to dismiss the concerns raised in the First and Second Complaints as nothing more than a particular "liberal" or "woke worldview" (para. 30). Indeed, the Trustee, through her counsel at para. 24 of her submissions, suggests that:

No "expertise" is needed, (...) , to acknowledge that it is severely mentally disordered for someone to think they are not the gender (sex) God created them to be and to further think they can change their gender (sex) to something other than what it is. While such commentary may offend liberal, secular sensibilities, it aligns with Catholic beliefs and the natural law associated with Catholic beliefs, which rejects the man-made idea that only certain "experts", and not lay believers, may identify unnatural and/or sinful behaviours.

The Board acknowledges that expressing an intent not to comply with the First Motion prior to the 90-day timeline does not necessarily amount to a breach and that there is still time within which the Respondent could comply with conditions (d) and (e). However, the intention communicated to the public to date is part of the context in which the Board considered the suggestion of the Dissenting Trustee that an agreed-upon resolution could be achieved under the current facts. The Respondent disavows any connection between her public conduct wherein she identified herself, and was expressly acknowledged as, a Board trustee speaking about matters such as the content of school curriculum within the scope and ambit of her role as a trustee including the discipline levied on her solely in her official capacity as a trustee. Based on the facts before the Board, this distinction is artificial. The Board finds that a reasonable person, hearing a school board trustee introduced as such and discussing matters related to education and trustee discipline, would be of the reasonable belief that the trustee's comments were offered in their official capacity as a trustee – in particular when that trustee refrains from confirming that they are commenting solely in their personal capacity. With respect, contrary to the Respondent's submission, if the Respondent wished the public to understand that she is speaking solely in her personal capacity then she should have said so; and

- vi. Finally, as described above, the Respondent continues to advance interpretations of her words and conduct which she asserts are what she really intended, as opposed to how her words have been interpreted. The position that the Respondent was attempting to advance is not made clear, for example, in the social media post depicting a wolf wearing facial make-up and licking its lips, with the caption, "I just want to read some books to your chickens."

The Board has considered the suggestion that the Respondent and Board could achieve an agreed resolution of the Second Complaint. Respectfully, and in light of the context above, the Board disagrees.

Issue 3: If the answer to either or both of Issue 1 and Issue 2 is yes, what is the appropriate sanction?

Unfortunately, it has become apparent to the Board that the Respondent did not accept the First Motion with the weight and seriousness anticipated or hoped for by the Board. The Respondent is entitled to her personal beliefs. She is free to work within the Board and Division to seek change. However, the Respondent is not free to disregard Board policy in order to further her views.

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Further, the Respondent has continued a course of conduct that has resulted in further breaches. This has all occurred in a very short time.

As noted above, the Board has the jurisdiction to disqualify a trustee pursuant to s. 87(1)(c) of the Act, following which the trustee is required to resign pursuant to s. 90 of the Act. The Respondent accepted that statutory requirement and resigned under protest at the conclusion of the Second Conduct Hearing.

Given the totality of the evidence before the Board, the Board was left with very few options. Disqualification was reasonable, and in light of the Respondent's conduct, the only realistic outcome in this matter.

IX. Conclusion

The Board is of the view that the Respondent can no longer be permitted to continue as a Board member. Again, while the Respondent is entitled to her personal beliefs, the Respondent's conduct constitutes a breach of the Code and Act, and in addition, a violation of the First Motion. This will not be condoned by the Board.

Accordingly, the Board passed the Second Motion pursuant to section 87(1)(c) of the Act, disqualifying the Respondent from continuing in her position. The Respondent then resigned under protest pursuant to s. 90 of the Act.

XII. Summary of Responses to Issues

1. Did the Respondent's conduct subsequent to the issuance of the First Motion constitute a failure to comply with the conditions of the First Motion?
 - a. Answer: Yes.
2. Did the Respondent's conduct subsequent to the issuance of the First Motion constitute a further breach of the Code?
 - a. Answer: Yes.
3. If the answer to either or both of the above questions is yes, what is the appropriate sanction?
 - a. Answer: For the reasons given herein, disqualification as a Board member.

Dated this 24th day of November 2023.

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SCHEDULE "A" – BOARD MOTION NOVEMBER 14, 2023

BE IT RESOLVED that further to the November 13 and 14, 2023, in camera discussions, and after having carefully considered all the points raised therein, and in accordance with Board Policy and the Education Act, Trustee LaGrange has violated sanctions issued on September 26, 2023, and had further violated Board Policy and the Education Act. As a result, Trustee LaGrange is hereby disqualified under section 87(1)(c) of the Education Act and Board Policy from remaining as a school board trustee. The Board will issue detailed reasons in support of this Board motion on or before November 24, 2023.

A. BACKGROUND & HISTORY

On September 25, 2023, the Board of Trustees of Red Deer Catholic Regional Schools (the “Board”) held a Special Meeting during which the Board conducted a hearing related to a complaint brought against Trustee Monique LaGrange by Trustee Dorraine Lonsdale. The complaint resulted from an alleged breach of the Red Deer Catholic Regional Schools (the “Division’s”) Policy 4: Trustee Code of Conduct related to a social media posting made by Trustee LaGrange on or about August 27, 2023. At the hearing, the Board heard information, evidence, and argument from both the complainant, Trustee Lonsdale, and respondent, Trustee LaGrange.

At the conclusion of the Hearing, the Board concluded that Trustee LaGrange had breached the Board Policy 4 - Trustee Code of Conduct (the “Code”). The Trustee Code of Conduct is attached hereto as Appendix “A”. In connection with the Board’s conclusions, on September 26, 2023, the Board passed a motion containing a number of sanctions and guidelines for Trustee LaGrange’s future conduct as a member of the Board of Trustees (the “Censure Motion”). The Censure Motion and the related reasons, released by the Board on October 16, 2023, are collectively attached hereto as Appendix “B”.

Two days after the passing of the Censure Motion, on September 28, 2023, Trustee LaGrange posted two memes on her personal Facebook page, the first depicting a wolf wearing facial make-up and licking its lips, with the caption, “I just want to read some books to your chickens”, and the second containing a photo of an individual with the caption, “ ‘Parental rights really anger me’ non-binary children books author pushes back against parents.”

On Friday, September 29, 2023, in connection with the memes posted by Trustee LaGrange, Chair Hollman emailed Trustee LaGrange, reminding her of her roles and responsibilities as a Trustee and questioning whether she intended to comply with the Censure Motion. Chair Hollman’s email of September 29, 2023, including the memes, is attached hereto as Appendix “C”. Chair Hollman subsequently forwarded his email to Trustee LaGrange to the Board of Trustees.

Chair Hollman subsequently forwarded an email to all Trustees that contained a link to an episode of an online talk show, “*Laura-Lynn Talks*”, released on October 2, 2023, on which Trustee LaGrange had appeared as a guest. In the interview on “*Laura-Lynn Talks*” (the “Interview”), Trustee LaGrange identified herself as a Red Deer Catholic Regional Schools Trustee and she spoke about the posting of the meme that resulted in Trustee Lonsdale’s Code of Conduct complaint. A link to the Interview is attached at Appendix “D”.

On Friday, October 20, 2023, Board Chair Hollman shared a link to a subsequent online interview with Trustee LaGrange, conducted by Corri and Allen Hunsperger on the talk show “*Talk Truth*”, which aired on October 19, 2023. Chair Hollman’s email containing a link to the “*Talk Truth*” interview, dated October 20, 2023, is attached at Appendix “E”. In the interview, Trustee LaGrange again identified herself as a Trustee of the Board of Red Deer Catholic Regional Schools, and continued to speak about the meme that resulted in the Censure Motion. When asked if she could “rewind time”, Trustee LaGrange stated that she would post the meme again.

B. THE COMPLAINT

On October 16, 2023, I filed a further Complaint about the conduct of Trustee LaGrange with the Board Chair Murray Hollman, which is attached hereto as Appendix “F”. I was compelled to bring forward a Code of Conduct complaint against Trustee LaGrange after reviewing both the social media posts and listening to the “*Laura Lynn Talks*” interview. Not only did Trustee LaGrange’s commentary during the Interview contravene the Code, but it also was in breach of the terms of the Censure Motion.

An additional letter was sent by Trustee Cynthia Leyson in support of the complaint and stating that a Code of Conduct hearing should occur. This additional letter, which is attached hereto as Appendix “G” satisfies the procedural requirements of Policy 4.

C. POLICY FRAMEWORK

The Red Deer Catholic Separate School Division’s (the “Division”) Policy 1 contains the Division’s Foundational Statements. The Mission Statement contained within this Policy, which is attached hereto as Appendix “H”, provides the following:

The Red Deer Catholic Separate School Division is committed to supporting inclusive communities that foster care and compassion of students, families and staff with a complete offering of learning opportunities delivered within the context of Catholic teachings and tradition, and within the means of the Division.

The purpose of the Mission Statement is to govern the interactions within the Division and among members of the Division including members of the Board of Trustees. Policy 1: Division Foundational Statements further provides beliefs that are meant to govern the interactions of the Division as stewards of Catholic Education. This includes Belief 10 which reads:

The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.

The Foundational Statements incorporate the Board’s obligation contained in Section 33(1) of the *Education Act*:

Board responsibilities

33(1) A board, as a partner in education, has the responsibility to

...
 (d) ensure that each student enrolled in a school operated by the board and each staff member employed by the board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging

The Division’s Administrative Procedure 103: Welcoming, Safe and Caring, Inclusive and Respectful Learning Environments, guides and details how the Division Foundational Statements are to be carried out by Division representatives. Administrative Procedure 103, which is attached hereto as Appendix “I”, provides, among other things, that a “Christ-centered, welcoming, caring,

respectful and safe learning environment that respects diversity, equity and human rights and fosters a sense of inclusion and belonging”.

In line with Policy 1: Division Foundational Statements, Policy 4: Trustee Code of Conduct (Appendix “A”) provides that the Board must commit itself and its members to conduct that “meets the highest ethical standards.” In doing so it is expected that all members of the Board of Trustees treat others with mutual respect and affirm the worth of each person. The preamble of Board Policy 4: Trustee Code of Conduct states the following:

The Board commits itself and its members to conduct which meets the highest ethical standards. It is expected that all personal interactions and relationships will be characterized by mutual respect, which acknowledges the dignity and affirms the worth of each person.

Each trustee, representing all Catholic School supporters of the community and responsible to this electorate through the democratic process, recognizes:

(...)

That trustees are the children’s advocates and their first and greatest concern is the best interest of each and every one of these children without distinction as to who they are or what their background may be.

We as a board of trustees have adopted Division Foundational Statements and a Trustee Code of Conduct that require that trustees speak for every child, including 2SLGBTQ+ students. These expectations are core to our identity and our obligations as member of the Board of Trustees, Roman Catholics and the leaders of the Red Deer Catholic Separate School Division. It is reflective of trustees’ obligation to fulfill the responsibilities of the board in section 33(1)(d) of the *Education Act*, to ensure that all students and staff members are provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.

The Code of Conduct must be adhered to by trustees, which is not only a requirement contained within Board Policy 1: Division Foundational Statements itself, but a legal requirement for trustees pursuant to s 34(1)(c) of the *Education Act* which states:

34 A trustee of a board, as a partner in education, has the responsibility to

(a) fulfil the responsibilities of the board as set out in section 33

(...)

(c) comply with the board’s code of conduct

Section 1 of the Code of Conduct requires that Trustees carry out their responsibilities as detailed in Policy 3 with reasonable diligence. Policy 3 – Role of the Trustee is attached in full as Appendix “J”, however, the following excerpts are of note:

6. Specific Responsibilities of Individual Trustees

(...)

6.3 The trustee can engage with the public through a variety of communication methods, understanding that all communications and interactions must reflect the principles of the Trustee Code of Conduct

6.4 Trustees will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division

(...)

6.7 The trustee will support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

(...)

6.18 The trustee will contribute to a positive and respectful learning and working culture both within the Board and the Division

(...)

6.20 The trustee will adhere to the Trustee Code of Conduct

Failure to adhere to these responsibilities is considered to be a breach of the Code of Conduct pursuant to section 1 of Policy 4. Further, Policy 4 provides the following:

Section 5

Trustees shall endeavour to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.

Section 6

Trustees shall commit themselves to dignified, ethical, professional and lawful conduct

Section 7

Trustees shall reflect the Board's policies and resolutions when communicating to the public

Section 15

Work together with fellow trustees to communicate to the electorate

Section 16

Remember at all times that individual trustees have no legal authority outside the meeting of the Board, and therefore relationships with school staff, the community, and all media of communication is to be conducted on the basis of fact.

Section 22

Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.

(i) **Breaches of the Code of Conduct**

I believe that in posting the memes on September 28, 2023, authorizing her counsel to speak on her behalf following the Censure Motion, and participating in the interview on “*Laura Lynn Talks*” and subsequently, “*Truth Talks*”, Trustee LaGrange has breached Policy 4: Trustee Code of Conduct. Specifically, Trustee LaGrange breached her obligation at Section 1 to carry out her responsibilities contained in “Policy 3 – Role of the Trustee”, with reasonable diligence.

In the “*Laura-Lynn Talks*” interview, Trustee LaGrange immediately identifies herself as a member of the Division’s Board of Trustees. At no time does Trustee LaGrange indicate that she is speaking in her personal capacity or clarify or qualify her statements as being representative only of her own beliefs and not beliefs which are held by the Board.

Trustee LaGrange has continued to speak publicly about her commitment to principles such as the “Family Societal Mountain”, the “Educational Societal Mountain”, and her belief in the “indoctrination” of students with respect to gender identification and the LGBTQS2+ “agenda”. Trustee LaGrange is of course entitled to hold personal beliefs and values, however, identifying herself as a Trustee and publicly supporting interests and agendas which are not representative of the “interests of the Division as a whole in the contract of Catholic Education” represents a breach of her obligations pursuant to the Code. Trustee LaGrange is using her position as a trustee for the Division to advance her personal interests or personal agenda; these expressed beliefs have no relationship to any Board policies, programs or initiatives.

The comments made by Trustee LaGrange respecting the “indoctrination” of students, including with respect to gender identification and the LGBTQS2+ “agenda”, during her interviews on “*Laura Lynn Talks*” and “*Talk Truth*” are not reflective of any past or recent Board policy or resolution. These topics have not been considered or addressed by the Board in any formal capacity. We have not had any Board-sanctioned communications to the public with respect to these topics, and certainly none which reflect Trustee LaGrange’s comments and views.

Trustee LaGrange’s views are not, in fact, representative of the views of the Board. The Board publicly commented that it does not share Trustee LaGrange’s views in a media release dated September 27, 2023. It is also clearly outlined in the Board’s reasons related to the Censure Motion that the actions and words of Trustee LaGrange are not aligned with the beliefs held by the Division or the Board of Trustees.

Trustee LaGrange specifically commented that there is indoctrination of students occurring within Red Deer Catholic Regional Schools, and that it is her belief that it will continue to happen if parents, teachers, and other members of the Board of Trustees are not made aware of the same. This commentary is disparaging of the Division and Division staff, fails to represent the Board and Division staff members responsibly and with respect, and does not promote a positive and respectful learning and working culture.

Trustee LaGrange has failed to meet her obligation to engage in dignified, ethical, professional and lawful conduct by virtue of her commentary in both interviews regarding the LGBTQS2+ community, including but not limited to her comments about transgendered individuals in the

Laura Lynn Talks interview and specifically the allegation that they suffer from “body dysphoria” and ‘mental disorder’. Trustee LaGrange has no relevant expertise on gender identification or mental illness.

Trustee LaGrange’s participation in the “*Laura Lynn Talks*” and “*Talk Truth*” interviews in her capacity as a Trustee, expressing her personal opinion regarding the LGBTQ2S+ community, particularly those who identify as transgender, fails to show the requisite respect for the LGBTQ2S+ community. This is absolutely in contravention of her obligations to create an inclusive and welcoming school environment and broader school community, and represents a violation of her duty as a trustee as provided by the *Education Act*. Members of the Board of Trustees must respect and support all members of the school community, including students who identify as LGBTQ2S+. This commentary erodes the work done by the Division to create an inclusive environment.

(ii) **Breaches of the Censure Motion**

The sanctions outlined in the Censure Motion were the result of a lengthy, arduous, and complete review of Trustee Lonsdale’s Code of Conduct complaint against Trustee LaGrange. The decision of the Board to censure Trustee LaGrange was not an easy decision, nor was it taken lightly by the members of the Board of Trustees. Trustee LaGrange’s conduct following the passage of the Censure Motion on September 26, 2023 evidences that she does not intend to comply with the Code of Conduct or the guidelines for her conduct contained in the Censure Motion.

I believe that Trustee LaGrange violated the Censure Motion by virtue of both her participation in these Interviews and the commentary provided by Trustee LaGrange throughout the “*Laura Lynn Talks*” and “*Talk Truth*” interviews. Specifically, Trustee LaGrange violated sanctions 1(b) and 1(c):

As of September 26, 2023, until the Trustee’s Term of Office, the Trustee:

*b. shall not represent the Board/School Division in any official capacity, including Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and **speaking with news/media outlets**; (emphasis added)*

c. shall cease making any public statements in areas touching upon or relating to,

*i. **the 2SLGBTQ+ community**; (emphasis added) and*

ii. the Holocaust

Additionally, following the passage of the Censure Motion, further public commentary was provided by Trustee LaGrange’s lawyer, James Kitchen, in the form of interviews with online publications TrueNorth and LifeSiteNews. These articles are collectively attached hereto as Appendix “K”. The LifeSiteNews article indicates that Trustee LaGrange has appointed Mr. Kitchen as her “media spokesman”. Mr. Kitchen’s comments included indicating that Trustee LaGrange would not be providing the Division with a written apology or participating in sensitivity training as required by the Censure Motion, and disclosing information from the in-camera Board meeting on September 26, 2023, specifically, the name of the complainant Trustee. Mr. Kitchen has continued to speak to news media outlets on behalf of Trustee LaGrange, including Global News, CTV News, RDNews Now, and The Albertan.

I believe that although Trustee LaGrange is not speaking herself, by virtue of instructing Mr. Kitchen to continue to speak publicly on her behalf about her social media posting which resulted in the complaint by Trustee Lonsdale, her personally-held ideology, and the Censure Motion, she is effectively continuing to provide commentary and acting in contravention of both the Motion and the Code of Conduct.

I understand that Mr. Kitchen has indicated that the Interview on “*Laura-Lynn Talks*” was actually recorded on or about September 15, 2023, prior to the passage of the Censure Motion. As noted above, the Interview was released publicly on October 2, 2023, and there was no information released in conjunction with the Interview indicating that the Interview had been previously recorded. Any viewer of the Interview would reasonably believe that the Interview was completed on or immediately prior to the date the Interview aired.

As the Interview was released several days after the passage of the Censure Motion, Trustee LaGrange undoubtedly had the opportunity following the passage of the Censure Motion to request that the interview not be aired, knowing that that her commentary in the Interview was in breach of the sanctions contained in the Censure Motion. Trustee LaGrange should have requested or directed that the Interview not be made public following the passage of the Censure Motion, given her knowledge that her commentary therein would violate the terms of the Censure Motion.

In any event, the date on which the Interview was conducted does not change the contents of the Interview, which in my submission is in breach of Trustee LaGrange’s obligations outlined in the Code of Conduct.

D. CONCLUDING COMMENTS AND REQUESTED REMEDY

It is clear, based on Trustee LaGrange’s conduct outlined above, that she has little to no regard for her statutory duties as a Trustee of the Division or her obligations to the school community or the Board which are founded in Division policy, including but not limited to the Trustee Code of Conduct, or her pastoral obligations as a Roman Catholic leader. Her conduct has undermined the Board’s policies and motions which support inclusion in Division schools, and jeopardizes our ability to provide a school community which is welcoming, caring, respectful and safe and which respects diversity and fosters a sense of belonging.

Trustee LaGrange’s ongoing public commentary, both provided directly by her and provided by her legal counsel at her direction, actively undermines the role and authority of the Board by failing to respect the terms of the Censure Motion, and continuing to fail to respect the Trustee Code of Conduct. She has engaged in a planned, deliberate, and intentional course of conduct in furtherance of her own personal views or agenda with no regard for her obligations as a member of the Board of Trustees, or for the specific direction provided to her by the Board.

I believe that we, as a Board of Trustees, must collectively reject Trustee LaGrange’s behaviour in furtherance of our own ethical, legal, and moral obligations as leaders of the Division and members of the Catholic faith.

As a result, I am asking the Board of Trustees to vote for the disqualification of Trustee LaGrange as a result of the seriousness of her commentary and the obviously deleterious impact on the Division’s school community, the continuation of her problematic conduct, and Trustee LaGrange’s refusal to accept consequences for her actions, evidenced by her commentary,

delivered by her legal counsel, that she does not intend to comply with the terms of the Censure Motion.

Respectfully submitted,



Trustee

CONFIDENTIAL



POLICY 4: TRUSTEE CODE OF CONDUCT

The Board commits itself and its members to conduct which meets the highest ethical standards. It is expected that all personal interactions and relationships will be characterized by mutual respect, which acknowledges the dignity and affirms the worth of each person.

- Each trustee, representing all Catholic school supporters of the community and responsible to this electorate through the democratic process, recognizes:
 - That trustees are accountable to the Magisterium of the Church, and that, according to the Code of Canon Law, a Catholic school is an instrument of the Church and is one in which Catholic education is established, directed, recognized or converted to, by the local bishop, who is competent to issue prescriptions dealing with the general regulation of Catholic schools.
 - That legally, the authority of the Board is derived from the province, through the Constitution Act, which ultimately controls the organization and operation of the Division and which determines the degree of discretionary power left with the Board and the people of this community for the exercise of local autonomy.
 - That fellow citizens have entrusted them, through the electoral process, with the educational development of the children and youth of the community.
 - That trustees are the children's advocates and their first and greatest concern is the best interest of each and every one of these children without distinction as to who they are or what their background may be.
 - That trustees are educational leaders who realize that the future welfare of the community, of the province, and of Canada depends in the largest measure upon the quality of education provided in schools to fit the needs of every learner.

Specifically

Whereas the aim of Catholic Education is the development of each student towards personal fulfillment and responsible citizenship motivated by the Spirit of the Gospel and modeled on the example of Jesus Christ, the Catholic School Trustee shall, within the duties prescribed in Acts and Regulations and reflecting a ministry within the Church, adhere to the following Code of Conduct:

1. Trustees shall carry out their responsibilities as detailed in Policy 3 – Role of the

- Trustee with reasonable diligence.
2. Provide an example to the Catholic Community by active participation in the communal life of a parish and by a personal lifestyle that reflects the teachings of the Church.
 3. Devote time, thought and study to the duties of a trustee so that they may render effective and credible service.
 4. Exercise the powers and duties of their office honestly and in good faith. Trustees shall exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.
 5. Trustees shall endeavour to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.
 6. Trustees shall commit themselves to dignified, ethical, professional and lawful conduct.
 7. Trustees shall reflect the Board's policies and resolutions when communicating with the public.
 8. Consider information received from all sources and base personal decisions upon all available facts in every case; unswayed by partisan bias of any kind, and thereafter, abide by and uphold the final majority decision of the Board.
 9. Trustees shall keep confidential any personal, privileged or confidential information obtained in their capacity as a trustee and not disclose the information except when authorized by law or by the Board to do so.
 10. While elected from specific wards, trustees shall represent the best interests of the entire Division.
 11. Trustees shall honor their fiduciary responsibility to the Board and be loyal to the interests of the Division as a whole in the context of Catholic Education. This loyalty supersedes loyalty to:
 - 11.1 Any advocacy or special interest groups; and
 - 11.2 The personal interest of any trustee.
 12. Trustees shall report all conflicts of interest and abstain from voting on or discussing any matter that has been identified as a conflict, in accordance with Appendix 'B' – Conflicts of Interest.
 13. In determining whether an actual or perceived conflict of interest exists, the

Trustees shall be guided by the following question:

Would a reasonable person, being informed of all of the circumstances, be more likely than not to regard the interest of the trustee as likely to influence that trustee's action and decision on the question?

14. Maintain the confidentiality of privileged information, including statements made during in-camera sessions of the Board.
15. Work together with fellow trustees to communicate to the electorate.
16. Remember at all times that individual trustees have no legal authority outside the meeting of the Board, and therefore relationships with school staff, the community, and all media of communication is to be conducted on the basis of this fact.
17. Refrain from using the trustee position to benefit either oneself or any other individual or agency apart from the total interest of the Division.
18. Recognize that a key responsibility of the Board is to establish the policies by which the system is to be administered, and that the administration of the educational program and conduct of school business shall be left to the Superintendent and Division staff.
19. Encourage active cooperation by stakeholders with respect to establishing policies.
20. Support provincial and national school board associations for the future of trusteeship in this province and the nation.
21. Provide effective trustee service to the Catholic community in a spirit of teamwork and devotion to education as the greatest instrument for the preservation and perpetuation of our representative democracy.
22. Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.
23. Represent the perceived concerns or needs of the community to the Board or Superintendent as appropriate and accurately communicate the Board's decisions to those who we serve.
24. Abstain from participation in personnel selection when family relatives are involved.
25. Trustees shall disclose any conflict of interest between their personal life and the position of the Board, and abstain and absent themselves from discussion or voting on the matter in question.
26. Trustees shall not use their influence to advance personal, family or friends' interests or the interests of any organization with which the trustee is

associated.

27. Consequences for the failure of individual trustees to adhere to the Trustee Code of Conduct are specified in Policy 4 Appendix A – Trustee Code of Conduct Sanctions.

Legal Reference: Section 33, 34, 51, 52, 53, 64, 67, 85, 86, 87, 88, 89 Education Act

April 2008

Reviewed: April 2011, February 2018

Revised: September 2019, June 2022, April 2023

APPENDIX 'A'

1. Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct, Policy 4. The failure by trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.
2. A trustee who believes that a fellow trustee has violated the Code of Conduct may seek resolution of the matter through appropriate conciliatory measures prior to commencing an official complaint under the Code of Conduct.
3. A trustee who wishes to commence an official complaint under the Code of Conduct shall file a letter of complaint with the Board Chair within ninety (90) days of the alleged event occurring and indicate the nature of the complaint and the section or sections of the Code of Conduct that are alleged to have been violated by the trustee. The trustee who is alleged to have violated the Code of Conduct and all other trustees shall be forwarded a copy of the letter of complaint by the Board Chair, or where otherwise applicable in what follows, by the Vice-Chair, within five (5) days of receipt by the Board Chair of the letter of complaint. If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice-Chair.
4. When a trustee files a letter of complaint and a copy of that letter of complaint is forwarded to all trustees, the filing, notification, content, and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the Code of Conduct. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a Code of Conduct hearing.
5. To ensure that the complaint has merit to be considered and reviewed, at least one other trustee must provide to the Board Chair, within three (3) days of the notice in writing of the complaint being forwarded to all trustees, a letter indicating support for having the complaint heard at a Code of Conduct hearing. Any trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon the complaint at a Code of Conduct hearing convened to hear the matter, solely for having issued such a letter.
6. Where no letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the complaint shall not be heard. The Board Chair shall notify all other trustees in writing that no further action of the Board shall occur.
7. Where a letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to allow the complaining trustee to present his or her views of the alleged violation of the Code of Conduct.
8. At the special meeting of the Board, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted and that the complaint shall be heard in an in-camera session of the special meeting. Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the

following procedures.

- 8.1 The Code of Conduct complaint shall be conducted at an in-camera session, Code of Conduct hearing, of a special Board meeting convened for that purpose. All preliminary matters, including whether one or more trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complaining trustee.
- 8.2 The sequence of the Code of Conduct hearing shall be:
 - 8.2.1 The complaining trustee shall provide a presentation which may be written or oral or both;
 - 8.2.2 The respondent trustee shall provide a presentation which may be written or oral or both;
 - 8.2.3 The complaining trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
 - 8.2.4 The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
 - 8.2.5 The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 8.2.6 The complaining trustee shall be given the opportunity to make final comments; and
 - 8.2.7 The respondent trustee shall be given the opportunity to make final comments.
- 8.3 Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining trustees who do not have a conflict of interest shall be required to leave the room, and the remaining trustees shall deliberate in private, without assistance from administration. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
- 8.4 If the remaining trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both parties. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the Code of Conduct hearing to a later date.
- 8.5 In the case of an adjournment, no discussion by trustees whatsoever of the matters heard at the Code of Conduct hearing may take place until the meeting is reconvened.
- 8.6 The remaining trustees in deliberation may draft a resolution indicating what action,

- if any, may be taken regarding the respondent trustee.
- 8.7 The presiding Chair shall reconvene the parties to the Code of Conduct hearing and request a motion to revert to the open meeting in order to pass the resolution.
 - 8.8 All documentation that is related to the Code of Conduct hearing shall be returned to the Superintendent or designate immediately upon conclusion of the Code of Conduct hearing and shall be retained in accordance with legal requirements.
 - 8.9 The presiding Chair shall declare the special Board meeting adjourned.
9. A violation of the Code of Conduct may result in the Board instituting, without limiting what follows, any or all of the following sanctions:
- 9.1 Having the Board Chair write a letter of censure marked "personal and confidential" to the offending trustee, on the approval of a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 9.2 Having a motion of censure passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 9.3 Having a motion to remove the offending trustee from one, some or all Board committees or other appointments of the Board passed by a majority of those trustees present and allowed to vote at the special meeting of the Board, for a time not to exceed the trustee's term as trustee.
10. The Board may, in its discretion, make public its findings at the special meeting or at a regular meeting of the Board where the Board has not upheld the complaint alleging a violation of the Board's Code of Conduct or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.

Legal Reference: Sections 60, 61, 68, 72, 80, 81, 82, 83, 84, 85, 86, 246 *Education Act*

APPENDIX B – CONFLICTS OF INTEREST

Trustees should not gain benefits or monetary rewards because of their position as a trustee except for any allowances, honorarium or remuneration approved by the Board for duties performed. The requirements outlined herein are in addition to Article 16 of Policy 19 – Board Operations.

1. Trustees are expected to avoid both actual potential and perceived conflicts of interest with respect to their fiduciary duties and in all matters considered by the Board. Trustees shall act at all times in the best interests of the Board and the entire Division rather than any personal interests.
2. Trustees shall report any actual, potential or perceived conflict of interest. An actual or potential conflict of interest exists when a trustee is confronted with an issue in which the trustee has a personal or pecuniary interest. A perceived conflict of interest exists when a trustee is confronted with an issue in which the trustee may be seen to have a conflict, such as an issue or question involving or impact a family member of the trustee. For greater clarity,
 - a. a “personal interest” includes, but is not limited to, matters in which the trustee has any interest that may reasonably be regarded as likely to have influence on them when carrying out their duties and responsibilities; and
 - b. a “pecuniary interest” includes, but is not limited to, where a matter would or could give rise to the expectation of a gain or loss of money and includes “pecuniary interest” as defined in the *Education Act*.
3. In connection with any actual, potential or perceived conflict of interest in any matter being considered by the Board or a committee of the Board, a trustee must disclose the existence of the actual, potential or perceived conflict of interest and be given the opportunity to disclose all material facts to the other trustees and members of committees of the Board. Full disclosure, in itself, does not remove a conflict of interest.
4. Upon disclosing the actual, potential or perceived conflict of interest and all material facts, and after any desired discussion with the Board, the trustee shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.
5. If the Board or committee members determine that a conflict of interest does exist, the trustee shall not vote on the matter and shall not participate in the decision and shall not attempt to influence the decision of other Board or committee members.
6. It is the responsibility of other trustees who are aware of an actual, potential or perceived conflict of interest on the part of a fellow trustee to raise the issue for clarification, first with the trustee and then, if needed, with the Board Chair or committee chair.
7. If the Board or committee has reasonable cause to believe a trustee has failed to disclose actual, potential or perceived conflicts of interest, it shall inform the trustee of the basis for such belief and afford the trustee an opportunity to explain the alleged failure to disclose.

- a. If, after hearing the trustee's response and after making any further investigation as deemed necessary by the circumstances, the Board or committee determines that the trustee has failed to disclose an actual, potential or perceived conflict of interest, it shall take appropriate disciplinary and corrective action.
8. The minutes of the Board and all committees of the Board shall contain the names of the persons who disclosed or otherwise were found to have an actual, potential or perceived conflict of interest, the nature of the conflict, any action taken to determine whether the conflict was in fact present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.
9. A trustee shall not also be an employee of the Division, nor shall a trustee receive any compensation for services rendered to the Division in any non-governance capacity. This provision shall not prohibit trustees from receiving authorized compensation for serving as a member of the Board or from receiving reimbursement for authorized expenses incurred during the performance of Board duties, as outlined in Policy 19 – Board Operations.
10. The Board shall not enter into any contract or arrangement with any of its trustees or with a firm, organization, corporation, or partnership in which a trustee has a financial interest unless a more advantageous contract or arrangement is not reasonable possible with another firm, organization, corporation or partnership and the Board or committee of the Board have determined by majority vote of the disinterested trustees whether the contract or arrangement is in the Division's best interests, for its own benefit, and whether it is fair and reasonable.

BE IT RESOLVED THAT,

1. further to the, on or about August 27, 2023, posting on Trustee Monique LaGrange's personal Facebook account which took the form of a meme displaying two photographs:

- a) one of a group of children holding Nazi flags with swastikas; and
- b) a contemporary photograph of children holding rainbow Pride flags; and
- c) the meme was captioned "Brainwashing is brainwashing" (collectively, the "Meme"),

the Board of Trustees ("Board") finds Trustee Monique LaGrange ("Trustee") to be in violation of Trustee Code of Conduct and the Education Act.

As a result, as of today's date and up to and including the Trustee's Term of Office ("End Date"), the Trustee

- a) is censured from being part of all and any part of Board Committees and is censured from attending and participating in all Board committee meetings, including any part thereof. This also includes all and any ASBA and ACSTA meetings and conferences;
- b) shall not represent the Board / School Division in any official capacity, including Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and speaking with news/media outlets;
- c) shall cease making any public statements in areas touching upon or relating to,
 - i. the 2SLGBTQ+ community; and
 - ii. the Holocaust,

including presenting at meetings and conferences on these topics or related areas and speaking with various news outlets.
- d) within 90 days of this motion, the Trustee shall enroll in, at her own expense, and successfully complete:
 - i. suitable sensitivity training about the Holocaust;
 - ii. suitable sensitivity training relative to the challenges and discrimination faced by members of the 2SLGBTQ+ community; and
 - iii. suitable sensitivity training covering professional school trustee boundaries and appropriate use of social media, cultural sensitivity and human rights;

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- iv. The Trustee shall inform the Board as to the proposed training, and prior to the Trustee's commencement of said training, the Board shall determine the suitability of the proposed training and approve each course;
 - v. the Trustee shall provide the Board with written certificate from the course providers stating that the Trustee has successfully completed said sensitivity training courses; and
 - vi. The above training is intended to remind the Trustee of her role and responsibilities as a school board trustee and to assist the Trustee to make better decisions in any further communications, including on social media
- e) shall issue, at the first public Board meeting following the completion of the ninety (90) day period set out above at paragraph 1(d), a sincere public letter of apology to School Division students, staff, and the Board in relation to the Meme; said sincere apology shall recognize the inappropriateness of the Trustee's actions and that the Trustee is deeply sorry for having offended anyone through her actions; and
 - f) shall refrain from posting any content of a similar nature relating to Meme. (This term and condition shall be ongoing up to and including the End Date.)
2. The censure referenced at paragraphs 1(a), (b) and (c) may be removed by the Board prior to the End Date, if the terms and conditions set out at paragraphs 1(d),(e), and (f) are met to the satisfaction of the Board, and if, and as long as, the Trustee acts in accordance with Board Policy and the Trustee Code of Conduct.
 3. The Trustee, who may attend regular Board meetings, may bring forward any educational related issues for discussion and debate to the Board through the Board's standard procedures and practices.
- To ensure clarity, the Board welcomes open debate of education-related issues in accordance with Board policy and procedures, including sensitive or difficult topics.
4. The Board hereby directs the Superintendent of Schools, Dr. Kathleen Finnigan, to arrange for the following within the next twenty (20) days:
 - a) a meeting with the Director of Education of the Friends of Simon Wiesenthal Centre to discuss their September 6, 2023, letter and to confirm the date of an educational workshop by the Friends of Simon Wiesenthal Centre for the Board;
 - b) a meeting with Alberta's Human Rights Commission to confirm an educational workshop for the Board;
 - c) a follow up meeting further to the January 16, February 13, and March 13, 2023, Board workshops on a pastoral approach to support students in the development and understanding of their sexuality for the purpose of confirming a follow up workshop for the Board.

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5. The Board shall provide written reasons in support of this motion to be provided to the Trustee in the next twenty (20) days.
6. The Board Chair and the Superintendent of Schools may take those steps necessary to implement the terms and conditions set out in this motion.
7. Pursuant to paragraphs 4 and 10 of Appendix "A" of Board Policy 4, the Board Chair is hereby authorized to disclose the decision of the Board.

**REASONS FOR DECISION IN FURTHERANCE OF THE
SEPTEMBER 25 and 26, 2023, SPECIAL BOARD MEETING**

I. Background

These reasons (“Reasons”) are issued further to the September 25 and 26, 2023, special meeting (“Meeting”) of the Board of Trustees of the Red Deer Catholic Regional Schools (“Board”) during which Meeting the Board passed a motion (“Decision” or “Motion”) in relation to Board Trustee Monique LaGrange (“Trustee” or “Respondent”). The Decision, which is set out at Schedule “A” to these Reasons, found the Trustee to be in violation of the Trustee Code of Conduct and the Alberta Education Act (“*Education Act*”).

The Trustee was elected Trustee of the Board in 2021. The Meeting was called to address a complaint relating to certain conduct of the Trustee on social media, as will be elaborated upon below.

At the Meeting the Trustee was provided with a full opportunity to make submissions, and she was represented by counsel who submitted written and oral arguments to the Board.

It is undisputed that, on or about August 27, 2023, the Trustee posted on her personal Facebook account a meme displaying two photographs which respectively showed:

- a) a group of children holding Nazi flags with swastikas; and
- b) a contemporary photograph of children holding rainbow Pride flags,

and captioned “Brainwashing is brainwashing” (collectively, the “Meme” or the “Meme Posting”).

During the Meeting, the Trustee stated that her intentions were that the Meme Post was not directed toward Red Deer Catholic Regional Schools (“School Division”) (“Understand that this was not directed at Red Deer Catholic”) and that the Meme was not a challenge to School Division practices.

The School Division serves over 10,650 students in twenty-one schools in Red Deer, Blackfalds, Sylvan Lake, Rocky Mountain House, Innisfail, and Olds, as well as an At-Home Learning Program, and supports the learning of over 1,095 students in a Traditional Home Education Program.

II. Procedure

In response to a Board trustee complaint to the Board (“Complaint”) with respect to the Meme Posting, the Board called the Meeting as per Appendix “A” to Board Policy 4: Trustee Code of Conduct (“Code of Conduct”) to review the Complaint and determine if there was a breach of the *Education Act*, the Code of Conduct and/or Board Policy.

Prior to the Meeting, the materials considered by Board included the following:

- a) Written Submissions of the Complainant which included:
 - i. a photocopied picture of the Meme;
 - ii. the Complaint;
 - iii. a package of materials in support of the complaint:
 - September 7, 2023, media article from the Western Standard entitled, *EXCLUSIVE: Trustee says her post was about protecting children, involving parents*;
 - September 13, 2023, media article from the True North entitled, Alberta trustee reprimanded for Instagram post critical of gender “indoctrination”;
 - a copy of Board Policies 1: Divisional Foundational Statements (“Board Policy 1”), the Code of Conduct (including Appendix “A” and “B”), Board Policy 3: Trustee Role Description including Appendix “A” (“Board Policy 3”), the CCSSA’s LIFE Framework, Statement 22358 from the Catechism of the Catholic Church, 1994;
 - iv. September 7, 2023, letter to the Minister of Education, from Board Chair Hollman;

- V. written reaction submitted to the Board in response to the Meme, which consisted of seven emails/letters from School Division employees, parents, School Division student alumni, and the Simon Wiesenthal Centre of Holocaust Studies which were critical of the Meme, and four emails from individuals who expressed support for the Trustee's actions in relation to the Meme;
 - VI. written submissions in support of the Complaint.
- b) Written submissions from the Trustee's legal counsel.

The complainant and Respondent were both present and were represented by Counsel at the Meeting.

Pursuant to Board policy governing trustee-conduct related complaints, the Meeting comprised an *in camera* portion which lasted for more than a full day, at which submissions were made to the Board. Board members also posed questions at the Meeting.

Not having completed their deliberations, the Board reconvened on September 26, 2023, to complete the same. Following the completion of their deliberations, the Board returned to a public session and voted on the Motion. The Board voted 3-1 in favour of the Motion.

III. Alberta's Education Act

The Board's conduct is governed by the *Education Act* which grants the Board jurisdiction to review trustee-related complaints, consider Trustee conduct, and determine appropriate responses and remedies.

The preamble of the *Education Act* provides strong statements supporting the importance of inclusiveness and respect in the provision of education to Alberta students:

WHEREAS students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self;

WHEREAS the Government of Alberta recognizes the importance of an inclusive education system that provides each student with the relevant learning opportunities and supports necessary to achieve success;

These recitals are reflected in clauses 9 and 10 of Board Policy 1:

- 9. The schools will foster the mental and physical well-being of all students through:
 - 9.1 Selection of appropriate programs which emphasize physical, leisure activities; and
 - 9.2 A respect for the worth and dignity of the individual.
- 10. The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.

Section 2 of the *Education Act* states:

Limitations

2. The exercise of any right or the receipt of any benefit under this Act is subject to the limitations that are reasonable in the circumstances under which the right is being exercised or the benefit is being received.

Section 33 of the *Education Act* imposes statutory duties on the Board, some of which are:

- develop and implement a school trustee code of conduct: s. 33(1)(k);
- establish and maintain governance and organization structures that promote student well-being and success, and monitor and evaluate their effectiveness: s. 33(1)(h);
- ensure that each student enrolled in a school operated by the board and each staff member employed by the board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging: s. 33(1)(d);
- establish, implement and maintain a policy respecting the board's obligation under subsection (1)(d) to provide a welcoming, caring, respectful and safe learning environment that includes the establishment of a code of conduct for students that addresses bullying behaviour: section 33(2); and
- to provide a statement of purpose that provided a rationale for the student code of conduct, with a focus on welcoming, caring, respectful and safe learning environments: section 33(3)(d)(i).

School board trustees in Alberta must adhere to their Code of Conduct. This requirement is contained in Board Policy 1 and is a statutory requirement under the *Education Act* pursuant to s. 34(1)(c) which states:

34(1)(c) A trustee of a board, as a partner in education, has the responsibility to (...) comply with the board's code of conduct (...).

This requirement is also contained at clause 6.20 of Board Policy 3.

Finally, school boards have an obligation to enforce a minimum of standard of conduct expected of trustees. This principle is noted in the Ontario decision of *Del Grande v. Toronto Catholic District School Board*, 2023 ONSC 691 ("*Del Grande*") which is equally applicable here:

(...) the Board has a statutory obligation to promote student well-being and a positive and inclusive school climate. The Board also has an obligation to enforce a minimum standard of conduct expected of its Trustees. All Trustees have an obligation to comply with the *Code of Conduct* and to assist the Board in fulfilling its duties. Sanctioning the Applicant for making disrespectful comments was not contrary to the *Education Act*, but consistent with the *Act's* statutory objectives. (para. 81).

IV. Board Policy and Compliance with the Education Act

The Board's mission is as follows:

The Red Deer Catholic Separate School Division is committed to supporting inclusive communities that foster care and compassion of students, families and staff with a complete offering of learning opportunities delivered within the context of Catholic teachings and tradition, and within the means of the Division.
[Board Policy 1]

The purpose of the Mission statement is to govern the interactions within the School Division and among members of the School Division including Board members. Board Policy 1 sets forth beliefs that are meant to govern the interactions of the Division as stewards of Catholic Education, including Belief 10 which reads:

The schools will **foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students**, families and staff that is free

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from physical, emotional and social abuses and models our Catholic faith and values. **Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.** [Emphasis added.]

Administrative Procedure 103 - Welcoming, Safe and Caring, Inclusive and Respectful Learning Environments (“AP 103”) details how the Division Foundational Statements are to be carried out by School Division staff. Among other things, a “Christ-centered, welcoming, caring, respectful and safe learning environment **that respects diversity, equity and human rights and fosters a sense of inclusion and belonging**” is to be maintained. [Emphasis added.]

The Code of Conduct states that the Board “commits itself and its members to conduct that meets the highest ethical standards.” In doing so it is expected that all Board members treat others with mutual respect and affirm the worth of each person. The preamble to the Code of Conduct includes the following:

That trustees are the children’s advocates and their first and greatest concern is the **best interest of each and every one of these children without distinction as to who they are or what their background may be.** [Emphasis added.]

The Code of Conduct, which was carefully reviewed, considered and applied by the Board in this matter, is attached to these Reasons at Schedule “B”. The Board addresses the Trustee’s Code of Conduct violations further in these Reasons.

Consequences for the failure of an individual trustee to adhere to the Code of Conduct are specified in Appendix A to the Code of Conduct, which sets out a range of sanctions and remedial measures, which supplement the disqualification sanction at s. 87(1)(c) of the *Education Act*.

V. Position of the Complainant

The Complaint requested that a formal hearing be held with respect to the Meme Posting. It was argued that the Meme Posting and subsequent interviews with the media given by the Trustee were in direct violation of parts of the Code of Conduct, Board Policy and the *Education Act*. In particular, the Complainant submitted that the Trustee’s conduct undermined the Division’s legal obligations imposed by the *Education Act* and its commitment to inclusion. It was further submitted that this was in contravention of Roman Catholic teachings and was a direct attack on work done by Division teachers to support 2SLGBTQ+ initiatives.

VI. Position of the Respondent

The Respondent’s Views Expressed at the Meeting

At the Meeting the Trustee made the following statements as summarized by the Board:

- the Meme Post is not about the LGBTQ (“2SLGBTQ1A+”) community;
- the Meme Post is about indoctrination through the United Nations which directly correlates to World War II and Nazism; it is about the agenda of the United Nations and Planned Parenthood which is an attempt to sabotage our youths’ identities and destinies and hijacks the LGBTQ [*sic*] community’s original mandate;
- if history is not talked about or taught to our children, it will all be forgotten, and if we forget what happened in the past, it will most definitely repeat itself in some form or another. It is important to understand history and teach the lessons we have learned;
- the Trustee’s intent of the Meme Post is to show what road we are going down and that we must be vigilant as to what we are allowing in to influence our children;

- the sexuality and beliefs of students is a topic that should be between God, parent and a child; sexual orientation decisions should not be made or influenced at school, especially Catholic Schools;
- that, through the Meme, the Trustee was talking about indoctrination and exposing children who were too young to understand this indoctrination;
- the Trustee posted the Meme to bring attention to what her legal counsel characterized as “objectionable ideology”;
- the Respondent’s position is that the juxtaposition of the two pictures in the Meme relates to the concept of indoctrination and does not make any particular comparisons to the Nazi regime; and
- that the Pride flag is used to silence people; children are being kicked out of school and people are being fired which is antithetical to the Trustee’s religious beliefs; and that “cancel culture” is not what is good, lawful, appropriate or democratic.

The Trustee was clear that her beliefs informed her views: she stated the Holy Spirit had told her to post the Meme and that this was something she should do. The Trustee submitted that Catholic school trustees rely on their beliefs to do their work and should be able to express their religious beliefs as school board trustees.

The Trustee’s Rationale for Having Posted the Meme

The Trustee informed the Board that her religious beliefs informed her views. When asked to explain her discernment process around the Meme Post, the Trustee:

- thought that the Meme Post reflected the truth about today;
- was thinking more about the political part of it than anything; asked is this something that would be understood;
- informed the Board that the Holy Spirit said to the Trustee, Go for it;
- trusts the Holy Spirit and decided to share the Meme Post;
- thought it was such a good outline as to what was going on in the world.

In addition, the Trustee and her legal counsel advanced various arguments which were set forth in the Trustee’s written submissions filed with the Board. Those written submissions are outlined in the following section.

The Respondent’s Written Submissions

The written submissions of Counsel for the Trustee can be broken down into the following main points:

- a) The Meme did not contravene Roman Catholic values in any way, because it was targeted at what the Trustee views to be an objectionable ideology;
- b) The Meme did not contravene the *Education Act* or any Board policy, including the Code of Conduct;
- c) The Meme is protected by the Canadian *Charter of Rights and Freedoms* (“*Charter*”), in particular, the right to freedom of expression and the right to freedom of religion; and
- d) The Board’s conduct demonstrates a reasonable apprehension of bias and lack of procedural fairness.

VII. Issues

These Reasons address the following issues:

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1. Did the Meme contravene Roman Catholic values?
2. Did the Meme contravene the Code of Conduct?
3. Is the Meme protected by the Trustee's *Charter* rights?
4. Is the Decision reasonable?
5. Was the Decision procedurally unfair?

VIII. Did the Meme Contravene Roman Catholic Values?

Both the Complainant and the Respondent made submissions with respect to whether the Meme and its content were contrary to Roman Catholic values. No expert evidence was adduced at the Meeting with respect to Roman Catholic values in this context. The Complainant's submissions did include the CCSSA's LIFE Framework and a section from The Catechism of the Catholic Church, 1994.

In any event, the Board focused on the *Education Act* and the Code of Conduct in reviewing the Complaint and, therefore, did not find it necessary to determine whether the Meme was in contravention of Roman Catholic values.

To be clear, the Board's decision does not turn on whether the Meme contravened Roman Catholic values and the Board does not make a finding in this respect.

IX. Did the Meme Contravene the Code of Conduct?

The Board does not dispute that the Trustee has sincerely held religious beliefs. However, the primary concern before the Board was whether the Trustee, through her Meme Post, breached the Code of Conduct.

These Reasons are limited to the matter before the Board at the Meeting.

Introduction

The Board recognizes that elected school board trustees may hold and express their views. As noted in *Calgary Roman Catholic Separate School District No. 1 v. O'Malley* 2006 ABQB 364:

The trustees collectively and individually owe a public duty to carry out their responsibilities and the work for the Board in good faith and with reasonable diligence. They are elected for that purpose. They need not be of like mind. They may hold strong and conflicting views. They may debate with vigour, and occasionally with rancour. There is no rule requiring trustees to like each other. But they do have one overarching responsibility – a shared public duty to advance the work of the Board to which they had the privilege of being elected. (...) [para. 41]

The Trustee's argument focused, to a large extent, on her freedom to hold her beliefs and her ability to act on the same in her private life (i.e., to post the Meme).

However, freedom of expression generally, including that of a school board trustee is not absolute. These Reasons will address this concept further below.

The principle that rights are not absolute is recognized at section 2 of the *Education Act*, which reads, "the exercise of any right or the receipt of any benefit under this Act is subject to the limitations that are

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reasonable in the circumstances under which the right is being exercised or the benefit is being received.” This is further addressed in Board Policy 3 and, in particular, clause 6.4 which directly addresses social media use:

Trustees will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division.

The Trustee’s freedom to express her views (via the Meme Post) must be balanced against the Board’s duty and right to operate in the context of, and in a manner consistent with, the preservation and enhancement of the Board’s mandate. This includes the Board’s duty to comply with the *Education Act* and to maintain a positive school environment.

While the Trustee may hold religious beliefs, in her role as a school Board trustee, the Trustee’s actions may not unreasonably impinge upon the Board’s statutory mandate to ensure that each student enrolled in its schools and each staff member employed by the Board is provided with a welcoming, caring, respectful and safe learning environment that *respects diversity and fosters a sense of belonging*.

Students have the right to a school system free from bias, prejudice and intolerance, and as a role model and representative of the corporate Board, the Trustee occupies an important role within the education system that extends beyond the classroom. The Division’s principles of respecting the needs of our diverse students are legitimately reflected, for example, in Belief 10 of Board Policy 1, Board Policy 4, and AP 103.

Within the context of the *Constitution Act*, the *Education Act*, the Code of Conduct and corresponding Board Policy, Catholic school board trustees, as role models within the school board and as corporate leaders at the top of the Division hierarchy must be, and be seen to be, tolerant of the pluralistic and diverse nature of society.

Alleged Code of Conduct Breaches

i. Clause 1 of the Code of Conduct and Clause 6.2 of Board Policy 3

Clause 1 of Board Policy 4 requires Board trustees to carry out their responsibilities, as detailed in Board Policy 3, with reasonable diligence.

Under clause 6.2 of Board Policy 3, the Trustee “will refer queries, or issues and problems, not covered by Board policy, to the Board for corporate discussion and decision.”

Analysis

The Trustee’s position is that she did not violate Board policy because she did not make a comparison; rather, the Meme Post was about layers of ideology and about children not understanding those layers. According to the Trustee, the Meme Post was not about people or individuals, rather, it was about ideas which must always be open to criticism and must be tested and challenged.

If the Trustee were of the view there were ideas that had to be tested or challenged, clause 6.2 of Board Policy 3 required the Trustee to refer the same to the Board for corporate discussion. This was not done. Rather, the Trustee took it upon herself to post the Meme.

Finding

In having posted the Meme, the Trustee breached clause 6.2 of Board Policy 3 and thus is in breach of clause 1 of the Code of Conduct. Pursuant to clause 1 of the Code of Conduct, Board trustees shall carry out their responsibilities in accordance with Board Policy 3 with reasonable diligence. A breach of Board Policy 3, is therefore also a breach of Board Policy 4.

ii. Clauses 6 and 22 of the Code of Conduct

The Code of Conduct provides that the Board must commit itself and its members to conduct that “meets the highest ethical standards.” Clause 6 requires the Board trustees to “commit themselves to dignified, ethical, professional and lawful conduct.” Clause 22 requires the Board trustees to represent the “Board responsibly in all Board-related matters with proper decorum and respect for others.”

Analysis

The Trustee made the following arguments:

- a Trustee cannot be responsible for all reactions to social media posts, in particular when such reactions unreasonably take offence based on unreasonable interpretations;
- respect and decorum go both ways; there will be a negative response to something objectively inappropriate, but offence taken to a reasonable position is simply the reality of free speech and the exchange of ideas in the marketplace;
- that someone might be offended by the Meme is not a basis to institute discipline against the Trustee; and
- while the Complainant had a particular reaction to the Meme, that does not mean that someone’s personal subjective definition as to decorum can be imposed on the Trustee. That is the essence of “cancel culture.”

The Trustee’s position is further that there is nothing unprofessional or undignified about the Meme Post:

- there is nothing unprofessional about sharing a dissident minority opinion which did not give rise to a general level of unacceptability;
- the Meme Post reflects a minority opinion that many people do not like and are offended by, but that is a matter for public comment and disagreement. It is an attempt at censorship to claim something is unethical (instead of saying one does not agree); and
- no reasonable person would conclude from the Meme, that what the Nazis did was acceptable or that had anything to do with the LGBTQ (*sic*) community, and that rather, the Meme is about ideas which must always be open to criticism, tested and challenged.

The Trustee’s legal counsel submitted that the first loyalty of a trustee is to the school board, however it was also submitted that the Trustee is espousing a minority view (through the Meme Post) which has struggled to get exposure, and that what the Trustee is saying is that children should not be indoctrinated and that she has a duty to bring up difficult conversations, that she does not lose her rights as a private citizen, and that the Board wants to “shut her up.”

The Board is mindful of the September 6, 2023, letter it received from the Friends of Simon Wiesenthal Center noting that the Meme Post is “a form of Holocaust distortion and minimization and feeds into rhetoric promoting anti-LGBTQ+ hate and discrimination. What makes this post even more abhorrent is the fact that tens of thousands of victims of the Nazis were people who identified as part of the LGBTQ+ community.”

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When asked about this letter, the Trustee indicated that the author may not understand the Meme Post as it did not compare two groups but rather, it is about layers of ideology, and about protecting kids. The Trustee stated that the author of the letter did not understand the meaning of the Meme.

The material from the Complainant contained reactions against and in favour of the Meme. Below are two examples from School Division student alumni:

... Hearing that Monique Lagrange has compared my love to Nazism is downright unacceptable after all the love, hope and student connection I have spurred within the past three years at one of the schools under RDCRS. I am not a Nazi. I am not a threat. I am a man trying to love and treat others with the upmost respect just as God has told me to, regardless of their identity. (... I feel as if I am rightfully upset at the comparison. Proud gay transgender man.)

And,

... As both a Christian and a queer alumni, it hurts me that an individual meant to be promoting the deep rooted Christian value to love others, as well as someone with a large amount of responsibility and influence in the Red Deer Catholic School System is spreading hateful messages publicly. I do not believe that the best interest of all students, regardless of identity, will be coming first with Monique LaGrange present as a Trustee. I ask that Monique LaGrange issue a formal apology for this action, as it is damaging to the queer community present in the RDCRS division. (...) I have met with (...) to discuss how we can work to make our schools a better place for all students, including the 2SLGBTQ1A+ students who may be part of the community. I know that the Red Deer Catholic School Division does care about its students of all identities, and I hope that an informed, thoughtful decision is made in regard to this situation. (...)

A medical professional communicated with the Board as follows:

I (...) am shocked and dismayed that Red Deer Catholic Trustee Monique LaGrange would post on social media a picture of children waving a Nazi flag above a picture of children waving pride flags with the caption, "Brainwashing is brainwashing." The fact that this trustee likens the pride movement to Nazism is absolutely abhorrent particularly as the Nazis sent thousands upon thousands of homosexuals to their death in concentration camps. Instead of promoting and teaching tolerance and diversity to school children, she is advocating a viewpoint that supports creating an environment that promotes bullying, prejudice and discrimination.

It is a well known fact that the LGBTQ2S+ youth are more than four times as likely to attempt suicide than their peers and that a recent survey in North America found that 45% of those youth seriously considered attempting suicide in the past year. This woman's actions suggest very poor judgment and put our youth at serious risk.

Three School Division employees communicated in writing to the Board their personal offence to the Meme Post. One employee, who is also a parent within the School Division, sent this:

(...)

As both an employee for Red Deer Catholic Regional Schools and as a parent .. in the division, I am profoundly concerned about the message conveyed by

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Trustee LaGrange and its inevitable, albeit wrongful comparison to the fundamental values of the school division and its members. The ignorance with which she compares the 2SLGBTQ1A+ community and the Nazis is not only hurtful to the members of both communities and their loved ones, but extremely offensive.

Trustee LaGrange's claim that the aforementioned posts were about "protecting our children and keeping parents as the primary educators" unfortunately fails to address the fact that the views she expressed by making that post directly contradict the fundamental values of both Red Deer Catholic Regional Schools and Catholic education as a whole. These are the values and principles that she has sworn to uphold as an elected official in our community.

Another School Division employee submitted the following:

(...)

Previously you had used the Nazi regime in comparison to Covid protocols. Now, you are using the promotion of the Pride flag in comparison to Nazi brainwashing.
(...)

(...)

I teach and have taught many members of the 2LGBTQ1A+ community that are very open. They have been very open because we have provided a safe space for these students to be themselves (...)

Perhaps you can explain to me what my response should be to students on Tuesday morning when I am asked why a member of our school board is posting homophobic social media posts? Is that inclusion? Is that welcoming?

This is not simply a social media slip. This is indicative of your personal beliefs, beliefs that go against the very foundation of "all are welcome, all belong." (...)

Another:

(...)

(..) I was deeply saddened and angry that this hateful message would be shared by one of our trustees. (...)

(...) How can we profess that we are working towards creating safe and caring schools when one of our trustees publicly shared hate speech against some of our most marginalized students (...)

The Board also received four emails from parents who supported the Meme Post. These were included in the materials before the Board and were accordingly reviewed and considered during the Board deliberations.

The Board's summary above is not intended to illustrate that greater weight was given to favourable versus unfavourable comments. The conclusion the Board draws, in part, from the public comments is that, contrary to the Trustee's submissions, it is possible and indeed likely for the Meme to be understood in a negative and hurtful way towards the 2SLGBTQ1A+ community, and School Division students from that community in particular.

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The Board accepts the Trustee's view that she is entitled to her personal religious beliefs, and that she is entitled to express them. However, the Trustee has statutory and ethical obligations towards the School Division students as well. In her Trustee role, the Respondent has an obligation to communicate respectfully and inclusively (pursuant to the *Education Act*, Code of Conduct and other Board Policies already addressed above). The Board does not accept the Trustee's submission that the Meme was clearly unrelated to Nazism. Regardless of the Trustee's intent, in the Board's view, a reasonable person viewing two photographs (one over the other) could reasonably conclude that a negative comparison was being made.

Further, the complex and nuanced position which the Trustee is attempting to advance is simply not made clear in a Meme which is limited to two photographs and three words. Had the Trustee wished to communicate this concept, communication methods set out in Board Policies 3 and 4 should have been used. The Trustee had an obligation to ensure her communication was in accordance with Board policy.

Finding

By posting the Meme the Trustee violated clauses 6 and 22 of the Code of Conduct.

Providing, through the Meme Post, a display of students waving Pride flags and a display of children of Nazi Germany waving flags and thereby inferring that children waving Pride flags have been brainwashed in a manner akin to children in Germany at or before WWII, conveys a negative implication. The Meme Post is not, on a reasonably objective standard, dignified nor professional, and based on the above reactions to the Meme Post, was not viewed as inclusive or reflective of supportive school environments that welcome students of all orientations.

The Board disagrees with the Trustee's submission that there is no lack of decorum in the Meme Post or that the same does not show disrespect for others, and that the Meme Post was more about raising the conversation about really difficult controversial issues that are important to parents and students.

School board trustees are open to public inspection - employees, students and their parents and other school stakeholders scrutinize trustee conduct. A trustee's personal online conduct can attract as much attention as in-school or at-Board-meeting conduct. Though posted on a personal Facebook page, the Meme Post, in fact, did attract media attention: the September 7, 2023, media article from the Western Standard entitled, "EXCLUSIVE: Trustee says her post was about protecting children, involving parents"; and, the September 13, 2023, media article from the True North entitled, "Alberta trustee reprimanded for Instagram post critical of gender "indoctrination".

The Trustee holds a position of trust and influence within the education system. As a role model within the school system, the Trustee is required to represent the Board in all Board-related matters with proper decorum and respect for others. In having posted the Meme, the Trustee did not display proper decorum and respect for others. The principles noted in *Del Grande* are equally applicable here (at para. 55):

The focus of the *Education Act* is thus the public education system and **the well-being and achievement of the students who participate in it**, with the goal of ensuring they develop into caring, contributing citizens. **It is the Board**, and **therefore its Trustees**, who are **in service to these objectives** and not the public education system that serves a trustee's objectives. [Emphasis added.]

The Board acknowledges that the Trustee sought to distinguish the *Del Grande* decision and argued that the Saskatchewan decision in *Strom* is more applicable. While noting that the law in Ontario is not identical to that in Alberta, the Board finds that the principles outlined in *Del Grande* as noted in these Reasons are applicable to the issues before the Board.

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The Board Motion is intended to allow the Trustee to continue to bring forward issues before the Board. Elected school trustees may form views and opinions and declare themselves on issues. However, the place for the Trustee to express her views was at the Board table where a fulsome debate may occur. In this instance, the Meme Post did not reflect reasonable decorum. In the Board's view, a reasonably well-informed person would conclude that the Trustee's conduct in having posted the Meme reflected behaviour that did not treat individuals respectfully, equitably and with courtesy.

The Trustee's legal counsel noted that the Trustee espouses a minority view (through the Meme Post) which has struggled to get exposure. However, the Board has established a strong policy framework that demonstrates its unequivocal position that Red Deer Catholic Regional Schools require schools to foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values.

In this case, the Trustee placed her personal interests ahead of her public duty to carry out her duties in a dignified, ethical and professional manner, and to represent the Board with proper decorum, which means that the Trustee must conduct herself in her communications in a respectful and professional manner. Posting a highly controversial Meme which does not elaborate or explain the Trustee's rationale and requires schoolchildren and their parents to draw significant inferences if they are to understand the Meme as the Trustee claims to have intended, does not reflect this standard.

Additional Comment

While this section deals with clauses 6 and 22 of the Code of Conduct, the Board is also of the view, for the reasons noted above, that by the Meme Post the Trustee did not "contribute to a positive and respectful learning and working culture both within the Board and the Division" and thus breached clause 6.18 of Board Policy #3 and thus was an additional violation of the Code of Conduct.

iii. Clause 6.4 of Board Policy 3

Clause 6.4 of Board Policy 3 states that trustees "will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division."

Analysis

When asked at the Meeting how the Trustee squares her duty under Board Policy 4 to act for all voters with the posting of the Meme, the Trustee indicated that just because one person does not like it does not mean that everyone else should not like it.

When asked what the Trustee was thinking when she posted the Meme, she stated that she thought the Meme Post was the truth about today. She had asked The Holy Spirit about it. She stated that she was more thinking about the political part of the Meme Post than anything; that it was something that would be understood; the Holy Spirit said, "Do it, go for it." So, the Trustee "shared it and that was it." The Trustee thought it was such a good outline as to what was going on in the world. The Trustee also indicated that you read books and this is happening and it is right there in your face. "I did not think "education when I looked at this." That was my thought process walking through that."

At the time the Trustee posted the Meme Post, she did not consider the interests of the Board nor did she give consideration to the potential public perception of the same. Again, therefore, the Trustee placed her personal interests ahead of her public duty to carry out and advance Board work.

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The Board is also mindful of clause 10 of Board Policy #4 states that “while elected from specific wards, trustees shall represent the best interest of the entire Division.” This did not occur here.

Finding

In having posted the Meme, the Trustee breached clause 6.4 of Board Policy 3 and thus is in breach of clause 1 of the Code of Conduct.

X. Is the Meme Protected by the Trustee’s Charter Rights?

The Education Act

The Board is aware of the Trustee’s submission that s. 87(1)(c) of the *Education Act* infringes section 3 of the *Charter*. Pursuant to section 11 of the *Administrative Procedures and Jurisdiction Act, RSA 2000 c A-3* (“*Administrative Act*”) this Board does not have the jurisdiction to consider a question of constitutional law with respect to the *Education Act*. Further, and in any event, the Trustee did not provide notice of the intention to raise a question of constitutional law as required by section 12 of the *Administrative Act*. The Board is also mindful of the *Designation of Constitutional Decision Makers Regulation* (Alta Reg. 69/2006).

Further, and in the alternative, the Board has not exercised its jurisdiction to disqualify the Trustee and therefore, s.87(1)(c) of the *Education Act* has not been engaged.

Finally, the Board notes the submission of counsel for the Trustee that section 87(1) violates the section 3 *Charter* rights of Trustee LaGrange’s constituents. This Board lacks jurisdiction to consider the rights of constituents and, in any event, this is not the issue before the Board.

Accordingly, the Board declines to consider the constitutionality of s.87(1)(c) of the *Education Act*.

Charter Rights

As per *Calgary Roman Catholic Separate School District No. 1 v. O’Malley*, 2007 ABQB 574 (paras. 127 to 132) and *Hamilton v. Rocky View School Division No. 41*, 2009 ABQB 225 (paras. 13 to 17), the Charter does not have a bearing on the assessment of whether the Trustee violated the Board’s internal Code of Conduct. This matter relates to an internal self-regulatory process governed by Board Policy. Furthermore, the Trustee is not challenging the constitutionality of Board Policy; she made it clear at the Meeting that the Meme Post was not directed toward Red Deer Catholic Regional Schools nor was it a challenge to School Division practices. Accordingly, the Charter does not apply here.

In the alternative, if the Board is wrong and the Charter does apply in this instance, the Board’s objectives of regulating the Board and school board trustee communications - as per Board Policy, including in relation to messages of inclusivity within the School Division that foster care and compassion of students and families, and address student issues such as safety, bullying, justice and respectful relationships - outweigh any potential negative effects of the Trustee restrictions set out in the Motion. The Trustee has ethical and fiduciary responsibilities which carry with it a corresponding obligation to communicate appropriately. The Meme does not meet this threshold and in the circumstances, any expressive rights held by the Trustee must properly be subordinate to the obligation to create an inclusive environment for students.

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Further, in the Board's view the limitations on the Trustee's conduct are limited, moderate and reasonable. Under the Motion, the Trustee may attend regular Board meetings to bring forward educational-related issues for discussion and debate to the Board through the Board's standard procedures and practices (para. 3 of the Motion).

The Motion strikes a balance between the Board's educational mandate and the Trustee's freedom of expression; the Motion does not interfere with the Trustee's ability, as an elected school board trustee, to act in accordance with her religious beliefs in a manner that is more than trivial or insubstantial. Furthermore, there is evidence noted above before the Board as to the impact of the Meme Post on others (in the context of competing rights and societal concerns).

Charter Values

To the extent an analysis is required as per *Doré v. Barreau du Québec*, 2012 SCC 12 in this matter, the Board is required to balance the severity of the Charter interference with the statutory objectives set out in the *Education Act* and Board Policy, and then ascertain how the Charter values at stake will best be protected in view of these objectives. As described in the prior section, in the Board's view an appropriate balance has been struck.

The Motion is consistent with the statutory objectives set out in the *Education Act* and in Board Policy.

The Board has a statutory duty under s. 33(1)(d) of the *Education Act* to ensure that each student enrolled in a school operated by the board and each staff member employed by the Board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging. (As earlier noted, the preamble in the *Education Act* states that "students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self.") The Board is also required to implement and maintain a policy to provide a welcoming, caring, respectful and safe learning environment; school principals must provide a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.

All Board members, including the Trustee, have a duty to comply with the Code of Conduct, and to assist the Board in fulfilling the above-referenced duties.

The Trustee, as per the Motion, was not sanctioned for holding certain religious beliefs. Rather, the Trustee was sanctioned for having posted the Meme in violation of the Board's Code of Conduct: 6.2, 6.4 and 6.18 of Board Policy 3 and clauses 1, 6, 10 and 22 of Board Policy 4.

The Motion reflects an appropriate balance between the statutory objectives of the *Education Act* and Board Policy and, the Charter values at stake should they be applicable in the unique facts of this case. When a Board member wishes to advance education-related issues, they must do so in accordance with the Code of Conduct. This did not occur in this instance.

XI. Is the Decision Reasonable?

The Trustee's written submissions at paragraphs 54 to 62 advance the argument that the outcome of the Decision must be reasonable. The Board agrees. In the Board's view, the Decision was made carefully and with full consideration of the evidence and argument presented to it and reflects an appropriate balancing of the Trustee's ability to hold and express beliefs with the Board's statutory mandate to provide

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a safe and inclusive environment for its students. The Decision was accordingly reasonable as measured by the principles brought forward by the Trustee.

XII. Was The Decision Procedurally Unfair?

The Trustee argued that these proceedings are tainted by procedural unfairness and bias, and as such, should be stayed. The Board has carefully considered this argument and dismissed the stay of proceedings request.

The foundation of this argument is that, prior to the commencement of the Code of Conduct complaint process, the Board initially passed a motion asking the Minister of Education to dismiss the Trustee. This process was undertaken based on the Board's initial misunderstanding that the Minister was responsible for the review and assessment of the Trustee's conduct. However, the Minister's response informed the Board that this process was in fact the Board's responsibility.

Subsequently, a letter of complaint was filed which triggered the Code of Conduct hearing under Appendix "A" of the Code of Conduct. Prior to the Meeting, each Board member hearing this matter conducted a serious and self-reflective assessment of its ability to hear the matter impartially and without bias. Each Board member determined that they held an open mind and were able to fairly and impartially hear the Trustee's arguments, consider them without pre-determination, and render a fair decision.

The proof of this ability is the outcome of the hearing. Although the Trustee's argument (reflected in her written submissions at paragraphs 96 to 99) focused on the Trustee's objection to the possibility of her disqualification or Trustee removal - including arguments as to the unconstitutionality of the relevant section of the *Education Act* – ultimately the Board did not decide that disqualification or removal was the appropriate sanction. Instead, the above-described Motion was passed.

The Board finds that:

1. the careful and considered self-assessment by each Board member who heard this matter, concluding each maintained an open mind and was able to be impartial; and
2. the fact that the Board's ultimate decision was not, in fact, the same sanction as initially referenced in the request to the Minister of Education,

shows that the Board's decision in this case is not tainted by procedural unfairness or bias. Accordingly, the Board declines to stay these proceedings or the Decision.

XIII. Conclusion

The Board finds that the Trustee breached clauses 1, 6.2, 6.4 and 6.18 of Board Policy 3 and clauses 1, 6, 10 and 22 of Board Policy 4.

The Board finds that the appropriate sanctions are those set out in the Motion.

Finally, the Board wishes to comment on paragraph 1(e) of the Motion.

The Board has required the Trustee to issue a sincere public letter of apology to School Division students, staff and the Board in relation to the Meme Post.

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The Trustee is being asked to recognize that her communication in relation to the Meme Post was not in accordance with Board Policy and to recognize that members of the School Division found it offensive and experienced hurt feelings. This, in the Board's view, does not offend the Trustee's sincerely held beliefs.

Dated this 13th day of October 2023.

From: Murray Hollman [REDACTED]
Date: Fri, Sep 29, 2023 at 1:12 PM
Subject: Code of Conduct Motion Follow-Up
To: Monique LaGrange [REDACTED]

Good afternoon, Trustee LaGrange,

I am emailing you further to:

a) yesterday’s [online posted comments](#) (Online Comments) indicating that you “have nothing to apologize for”, that your legal counsel confirmed you do “not plan on issuing an apology,” and that your legal counsel is not able to state whether you will attend the sensitivity training as required by the September 26, 2023, Board motion further to the *in-camera* Code of Conduct hearing (Code of Conduct Motion); and

b) your Facebook from yesterday (September 28 Posting) on your Facebook page, which I understand has now been removed.





As stated in the Code of Conduct Motion, the sensitivity training covering professional school trustee boundaries and appropriate use of social media, cultural sensitivity and human rights is intended to remind you of your role and responsibilities as a school board trustee and to support you to make better decisions in any further communications, including on social media – in your school trustee role.

Given the Online Comments and the September 28 Posting, there is a live issue as to whether you intend to comply with the Code of Conduct Motion.

While I am not making any substantive determination as a fellow school trustee, in my capacity as Board Chair, I did wish to remind you that the issues relating to your conduct in your role as a school board trustee and your corresponding trustee responsibilities are serious; if a further Code of Conduct complaint were to be submitted, any perceived Code of Conduct breaches or Code of Conduct breaches by you in your school trustee role will be carefully examined and adjudicated by the Board. A breach of the Code of Conduct Motion or any further Code of

Conduct breaches could lead to your disqualification as a school trustee on the Board.

Given the Online Comments, may I ask you to confirm whether you will comply with the Code of Conduct Motion?

Trustee LaGrange, I look forward to hearing from you.

Regards,

Murray Hollman

APPENDIX "D"

<https://rumble.com/v3mhi2z-school-board-trustee-pushes-back-on-indoctrination.html>

On Fri, Oct 20, 2023 at 2:49 PM Murray Hollman [REDACTED] wrote:

Hello Trustees,

Please see the below link for your information:

<https://rumble.com/v3q7lxq-talk-truth-10.19.23-monique-lagrange-full-show.html>

Thank you,

Murray Hollman

--

You received this message because you are subscribed to the Google Groups "Trustees Only" group.

To unsubscribe from this group and stop receiving emails from it, send an email to trustees-only+unsubscribe@rdcrs.ca.

To view this discussion on the web visit <https://groups.google.com/a/rdcrs.ca/d/msgid/trustees-only/CAL6%3D27-8jOxKKLLjDXz4F2o%2Bi4tqv%2BzCN6j38%2B-jYtPyGHn8A%40mail.gmail.com>.



October 16, 2023

Board Chair, Murray Hollman
 Montfort Centre
 5210 - 61 Street
 Red Deer, AB T4N 6N8

Dear Chair Hollman:

RE: Trustee LaGrange Violation of Trustee Code of Conduct and September 26, 2023 Motion

Due to the recent conduct of Trustee Monique LaGrange, I am compelled to issue this written letter of complaint in accordance with my duty as a Trustee of the Red Deer Regional Catholic School Division to report violations of the Trustee Code of Conduct, as outlined in Section 6.21 of Policy 3: Trustee Role Description (“Policy 3”). I am requesting that a formal hearing be held to permit review and consideration of the potential violation of Policy 3 and Policy 4: Trustee Code of Conduct (“Policy 4”) in respect of a recent interview given by Trustee LaGrange. I understand that in order for this complaint to have merit to be considered and reviewed by the Board, at least one other Trustee must write to the Board Chair, within three (3) days of the notice in writing of this complaint being forwarded to all trustees, a letter indicating support for having the complaint heard at a Code of Conduct Hearing.

In particular, I submit that Trustee LaGrange’s participation in and statements made during the October 2, 2023 interview with Laura-Lynn Tyler Thompson (the “Interview”), is in breach of Policy 3 and Policy 4. During the Interview, Trustee LaGrange identified herself as a Trustee of Red Deer Regional Catholic School Division and professed her need to speak out against alleged sexual orientation and gender identity “indoctrination” in the school system. Specifically, the sections of Policy 4 that I believe Trustee LaGrange has violated include sections 1 (and by extension, Policy 3), 5, 6, 7, 11 and 22:

Policy 4: Trustee Code of Conduct

1. Trustees shall carry out their responsibilities as detailed in Policy 3 – Role of the Trustee with reasonable diligence. (*Policy 3 – Items 6.3, 6.7, 6.18, and 6.20*)

6.3 The trustee can engage with the public through a variety of communication methods, understanding that all communications and interactions must reflect the principles of the Code of Conduct.



6.7 The trustee will support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

6.18 The trustee will contribute to a positive and respectful learning and working culture both within the Board and the Division.

6.20 The trustee will adhere to the Trustee Code of Conduct.

5. Trustees shall endeavor to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.

6. Trustees shall commit themselves to dignified, ethical, professional and lawful conduct.

7. Trustees shall reflect the Board's policies and resolutions when communicating with the public.

11. Trustees shall honor their fiduciary responsibility to the Board and be loyal to the interests of the Division as a whole in the contract of Catholic Education. This loyalty supersedes loyalty to:

11.1 Any advocacy or special interest groups; and

11.2 The personal interest of any trustee.

22. Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.

Additionally, as the Board will recall, on September 26, 2023, a motion was passed in respect of Trustee LaGrange's past conduct (the "Motion") which also contained directions for Trustee LaGrange's future public commentary. The sections of the Motion that I believe Trustee LaGrange has violated by virtue of her participation in and commentary during the Interview are Motion items 1(b) and 1(c), which are as follows:

As of September 26, 2023, until the Trustee's Term of Office, the Trustee:

b. shall not represent the Board / School Division in any official capacity, including Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and speaking with news/media outlets;

c. shall cease making any public statements in areas touching upon or relating to,

i. the 2SLGBTQ+ community; and



ii. the Holocaust,

including presenting at meetings and conferences on these topics or related areas and speaking with various news outlets.

Further, the breach of the terms of the Motion itself constitute a violation of Policy 4.

It is a foundational principle for Red Deer Regional Catholic School Division that all members of the school community foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. The Division must be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality. Trustee LaGrange's conduct is not aligned with the Division's foundational principles, the Code of Conduct, or the directions contained in the Motion. Any breach of the Trustee Code of Conduct should not be taken lightly and requires a review.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sharla Heistad'.

Sharla Heistad
Trustee



October 16, 2023

Board Chair, Murray Hollman
Montfort Centre
5210 - 61 Street
Red Deer, AB T4N 6N8

Dear Chair Hollman:

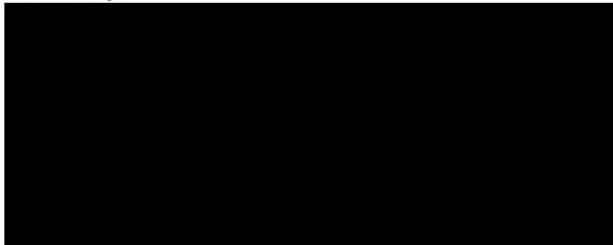
RE: Trustee Monique LaGrange Violation of Policy 4 and September 26, 2023 Motion

I am writing this letter in support of Trustee Sharla Heistad's letter of complaint dated October 16, 2023, in compliance with Policy 4 - Trustee Code of Conduct, Appendix A, No. 5.

I wholeheartedly endorse and support that the complaint outlined in Trustee Heistad's letter be heard at a Code of Conduct hearing.

Thank you for your thoughtful consideration and God Bless.

Sincerely,





POLICY 1: DIVISION FOUNDATIONAL STATEMENTS

Mission

The Red Deer Catholic Separate School Division is committed to supporting inclusive communities that foster care and compassion of students, families and staff with a complete offering of learning opportunities delivered within the context of Catholic teachings and tradition, and within the means of the Division.

Our schools are gospel-centred communities of hope, fostering a Catholic Christian value system within a pluralistic society.

CONTINUING THE MISSION OF JESUS, PROPHET, PRIEST AND SERVANT KING

We make His life, mission and teaching our focal points of belief and conduct within our Catholic schools. Therefore, the education of the whole child -- intellectual, aesthetic, emotional, social, physical, and spiritual -- is our service commitment.

As stewards of Catholic Education nothing in this policy, or any other policy or administrative procedure, is to be interpreted so as to limit or be a waiver of the Red Deer Catholic Regional School Board's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic Schools.

If any of the provisions in this policy conflict with the Red Deer Catholic Separate School Division's rights and powers pursuant to the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools, the Red Deer Catholic Separate School Division's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools will govern.

Abbreviated Mission Statement

Making Christ known to children.

Beliefs

1. Catholic schools, as stewards of Catholic education, have the responsibility to help all children to develop their unique, individual capabilities to learn and to live, and thereby to experience humanity and the world as created by God and redeemed by Jesus Christ.

2. Catholic schools and Catholic parishes are complementary to the family, which is the primary steward for the child's formation.
3. Education must be based on the Christian concept that each person is a unique and special child of God. The objectives and purpose of education as stated by Alberta Education must be set in this total Christian concept.
4. Students must participate in all Catholic education activities including Religious Studies classes, liturgies, celebrations, and sacramental preparations, at all grade levels.
5. The schools will strive for excellence in education for all students to develop their academic and interpersonal skills. In this way, students will be prepared to use their God-given talents to live and work effectively in society.
6. The schools will assist all students to choose and develop a hierarchy of values consistent with the teachings of the Catholic faith.
7. The schools, in cooperation with parents and parishes, will strive to develop the gift of Catholic faith by assisting all students to:
 - 7.1 Perceive faith as a personal, free and joyful response to the gift of God himself;
 - 7.2 Experience the person of Christ in their own lives through relationships with others and with the community of believers;
 - 7.3 Pray and celebrate their faith as a source of strength in daily life; and
 - 7.4 Become aware of their religious heritage and acquire a better understanding of the various rites of the Catholic Church.
8. The schools will help all students, families and staff to realize their responsibility to transform the world by practicing the Catholic faith and values in a pluralistic society.
9. The schools will foster the mental and physical well-being of all students through:
 - 9.1 Selection of appropriate programs which emphasize physical, leisure activities; and
 - 9.2 A respect for the worth and dignity of the individual.
10. The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.

11. Staff of The Red Deer Catholic Separate School Division will support families in the faith development of students by serving as witnesses to their Catholic beliefs. Catholic social teachings will provide a foundation for the future contributions of our students to society and this connection will be formed by authentic Catholic schools shaped by those employed in the Division. Staff also share in the responsibility of helping students see the relevance of our faith in today's world and solving current problems within a Catholic world-view.

Principles of Practice

- We honour our children.
- We provide a safe and secure environment.
- We live and proudly proclaim our Catholic Christian faith.
- We provide quality education in a Catholic environment.
- We pray as an educational community.
- We practice servant-leadership.
- We focus on our mission through clarity of purpose.
- We value our staff.

Motto

Inspired by Christ. Aspiring to Excellence.

Logo



Logo Description

- The central feature is a cross which depicts Christ-centered education.
- The four stylized books represent the Gospels, which define our faith and provide the foundation elements for ongoing personal development.
- The circle represents the head of a child, whose arms are open, embracing Christ and knowledge. In full stride, the child exudes youth and potential.
- Green and blue represent creation and beauty, which are eternal gifts from God.

ADMINISTRATIVE PROCEDURE NO. 103

WELCOMING, SAFE AND CARING, INCLUSIVE AND RESPECTFUL LEARNING ENVIRONMENTS

Nothing in this administrative procedure is to be interpreted so as to limit or be a waiver of the Red Deer Catholic Regional Division rights and powers pursuant the *Constitution Act, 1867* and the *Canadian Charter of Rights and Freedoms* to maintain the denominational character of Catholic schools.

If any of the provisions in this administrative procedure conflict with the Red Deer Catholic Regional Division rights and powers pursuant to the *Constitution Act, 1867*, and the *Canadian Charter of Rights and Freedoms* to maintain the denominational character of Catholic schools, the Red Deer Catholic Regional Division rights and powers pursuant to the *Constitution Act, 1867* and the *Canadian Charter of Rights and Freedoms* to maintain the denominational character of Catholic schools will govern.

Background

The Division believes everyone in the school community shares in the responsibility of creating, maintaining and promoting a Christ-centered, welcoming, caring, respectful and safe learning environment that respects diversity, equity and human rights and fosters a sense of inclusion and belonging.

The Division's goal is to develop responsible, caring and respectful members of a just, peaceful and democratic society. Student and staff self-discipline and appropriate conduct, consistent with our Catholic Christian morals and beliefs, is an essential part of a positive school climate. The Division affirms the rights of each student and staff member, as provided for in the *Alberta Human Rights Act* and the *Canadian Charter of Rights and Freedoms* and will not discriminate against students or staff members as provided for in the *Alberta Human Right Act* or the *Canadian Charter of Rights and Freedoms*.

All efforts to further enhance welcoming, caring, respectful and safe learning environments of schools must be in accordance with the teaching of the Catholic Church. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice and respectful relationships.

Definitions

1. **Sanctity of Human Life** - Foundational principles of all Catholic social teaching is the sanctity of human life. Recognizing each human person as the image and likeness of God, the Catholic Church believes that the inherent dignity of the human person starts with conception and extends until natural death. The value of human life is valued above all material possessions in the world. This is the lens through which the Division advocates for the safety and well-being of students and staff within our schools.

2. **Catholic teaching on social relationships** recognizes all those called to a life with Christ as, simply and completely, children of God. Our students and staff must respect the unique differences of every person, extending understanding and compassion to others. Each of us is recognized for the entirety of our gifts and is called forth to contribute these gifts for the betterment of creation and the building of God's kingdom. This understanding of the human person and God's plan for each of us defines all of our social relationships. Our relationships, therefore, are characterized by generosity of self, mutual respect, and a desire for the good of the other.
3. **Respect for the Human Person** - Social justice can be obtained only in respecting the transcendent dignity of all students, staff and community members.
4. **Bullying** means repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear or distress to one or more other individuals in the school community, including psychological harm or harm to an individual's reputation. It often involves an imbalance of social or physical power.

Bullying behaviours are a form of aggression and can be:

- Physical – For example: poking, elbowing, hitting
 - Verbal – For example: name calling, insults, racist, sexist or homophobic comments, put-downs
 - Social – For example: gossiping, spreading rumours, excluding someone from the group, isolating, ganging up
 - Cyber – For example: social or verbal bullying through the use of email, text messages, social media including the sharing of intimate images.
5. **Harassment:** Any behavior that in effect or intent disparages, humiliates, or harms another person or class of persons. It is behaviour that denies dignity and respect, and is demeaning and/or humiliating to another person or class of persons. Harassment may include, but is not limited to, references related to age, national or ethnic origin, religion, gender, sexual orientation, disability, race and/or sources of income, family status or citizenship. Sexual harassment is any unwelcome behavior that is sexual in nature. Such behavior may directly or indirectly affect or threaten to affect in an adverse manner a student's well-being and/or learning environment. The behavior does not need to be intended as harassing to be considered as personal harassment. It is sufficient that one knows, or ought reasonably to know, that his/her behaviour is offensive and unwelcome. Harassment is not a relationship of mutual consent. It is any action including, but not limited to verbal, physical, written and cyber messaging that is unwelcome or intimidating and denies individual dignity and respect.
 6. **Restorative Discipline** adds to the current discipline framework of our schools. It promotes values and principles that use inclusive, collaborative approaches between students, home, church and the school for being in community. This approach validates the experiences and needs of everyone within the community, particularly those who have been marginalized, oppressed, or harmed. These approaches allow schools to act and respond in ways that are healing, rather than alienating, or coercive. Restorative Discipline is a strategy that can be used to address bullying within a school.

7. **Supporting Positive Behaviours** is a strategy to further the social responsibility and responsiveness of students in meeting behavioural expectations of their school. Within this model, predetermined levels of support and intervention are established to enhance a positive climate of school engagement for all students. While the support model may look different at each school, three levels are identified as part of the intervention protocol:
- 7.1 **Basic/Universal Support:**
Systemic teaching that produces a clear understanding of expectations is developed in a collaborative and respectful culture.
 - 7.2 **Targeted Support:**
Additional support is provided for those students who have not yet internalized appropriate responses to the expectations that they have been expected to follow.
 - 7.3 **Individual/Intensive Support:**
Highly focused support is established for those students who require ongoing adult monitoring in order to engage in appropriate behaviours.

Supporting Positive Behaviours is based upon a belief that teaching and nourishing appropriate behaviours has a far greater success than relying upon a model of consequences and punishment. This model is applied according to student's age, maturity, and individual circumstances and is a strategy that can be used to address bullying within a school.

Guidelines

1. Ensure that the CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework document is utilized as a resource to continue creating, maintaining and promoting a Christ-centered, welcoming, caring, respectful and safe learning environment that respects diversity, equity and human rights and fosters a sense of inclusion and belonging.
2. All actions by students that impact the safety and well-being of students or staff or call into question a student's success in being accountable for his/her conduct to the successful operation of the school will be addressed through *Administrative Procedure No. 362 Student Conduct*.
3. All schools and classrooms must enact procedures that support the following expectations with respect to bullying or harassment.
 - 3.1 No action toward another student, regardless of the intent of that action will cause harm, fear, or distress to that student.
 - 3.2 No action toward another student within the school community will diminish the student's reputation within the school community.
 - 3.3 Any action that contributes to a perception of bullying, whether or not the behaviour occurs within the school building, during the school day or by electronic or other means, will be addressed by the school if it is determined that the actions impact the well-being of the alleged victim within the school community.

- 3.4 Any action that humiliates or contributes to diminishing the reputation of a student on the basis of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons is deemed to be an act of bullying or harassment.
- 3.5 No report by a student that he/ or she is being “bullied” will be ignored by a school official. The official will respond as if an incident has happened and report the incident to a teacher or principal.
- 3.6 The principal will establish a distinction between those matters of bullying that will be addressed by teachers, and those to be addressed by the principal.
- 3.7 Students who are bystanders to an act of bullying have a responsibility to report observed incidences to school staff. Students are expected to either exercise communication dedicated to prevent bullying behaviour, or failing this, immediately report such incidences to school staff.
- 3.8 Students do not have a role in disciplining other students who have allegedly participated in bullying behaviour. They are encouraged to discourage these actions by labeling the behaviour through communication to others as bullying, requesting that the behaviour cease, and report the incident to a school official.
- 3.9 Each individual and each situation will be resolved based on the specific circumstances of the situation and taking into account the student’s age, maturity, and individual circumstances.
- 3.10 If in the opinion of the teacher or principal an act of bullying has occurred, interventions will be applied dedicated to stopping the behaviour in the future, and educating the student victimized about how to address the issue in the future. Those disciplined for their involvement in bullying will be communicated what to “stop” doing, and “start” doing in order to further a safe and caring culture within the school.
- 3.11 Parents play a primary role in assisting with the resolution of matters pertaining to bullying. Apprising them of issues in this area as they have impacted their children should occur at the earliest opportunity.
- 3.12 A principal may use a Restorative Discipline or Positive Behavioural Support model to address matters of discipline.
- 3.13 Incidences of bullying that adversely impact the safety of individuals or are an affront to the common good of the school community may be addressed through application of sections 24 and 25 of the *School Act*.

Procedures

1. Procedures used by schools to address bullying will be placed within school handbooks, reviewed with school councils, and evaluated for effectiveness annually.
2. Schools must rely on Division support if existing resources or strategies are insufficient in addressing bullying within the school community.
3. Students will be provided with supports that meet individual needs.
4. In maintaining a welcoming, caring, respectful, safe and Catholic environment that respects diversity and fosters a sense of belonging for all students and staff, each incident will be considered on its individual circumstances using a comprehensive and holistic approach to inclusion and meeting all students' needs.
5. Discipline is seen as the change from unacceptable conduct to acceptable behaviour through the use of reasonable and just consequences. In any disciplinary situation, each student will be dealt with on an individual basis.
6. Parent/legal guardian involvement may be necessary to support school discipline procedures. In responsibility as indicated in the School Act:
 - 6.1 To take an active role in the student's educational success, including complying with the Student Code of Conduct;
 - 6.2 To ensure that the parent's/legal guardian's conduct contributes to a welcoming, caring, respectful, safe that respects diversity and fosters a sense of belonging for all students and staff;
 - 6.3 To co-operate and collaborate with school staff to support the delivery of specialized supports and services to students;
 - 6.4 To encourage, foster and advance collaborative, positive and respectful relationships with teachers, principals, other school staff and professionals providing supports and services in schools;
 - 6.5 To engage in the student's community.
7. The school will outline expectations, consequences, and the progression of actions to be taken depending on the severity and/or frequency of the occurrences and must take into account the student's age, maturity and individual circumstances and must ensure that support is provided for student who are impacted by inappropriate behaviour, as well as, for student who engage in inappropriate behaviour. At all time, teachers and administrators will use their professional judgment in applying consequences.

Support for Student Organizations

Procedures

1. The Principal shall:

- 1.1 Ensure all aspects of this administrative procedure are clearly communicated and made publicly available to all staff, students and families;
 - 1.2 Ensure that the CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework document is utilized as a resource to continue creating, maintaining and promoting a Christ-centered, welcoming, caring, respectful and safe learning environment that respects diversity, equity and human rights and fosters a sense of inclusion and belonging.
 - 1.3 Ensure that students and staff with diverse sexual orientations, gender identities and gender expressions:
 - 1.3.1 are treated with dignity and respect;
 - 1.3.2 have the right to be open about who they are, including expressing their sexual orientation, gender identity or gender expression without fear of unwanted consequences;
 - 1.3.3 have the right to privacy and confidentiality;
 - 1.4 Provide safe access to a washroom and/or change room for use by any student who desires increased privacy for any reason. Where possible private washrooms shall be made available.
 - 1.5 Ensure as per the Student Code of Conduct that any discriminatory or prejudicial attitudes, language or behaviours are addressed, whether they occur in person or in a digital form;
 - 1.6 Ensure that a comprehensive school wide approach to foster social-emotional learning is utilized to promote healthy relationships, prevent and respond to bullying or discriminatory behaviours, attitudes and actions.
 - 1.7 Ensure all families are welcomed and supported as valued members of the school community and that parents/guardians are encouraged to play an active role in their child's education;
2. Ensure all staff recognize the confidentiality of sexual orientation and gender identity of all students and protect them from unwanted disclosure; Red Deer Catholic Regional Division is bound by the provisions of the *Freedom of Information and Protection of Privacy Act*, which governs the disclosure of personal information.

3. Principals will support the establishment of student organizations or activities in accordance with Section 16.1 of the School Act:
 - 3.1 If one or more students attending a school operated by a board request a staff member employed by the board for support to establish a voluntary student organization, or lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall
 - 3.1.1 Immediately grant permission for the establishment of the student organization or the holding of the activity at the school, and
 - 3.1.2 Subject to subsection 16.1(4) of the School Act, within a reasonable time from the date that the principal receives the request designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity;
 - 3.2 The students may select a respectful and inclusive name for the organization or activity, including the name “gay-straight alliance” or “queer-straight alliance”, after consulting with the principal.
 - 3.2.1 For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer straight alliance”.
 - 3.3 The principal shall immediately inform the board and the Minister if no staff member is available to serve as a staff liaison referred to section 16.1(1) of the School Act, and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school;
 - 3.4 The principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity must be limited to the fact of the establishment of the organization or the holding of the activity. Notification, if any, must be otherwise consistent with the usual practices relating to other students organizations and activities.
4. Ensure the *Freedom of Information and Protection of Privacy Act*, which governs the disclosure of personal information, is adhered to by staff.

Staff shall:

5. Overnight Trips and/or Field Trips;

Ensure that in planning for field trips or school outings the needs of students who have diverse sexual orientations, gender identities and gender expressions are taken into consideration. It is important to make decisions regarding washroom and change room access prior to embarking on any field trips or school outings, in consultation with the student(s). Gender and sexual minority students may feel comfortable using public washrooms that align with their gender identity. Some students, however, may not feel

comfortable with this option. Best efforts should be made to research the availability of gender or private washrooms at field trip or out of school destinations.

When planning activities that involve the need for overnight or housing accommodations, staff shall ensure these issues are addressed on a case-by-case basis. There is no “one way” in which students are accommodated. Many factors are carefully considered including the needs and wishes of the student and their parents/guardians (where the student has consented), the facilities where students will be sleeping, the beds in which students would be sleeping, the supervision provided, etc.

School staff will make every reasonable effort to provide accommodations that are inclusive, respectful and acceptable to the student and that do not impose any additional expense or burden for the student and or their family. The privacy and confidentiality of the student will be maintained at all times.

6. Extra-Curricular and Physical Education Activities

Ensure that students who choose to or are required to participate in physical education or extracurricular activities, including competitive and recreational athletic teams, can do so in ways that are comfortable for them and supportive of their diverse sexual orientations, gender identities and gender expressions. In circumstances where activities are organized by gender, students who are transgender and gender-diverse have the support they need to participate safely in accordance with their gender identity and/or gender expression. Students also have full access to recreational or competitive athletic activities in accordance with their self-declared gender identity. This is fully supported by the Alberta Schools' Athletic Association in their 2015- 2016 Policy Handbook (<http://www.asaa.ca/resources/asaa-bylaws-policy>).

7. Student Records – maintain student records in a way that respects student’s privacy and confidentiality and is in compliance with Alberta’s privacy legislation and the *Student Record Regulation*.

- 7.1 Students will be informed of any limitations regarding their chosen name and gender identity or gender expression in relation to official school records that require legal name and designation;
- 7.2 School staff may use a student’s chosen (i.e., preferred) name and pronouns on report cards or individualized learning plans or other school issued documents, provided the student has requested this.
- 7.3 Students should be advised that a legal name change is required if they desire their official Alberta Education documents to reflect their new name.

References:

- Stutzman, Lorraine, Mullet, Judy H. (2005). *The Little Book of Restorative Discipline for Schools*.
- *Catechism of the Catholic Church*

- Alberta Catholic School Trustees 'Association (ND). *Safe and caring learning environments for students: A policy exemplar*. Alberta, Canada
- Pastoral Guideline for the LIFE Framework
- Alberta Bill of Rights, s.1 (g)
- School Act

Appendix A:

CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework Document (Revised April 2018)

Revisions:

April 2013

Revised March 2016

Revised May 2018

Appendix A:

CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework Document
(Revised May 2018)

Alberta Catholic Bishops Pastoral Guideline for the LIFE Framework
(April 9, 2017)



POLICY 3: TRUSTEE ROLE DESCRIPTION

The role of the trustee is to contribute to the work of the Board as it carries out its mandate to govern and achieve its vision, mission, beliefs, values and principles. The Board believes that its ability to fulfill its obligations is enhanced when leadership and guidance are forthcoming from within its membership. The oath of office taken by each trustee when she/he assumes office binds that person to work diligently and faithfully in the cause of public education.

Catholic trustees have a unique, dual challenge. They must ensure that students are provided an education which meets or exceeds the goals of Alberta Education and at the same time, ensure that Catholic values and principles are reflected at all times in its policies and practices.

As leaders in the Catholic faith community, Catholic trustees require an understanding, a willingness to grow and a commitment to bearing daily witness to the faith. To meet this challenge, Catholic trustees are entrusted with certain denominational school rights, powers and privileges enshrined in the Canadian Constitution. They exercise these rights with the religious guidance of parish and diocesan authorities.

The Board is a corporation. The decisions of the Board in a properly constituted meeting are those of the corporation. A trustee who is given corporate authority to act on behalf of the Board may carry out duties individually but only as an agent of the Board. In such cases, the actions of the trustee are those of the Board, which is then responsible for them. A trustee acting individually has only the authority and status of any other citizen of the Division.

1. Board Orientation

As a result of elections, the Board may experience changes in membership. To ensure continuity and facilitate smooth transition from one Board to the next following an election, trustees must be adequately briefed concerning existing Board policy and practice, statutory requirements, initiatives and long-range plans.

The Board believes an orientation program is necessary for effective trusteeship. All trustees will attend all aspects of the orientation program.

The Division will offer an orientation program for all newly elected trustees that provides information on:

- 1.1 Role of the trustee and the Board;
- 1.2 Organizational structures and procedures of the Division;
- 1.3 Board policy, agendas and minutes;
- 1.4 Existing Division initiatives, annual reports, budgets, financial statements and long-range plans;

- 1.5 Division programs and services;
 - 1.6 Board's function as an appeal body; and
 - 1.7 Statutory and regulatory requirements, including responsibilities with regard to conflict of interest.
2. The Division will provide financial support for trustees to attend Alberta School Boards Association (ASBA) and Alberta Catholic School Trustees Association (ACSTA) sponsored orientation seminars.
 3. The Division will provide financial support for trustees to attend Alberta Education sponsored trustee workshops or information sessions.
 4. The Board Chair and Superintendent are responsible for developing and implementing the Division's orientation program for newly elected trustees. The Superintendent shall provide each trustee with access to the Board Policy Handbook and the Administrative Procedures Manual at the organizational meeting following a general election or at the first regular meeting of the Board following a by-election.
 5. Incumbent trustees are encouraged to help newly elected trustees become informed about the history, functions, policies, procedures and issues.

6. Specific Responsibilities of Individual Trustees

- 6.1 The trustee will model involvement in the faith community.
- 6.2 The trustee will refer queries, or issues and problems, not covered by Board policy, to the Board for corporate discussion and decision.
- 6.3 The trustee can engage with the public through a variety of communication methods, understanding that all communications and interactions must reflect the principles of the Trustee Code of Conduct.
- 6.4 Trustees will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division.
- 6.5 If trustees choose to post pictures of students on their social media sites, permission must be given by the relevant school authority.
- 6.6 The trustee will participate in, and contribute to, the decisions of the Board in order to provide the best solutions possible for the education of children within the Division.
- 6.7 The trustee will support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

- 6.8 The trustee will participate in training opportunities in order to ensure that the appropriate skills, knowledge and understandings are acquired.
- 6.9 The trustee will ensure that Catholic values and principles are reflected at all times in the Board's policies and practices.
- 6.10 The trustee will become familiar with Division policies, meeting agendas and reports in order to participate in Board business.
- 6.11 The Trustee will keep the Board Chair and/or the Superintendent informed in a timely manner of all matters coming to his/her attention that might affect the Division. Refer administration matters to the Superintendent.
- 6.12 The trustee will provide the Superintendent with counsel and advice, giving the benefit of the trustee's judgment, experience and familiarity with the community.
- 6.13 Trustees are encouraged to share Divisional information, key messages, Board priorities, exemplary practices, and student achievement and learning results.
- 6.14 The trustee will, in alignment with the Board engagement efforts, provide for the engagement of parents, students and the community in matters related to education.
 - 6.14.1 Respectfully bring forward and advocate for local issues and concerns prior to a Board decision;
 - 6.14.2 Interpret the needs of the community to the Board and the Board's action to those we serve; and
 - 6.14.3 Liaise with designated School Council(s).
- 6.15 Trustees are encouraged to develop individual growth plans on an annual basis.
- 6.16 The trustee will share the materials and ideas gained from a trustee development activity with fellow trustees at the next available opportunity.
- 6.17 The trustee will stay current with respect to provincial, national and international education issues and trends.
- 6.18 The trustee will contribute to a positive and respectful learning and working culture both within the Board and the Division.
- 6.19 The trustee will attend Division or school functions where possible.
- 6.20 The trustee will adhere to the Trustee Code of Conduct.
- 6.21 The trustee will report any violation of the Trustee Code of Conduct to the Board Chair or when applicable, to the Vice-Chair.

Reviewed: March 2011, January 2018
Revised: November 2019, June 2022

APPENDIX 'A'**SERVICES, MATERIALS AND EQUIPMENT
PROVIDED TO TRUSTEES**

Trustees shall be provided with the following services, materials and equipment while in office:

1. Reference:

- ◆ Access to *The Education Act*
- ◆ Board Policy Handbook and Administrative Procedures Manual
- ◆ School year and Annual Work Plan
- ◆ Current telephone listings of schools, principals, vice-principals and school secretarial staff
- ◆ List of School Council Chairs
- ◆ These items shall be available online on the RDCRS Board Portal

2. Communications/Public Relations:

- ◆ Access to Superintendent weekly updates on Division News
- ◆ Notification of significant media events, reminders of special meetings
- ◆ Access to school newsletters to trustee liaison
- ◆ Name tags, business cards, lapel pins
- ◆ Speaker's notes
- ◆ Individual and Board photographs

3. Administrative/Secretarial Services:

- ◆ Access to interoffice mail
- ◆ Conference registration, travel and accommodation arrangements
- ◆ E-mail address and Information Technology service support
- ◆ Document management, photocopying and related secretarial services

4. Equipment

- ◆ A computer or stipend, with appropriate software and access. The equipment shall be returned to the Board upon completion of the term in office.
- ◆ Cell phone stipend.

5. Corporate Clothing

- ◆ One piece of corporate clothing

6. Briefcase

7. Professional Development Allowance of \$5,000 per year. This includes mileage, hotel, registration and meals.

8. Mileage compensation for all Board business (stipend)

Appendix revised June 2022

Red Deer trustee has “no regret” about anti-gender ideology post, despite punishment

By **Noah Jarvis** - September 28, 2023



Red Deer Catholic school trustee Monique LaGrange has been banned from committee meetings and is prohibited from representing the school board in public in response to a social media post comparing gender “brainwashing” to Nazi indoctrination.

LaGrange must also undergo sensitivity training about the Holocaust and LGBT issues, though she has “no regret” about her post.

The motion passed by Red Deer Catholic Regional Schools (RDCRS) requires LaGrange to issue a public apology to have her powers reinstated, though doing so would violate her rights, her lawyer argues.

“She didn’t do anything wrong,” said James Kitchen.

“Part of this motion is that she has to go to this re-education and sensitivity training and she has to issue an apology, which is impossible for her to do without lying and violating her conscience because she has nothing to apologise for.”

Board vice-chair Dorraine Lonsdale initially complained about the meme LaGrange [posted](#) to Instagram and Facebook, which featured a picture of children waving the Pride Progress flag beside an archival photo of German children waving the Nazi flag with the caption "brainwashing is brainwashing."

The complaint resulted in a two-day hearing in which the board, while in camera, heard testimony from LaGrange, Lonsdale, and their legal representatives. The hearings resulted in the trustees voting to reprimand LaGrange.

While Kitchen confirmed that LaGrange does not plan on issuing an apology, he was not yet able to say whether LaGrange will attend the prescribed sensitivity training sessions for the Holocaust and the LGBT community.

"Practically speaking, it seems difficult because the end goal of the sensitivity training is for her to issue an apology she won't be able to issue in good conscience without lying," Kitchen said.

Kitchen said LaGrange may challenge the decision in court by seeking a judicial review.

While the RDCRS publicly released the motion censuring LaGrange, the board has not published the reasons behind its punishment.

Author

Noah Jarvis

NEWS

Canadian Catholic school trustee silenced, forced to undergo 'sensitivity' training for opposing LGBT agenda

Catholic trustee Monique LaGrange initially came under-fire for sharing a meme on social media comparing the 'brainwashing' of children in Nazi Germany to the LGBT indoctrination currently taking place in many public schools throughout Canada.

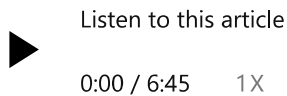


Monique LaGrange

LinkedIn

Anthony Murdoch

Wed Sep 27, 2023 - 2:32 pm EDT



Send an urgent message to Canadian legislators and courts telling them to uphold parental rights.

RED DEER, Alberta ([LifeSiteNews](#)) -- The Red Deer Catholic Regional Schools (RDCRS) board of directors has ordered a fellow trustee to undergo “LGBTQ+” and holocaust “sensitivity” training for a social media post she made comparing the LGBT agenda targeting kids to that of “brainwashing” Nazi propaganda, while also banning her from most of her public duties.

Trustee Monique LaGrange of the RDCRS learned her fate late in the day Tuesday while attending a two-day board meeting at which there was a “secret” gathering concerning her social media post.

LaGrange’s lawyer, Alberta-based attorney James Kitchen of Liberty Coalition Canada, attended the meeting alongside LaGrange, at which the trustees voted on a motion to severely censure LaGrange from doing public duties as a trustee.

Kitchen told LifeSiteNews that RDCRS trustee Dorraine Lonsdale had launched a “complaint” against LaGrange, accusing her of violating the trustee code of conduct and the province’s *Education Act*.

Kitchen told LifeSiteNews that trustees at the meeting ultimately ruled in favor of a motion that determined LaGrange had indeed violated the trustee code of conduct and the *Education Act*, but failed to provide specific details as to which sections LaGrange violated. However, Kitchen did note that these details should be forthcoming within the next 20 days.

Kitchen said LaGrange was removed from all board committees, told she could never speak on behalf of the board, and that she would “never be allowed to speak or attend” any “public events.”

In speaking with LifeSiteNews, Kitchen noted that most “egregiously” LaGrange was ordered by her fellow trustees to complete “very extensive sensitivity training” within the next 90 days. This training must address the holocaust, the “oppression of the LGBT community, and human rights” and how to “speak properly” on social media.

She has also been ordered to issue a letter of apology to the board saying she is “sorry” and admitting how “wrong” she was to make the comparison between LGBT indoctrination and Nazi “brainwashing.”

As it stands, LaGrange can still attend board meetings and has retained her voting rights, but has otherwise been “silenced,” according to Kitchen.

“It’s egregious that she’s been taken out of her democratically elected duties...” Kitchen told LifeSiteNews. “But perhaps it’s even more egregious that she has this very intensive sensitivity training [to complete].”

Kitchen said that LaGrange being forced to undergo “sensitivity training” effectively “amounts to compelled speech and a violation of her conscience.”

LaGrange initially came under-fire when she posted to social media an image showing kids in Nazi Germany waving swastika flags during a parade, with the bottom of the post showing an image of kids waving LGBT “pride” flags along with the text, “Brainwashing is brainwashing.”

After her post went viral, calls for her to step down grew from leftist Alberta politicians and others. This culminated in her removal as director of the Alberta Catholic School Trustees’ Association (ACSTA) over two weeks ago.

LaGrange was elected in 2021 and said about being kicked out of the ACSTA that it was “unfortunate that ACSTA decided to make a rash decision to remove me, refusing to acknowledge that the heart of my message was to protect our children and to nourish their God-given identities.”

When it comes to LaGrange's social media post, which has been removed, she said that the post was about protecting kids, not hurting them, saying her meme was "centered around indoctrination and how children are vulnerable to evil agendas (agendas coming from organizations like Planned Parenthood, the UN or SOGI 123) filtering through culture."

"This meme is not comparing or attacking the LGBTQ community, it is about protecting our children and keeping parents as the primary educators," she added.

LaGrange has asked Kitchen to be her media spokesman for the time being, and he told LifeSiteNews that she is "pretty disheartened by today's outcome."

LaGrange considering 'next steps' to fight her censure by her board

As for the next steps she can take, Kitchen told LifeSiteNews that LaGrange is considering looking at what legal recourse she can pursue.

Kitchen noted that in Alberta, the education minister can only remove an entire board of trustees, but not an individual trustee. Individual boards, as noted by Kitchen, have a "common law" right to remove a trustee for serious code of conduct violations.

He also told LifeSiteNews that RDCRS trustee Lonsdale did ask the board to disqualify LaGrange, but only one other trustee voiced "support for that."

Kitchen noted that LaGrange has had a lot of support from many in her community, noting how he submitted to the board "33 pages of emails in support" of his client. He is, however, hoping for more "support" from the public.

Kitchen also told LifeSiteNews that with this "new revolution of parental rights," LaGrange no doubt has "way more support than a year or two ago."

There has been growing opposition in Canada to the teaching of radical transgender ideology in schools, which not only impacts children but also those in education who voice their opposition to such teaching.

This has led the province of Saskatchewan under Premier Scott Moe to announce a slew of pro-parental policies regarding gender and sexual education in public schools.

Premier of Manitoba Heather Stefanson also recently chimed in on the issue, promising that if her Progressive Conservative government is re-elected this fall she will enhance parental rights by mandating that schools inform parents if their child wants to identify as a different "gender."

Starting off this trend, however, was New Brunswick Progressive Conservative Premier Blaine Higgs, who in July survived an attempt by his colleagues to trigger a leadership review over his decision to add parental protections to its “gender identity” policy for public schools.

While LGBT activists have gone after the likes of Higgs and Moe for their slight pushback against gender ideology, a recent Leger poll has shown that Canadians in general favor parental rights in education, especially regarding the material being shared with children.

Send an urgent message to Canadian legislators and courts telling them to uphold parental rights.

TOPICS

[Faith](#) [Family](#) [Gender](#) [Homosexuality](#) [Politics - Canada](#)

TAGGED AS

[Canadian Education](#) [Canadian parents](#) [compelled speech](#) [Education Act](#) [Gender Education](#)
[Gender Identity](#) [legal recourse](#) [Lgbt Agenda](#) [LGBTQ community](#) [Monique LaGrange](#)
[Nazi comparison](#) [Parental Rights](#) [Parental Rights In Education](#) [Public Schools](#)
[Red Deer Catholic Regional Schools](#) [school policies](#) [Sensitivity Training](#) [social media post](#)
[Transgender Ideology](#) [trustee censure](#) [violation of trustee code](#)



POLICY 4: TRUSTEE CODE OF CONDUCT

The Board commits itself and its members to conduct which meets the highest ethical standards. It is expected that all personal interactions and relationships will be characterized by mutual respect, which acknowledges the dignity and affirms the worth of each person.

- Each trustee, representing all Catholic school supporters of the community and responsible to this electorate through the democratic process, recognizes:
 - That trustees are accountable to the Magisterium of the Church, and that, according to the Code of Canon Law, a Catholic school is an instrument of the Church and is one in which Catholic education is established, directed, recognized or converted to, by the local bishop, who is competent to issue prescriptions dealing with the general regulation of Catholic schools.
 - That legally, the authority of the Board is derived from the province, through the Constitution Act, which ultimately controls the organization and operation of the Division and which determines the degree of discretionary power left with the Board and the people of this community for the exercise of local autonomy.
 - That fellow citizens have entrusted them, through the electoral process, with the educational development of the children and youth of the community.
 - That trustees are the children's advocates and their first and greatest concern is the best interest of each and every one of these children without distinction as to who they are or what their background may be.
 - That trustees are educational leaders who realize that the future welfare of the community, of the province, and of Canada depends in the largest measure upon the quality of education provided in schools to fit the needs of every learner.

Specifically

Whereas the aim of Catholic Education is the development of each student towards personal fulfillment and responsible citizenship motivated by the Spirit of the Gospel and modeled on the example of Jesus Christ, the Catholic School Trustee shall, within the duties prescribed in Acts and Regulations and reflecting a ministry within the Church, adhere to the following Code of Conduct:

1. Trustees shall carry out their responsibilities as detailed in Policy 3 – Role of the

- Trustee with reasonable diligence.
2. Provide an example to the Catholic Community by active participation in the communal life of a parish and by a personal lifestyle that reflects the teachings of the Church.
 3. Devote time, thought and study to the duties of a trustee so that they may render effective and credible service.
 4. Exercise the powers and duties of their office honestly and in good faith. Trustees shall exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.
 5. Trustees shall endeavour to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.
 6. Trustees shall commit themselves to dignified, ethical, professional and lawful conduct.
 7. Trustees shall reflect the Board's policies and resolutions when communicating with the public.
 8. Consider information received from all sources and base personal decisions upon all available facts in every case; unswayed by partisan bias of any kind, and thereafter, abide by and uphold the final majority decision of the Board.
 9. Trustees shall keep confidential any personal, privileged or confidential information obtained in their capacity as a trustee and not disclose the information except when authorized by law or by the Board to do so.
 10. While elected from specific wards, trustees shall represent the best interests of the entire Division.
 11. Trustees shall honor their fiduciary responsibility to the Board and be loyal to the interests of the Division as a whole in the context of Catholic Education. This loyalty supersedes loyalty to:
 - 11.1 Any advocacy or special interest groups; and
 - 11.2 The personal interest of any trustee.
 12. Trustees shall report all conflicts of interest and abstain from voting on or discussing any matter that has been identified as a conflict, in accordance with Appendix 'B' – Conflicts of Interest.
 13. In determining whether an actual or perceived conflict of interest exists, the

Trustees shall be guided by the following question:

Would a reasonable person, being informed of all of the circumstances, be more likely than not to regard the interest of the trustee as likely to influence that trustee's action and decision on the question?

14. Maintain the confidentiality of privileged information, including statements made during in-camera sessions of the Board.
15. Work together with fellow trustees to communicate to the electorate.
16. Remember at all times that individual trustees have no legal authority outside the meeting of the Board, and therefore relationships with school staff, the community, and all media of communication is to be conducted on the basis of this fact.
17. Refrain from using the trustee position to benefit either oneself or any other individual or agency apart from the total interest of the Division.
18. Recognize that a key responsibility of the Board is to establish the policies by which the system is to be administered, and that the administration of the educational program and conduct of school business shall be left to the Superintendent and Division staff.
19. Encourage active cooperation by stakeholders with respect to establishing policies.
20. Support provincial and national school board associations for the future of trusteeship in this province and the nation.
21. Provide effective trustee service to the Catholic community in a spirit of teamwork and devotion to education as the greatest instrument for the preservation and perpetuation of our representative democracy.
22. Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.
23. Represent the perceived concerns or needs of the community to the Board or Superintendent as appropriate and accurately communicate the Board's decisions to those who we serve.
24. Abstain from participation in personnel selection when family relatives are involved.
25. Trustees shall disclose any conflict of interest between their personal life and the position of the Board, and abstain and absent themselves from discussion or voting on the matter in question.
26. Trustees shall not use their influence to advance personal, family or friends' interests or the interests of any organization with which the trustee is

associated.

27. Consequences for the failure of individual trustees to adhere to the Trustee Code of Conduct are specified in Policy 4 Appendix A – Trustee Code of Conduct Sanctions.

Legal Reference: Section 33, 34, 51, 52, 53, 64, 67, 85, 86, 87, 88, 89 Education Act

April 2008

Reviewed: April 2011, February 2018

Revised: September 2019, June 2022, April 2023

APPENDIX 'A'

1. Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct, Policy 4. The failure by trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.
2. A trustee who believes that a fellow trustee has violated the Code of Conduct may seek resolution of the matter through appropriate conciliatory measures prior to commencing an official complaint under the Code of Conduct.
3. A trustee who wishes to commence an official complaint under the Code of Conduct shall file a letter of complaint with the Board Chair within ninety (90) days of the alleged event occurring and indicate the nature of the complaint and the section or sections of the Code of Conduct that are alleged to have been violated by the trustee. The trustee who is alleged to have violated the Code of Conduct and all other trustees shall be forwarded a copy of the letter of complaint by the Board Chair, or where otherwise applicable in what follows, by the Vice-Chair, within five (5) days of receipt by the Board Chair of the letter of complaint. If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice-Chair.
4. When a trustee files a letter of complaint and a copy of that letter of complaint is forwarded to all trustees, the filing, notification, content, and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the Code of Conduct. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a Code of Conduct hearing.
5. To ensure that the complaint has merit to be considered and reviewed, at least one other trustee must provide to the Board Chair, within three (3) days of the notice in writing of the complaint being forwarded to all trustees, a letter indicating support for having the complaint heard at a Code of Conduct hearing. Any trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon the complaint at a Code of Conduct hearing convened to hear the matter, solely for having issued such a letter.
6. Where no letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the complaint shall not be heard. The Board Chair shall notify all other trustees in writing that no further action of the Board shall occur.
7. Where a letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to allow the complaining trustee to present his or her views of the alleged violation of the Code of Conduct.
8. At the special meeting of the Board, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted and that the complaint shall be heard in an in-camera session of the special meeting. Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the

following procedures.

- 8.1 The Code of Conduct complaint shall be conducted at an in-camera session, Code of Conduct hearing, of a special Board meeting convened for that purpose. All preliminary matters, including whether one or more trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complaining trustee.
- 8.2 The sequence of the Code of Conduct hearing shall be:
 - 8.2.1 The complaining trustee shall provide a presentation which may be written or oral or both;
 - 8.2.2 The respondent trustee shall provide a presentation which may be written or oral or both;
 - 8.2.3 The complaining trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
 - 8.2.4 The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
 - 8.2.5 The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 8.2.6 The complaining trustee shall be given the opportunity to make final comments; and
 - 8.2.7 The respondent trustee shall be given the opportunity to make final comments.
- 8.3 Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining trustees who do not have a conflict of interest shall be required to leave the room, and the remaining trustees shall deliberate in private, without assistance from administration. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
- 8.4 If the remaining trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both parties. If the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the Code of Conduct hearing to a later date.
- 8.5 In the case of an adjournment, no discussion by trustees whatsoever of the matters heard at the Code of Conduct hearing may take place until the meeting is reconvened.
- 8.6 The remaining trustees in deliberation may draft a resolution indicating what action,

- if any, may be taken regarding the respondent trustee.
- 8.7 The presiding Chair shall reconvene the parties to the Code of Conduct hearing and request a motion to revert to the open meeting in order to pass the resolution.
 - 8.8 All documentation that is related to the Code of Conduct hearing shall be returned to the Superintendent or designate immediately upon conclusion of the Code of Conduct hearing and shall be retained in accordance with legal requirements.
 - 8.9 The presiding Chair shall declare the special Board meeting adjourned.
9. A violation of the Code of Conduct may result in the Board instituting, without limiting what follows, any or all of the following sanctions:
- 9.1 Having the Board Chair write a letter of censure marked "personal and confidential" to the offending trustee, on the approval of a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 9.2 Having a motion of censure passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 9.3 Having a motion to remove the offending trustee from one, some or all Board committees or other appointments of the Board passed by a majority of those trustees present and allowed to vote at the special meeting of the Board, for a time not to exceed the trustee's term as trustee.
10. The Board may, in its discretion, make public its findings at the special meeting or at a regular meeting of the Board where the Board has not upheld the complaint alleging a violation of the Board's Code of Conduct or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.

Legal Reference: Sections 60, 61, 68, 72, 80, 81, 82, 83, 84, 85, 86, 246 *Education Act*

APPENDIX B – CONFLICTS OF INTEREST

Trustees should not gain benefits or monetary rewards because of their position as a trustee except for any allowances, honorarium or remuneration approved by the Board for duties performed. The requirements outlined herein are in addition to Article 16 of Policy 19 – Board Operations.

1. Trustees are expected to avoid both actual potential and perceived conflicts of interest with respect to their fiduciary duties and in all matters considered by the Board. Trustees shall act at all times in the best interests of the Board and the entire Division rather than any personal interests.
2. Trustees shall report any actual, potential or perceived conflict of interest. An actual or potential conflict of interest exists when a trustee is confronted with an issue in which the trustee has a personal or pecuniary interest. A perceived conflict of interest exists when a trustee is confronted with an issue in which the trustee may be seen to have a conflict, such as an issue or question involving or impact a family member of the trustee. For greater clarity,
 - a. a “personal interest” includes, but is not limited to, matters in which the trustee has any interest that may reasonably be regarded as likely to have influence on them when carrying out their duties and responsibilities; and
 - b. a “pecuniary interest” includes, but is not limited to, where a matter would or could give rise to the expectation of a gain or loss of money and includes “pecuniary interest” as defined in the *Education Act*.
3. In connection with any actual, potential or perceived conflict of interest in any matter being considered by the Board or a committee of the Board, a trustee must disclose the existence of the actual, potential or perceived conflict of interest and be given the opportunity to disclose all material facts to the other trustees and members of committees of the Board. Full disclosure, in itself, does not remove a conflict of interest.
4. Upon disclosing the actual, potential or perceived conflict of interest and all material facts, and after any desired discussion with the Board, the trustee shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.
5. If the Board or committee members determine that a conflict of interest does exist, the trustee shall not vote on the matter and shall not participate in the decision and shall not attempt to influence the decision of other Board or committee members.
6. It is the responsibility of other trustees who are aware of an actual, potential or perceived conflict of interest on the part of a fellow trustee to raise the issue for clarification, first with the trustee and then, if needed, with the Board Chair or committee chair.
7. If the Board or committee has reasonable cause to believe a trustee has failed to disclose actual, potential or perceived conflicts of interest, it shall inform the trustee of the basis for such belief and afford the trustee an opportunity to explain the alleged failure to disclose.

- a. If, after hearing the trustee's response and after making any further investigation as deemed necessary by the circumstances, the Board or committee determines that the trustee has failed to disclose an actual, potential or perceived conflict of interest, it shall take appropriate disciplinary and corrective action.
8. The minutes of the Board and all committees of the Board shall contain the names of the persons who disclosed or otherwise were found to have an actual, potential or perceived conflict of interest, the nature of the conflict, any action taken to determine whether the conflict was in fact present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.
9. A trustee shall not also be an employee of the Division, nor shall a trustee receive any compensation for services rendered to the Division in any non-governance capacity. This provision shall not prohibit trustees from receiving authorized compensation for serving as a member of the Board or from receiving reimbursement for authorized expenses incurred during the performance of Board duties, as outlined in Policy 19 – Board Operations.
10. The Board shall not enter into any contract or arrangement with any of its trustees or with a firm, organization, corporation, or partnership in which a trustee has a financial interest unless a more advantageous contract or arrangement is not reasonable possible with another firm, organization, corporation or partnership and the Board or committee of the Board have determined by majority vote of the disinterested trustees whether the contract or arrangement is in the Division's best interests, for its own benefit, and whether it is fair and reasonable.

BE IT RESOLVED THAT,

1. further to the, on or about August 27, 2023, posting on Trustee Monique LaGrange's personal Facebook account which took the form of a meme displaying two photographs:

- a) one of a group of children holding Nazi flags with swastikas; and
- b) a contemporary photograph of children holding rainbow Pride flags; and
- c) the meme was captioned "Brainwashing is brainwashing" (collectively, the "Meme"),

the Board of Trustees ("Board") finds Trustee Monique LaGrange ("Trustee") to be in violation of Trustee Code of Conduct and the Education Act.

As a result, as of today's date and up to and including the Trustee's Term of Office ("End Date"), the Trustee

- a) is censured from being part of all and any part of Board Committees and is censured from attending and participating in all Board committee meetings, including any part thereof. This also includes all and any ASBA and ACSTA meetings and conferences;
- b) shall not represent the Board / School Division in any official capacity, including Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and speaking with news/media outlets;
- c) shall cease making any public statements in areas touching upon or relating to,
 - i. the 2SLGBTQ+ community; and
 - ii. the Holocaust,

including presenting at meetings and conferences on these topics or related areas and speaking with various news outlets.
- d) within 90 days of this motion, the Trustee shall enroll in, at her own expense, and successfully complete:
 - i. suitable sensitivity training about the Holocaust;
 - ii. suitable sensitivity training relative to the challenges and discrimination faced by members of the 2SLGBTQ+ community; and
 - iii. suitable sensitivity training covering professional school trustee boundaries and appropriate use of social media, cultural sensitivity and human rights;

- 2 -

- iv. The Trustee shall inform the Board as to the proposed training, and prior to the Trustee's commencement of said training, the Board shall determine the suitability of the proposed training and approve each course;
 - v. the Trustee shall provide the Board with written certificate from the course providers stating that the Trustee has successfully completed said sensitivity training courses; and
 - vi. The above training is intended to remind the Trustee of her role and responsibilities as a school board trustee and to assist the Trustee to make better decisions in any further communications, including on social media
- e) shall issue, at the first public Board meeting following the completion of the ninety (90) day period set out above at paragraph 1(d), a sincere public letter of apology to School Division students, staff, and the Board in relation to the Meme; said sincere apology shall recognize the inappropriateness of the Trustee's actions and that the Trustee is deeply sorry for having offended anyone through her actions; and
 - f) shall refrain from posting any content of a similar nature relating to Meme. (This term and condition shall be ongoing up to and including the End Date.)
2. The censure referenced at paragraphs 1(a), (b) and (c) may be removed by the Board prior to the End Date, if the terms and conditions set out at paragraphs 1(d),(e), and (f) are met to the satisfaction of the Board, and if, and as long as, the Trustee acts in accordance with Board Policy and the Trustee Code of Conduct.
 3. The Trustee, who may attend regular Board meetings, may bring forward any educational related issues for discussion and debate to the Board through the Board's standard procedures and practices.
- To ensure clarity, the Board welcomes open debate of education-related issues in accordance with Board policy and procedures, including sensitive or difficult topics.
4. The Board hereby directs the Superintendent of Schools, Dr. Kathleen Finnigan, to arrange for the following within the next twenty (20) days:
 - a) a meeting with the Director of Education of the Friends of Simon Wiesenthal Centre to discuss their September 6, 2023, letter and to confirm the date of an educational workshop by the Friends of Simon Wiesenthal Centre for the Board;
 - b) a meeting with Alberta's Human Rights Commission to confirm an educational workshop for the Board;
 - c) a follow up meeting further to the January 16, February 13, and March 13, 2023, Board workshops on a pastoral approach to support students in the development and understanding of their sexuality for the purpose of confirming a follow up workshop for the Board.

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5. The Board shall provide written reasons in support of this motion to be provided to the Trustee in the next twenty (20) days.
6. The Board Chair and the Superintendent of Schools may take those steps necessary to implement the terms and conditions set out in this motion.
7. Pursuant to paragraphs 4 and 10 of Appendix "A" of Board Policy 4, the Board Chair is hereby authorized to disclose the decision of the Board.

**REASONS FOR DECISION IN FURTHERANCE OF THE
SEPTEMBER 25 and 26, 2023, SPECIAL BOARD MEETING**

I. Background

These reasons (“Reasons”) are issued further to the September 25 and 26, 2023, special meeting (“Meeting”) of the Board of Trustees of the Red Deer Catholic Regional Schools (“Board”) during which Meeting the Board passed a motion (“Decision” or “Motion”) in relation to Board Trustee Monique LaGrange (“Trustee” or “Respondent”). The Decision, which is set out at Schedule “A” to these Reasons, found the Trustee to be in violation of the Trustee Code of Conduct and the Alberta Education Act (“*Education Act*”).

The Trustee was elected Trustee of the Board in 2021. The Meeting was called to address a complaint relating to certain conduct of the Trustee on social media, as will be elaborated upon below.

At the Meeting the Trustee was provided with a full opportunity to make submissions, and she was represented by counsel who submitted written and oral arguments to the Board.

It is undisputed that, on or about August 27, 2023, the Trustee posted on her personal Facebook account a meme displaying two photographs which respectively showed:

- a) a group of children holding Nazi flags with swastikas; and
- b) a contemporary photograph of children holding rainbow Pride flags,

and captioned “Brainwashing is brainwashing” (collectively, the “Meme” or the “Meme Posting”).

During the Meeting, the Trustee stated that her intentions were that the Meme Post was not directed toward Red Deer Catholic Regional Schools (“School Division”) (“Understand that this was not directed at Red Deer Catholic”) and that the Meme was not a challenge to School Division practices.

The School Division serves over 10,650 students in twenty-one schools in Red Deer, Blackfalds, Sylvan Lake, Rocky Mountain House, Innisfail, and Olds, as well as an At-Home Learning Program, and supports the learning of over 1,095 students in a Traditional Home Education Program.

II. Procedure

In response to a Board trustee complaint to the Board (“Complaint”) with respect to the Meme Posting, the Board called the Meeting as per Appendix “A” to Board Policy 4: Trustee Code of Conduct (“Code of Conduct”) to review the Complaint and determine if there was a breach of the *Education Act*, the Code of Conduct and/or Board Policy.

Prior to the Meeting, the materials considered by Board included the following:

- a) Written Submissions of the Complainant which included:
 - i. a photocopied picture of the Meme;
 - ii. the Complaint;
 - iii. a package of materials in support of the complaint:
 - September 7, 2023, media article from the Western Standard entitled, *EXCLUSIVE: Trustee says her post was about protecting children, involving parents*;
 - September 13, 2023, media article from the True North entitled, Alberta trustee reprimanded for Instagram post critical of gender “indoctrination”;
 - a copy of Board Policies 1: Divisional Foundational Statements (“Board Policy 1”), the Code of Conduct (including Appendix “A” and “B”), Board Policy 3: Trustee Role Description including Appendix “A” (“Board Policy 3”), the CCSSA’s LIFE Framework, Statement 22358 from the Catechism of the Catholic Church, 1994;
 - iv. September 7, 2023, letter to the Minister of Education, from Board Chair Hollman;

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- V. written reaction submitted to the Board in response to the Meme, which consisted of seven emails/letters from School Division employees, parents, School Division student alumni, and the Simon Wiesenthal Centre of Holocaust Studies which were critical of the Meme, and four emails from individuals who expressed support for the Trustee's actions in relation to the Meme;
 - VI. written submissions in support of the Complaint.
- b) Written submissions from the Trustee's legal counsel.

The complainant and Respondent were both present and were represented by Counsel at the Meeting.

Pursuant to Board policy governing trustee-conduct related complaints, the Meeting comprised an *in camera* portion which lasted for more than a full day, at which submissions were made to the Board. Board members also posed questions at the Meeting.

Not having completed their deliberations, the Board reconvened on September 26, 2023, to complete the same. Following the completion of their deliberations, the Board returned to a public session and voted on the Motion. The Board voted 3-1 in favour of the Motion.

III. Alberta's Education Act

The Board's conduct is governed by the *Education Act* which grants the Board jurisdiction to review trustee-related complaints, consider Trustee conduct, and determine appropriate responses and remedies.

The preamble of the *Education Act* provides strong statements supporting the importance of inclusiveness and respect in the provision of education to Alberta students:

WHEREAS students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self;

WHEREAS the Government of Alberta recognizes the importance of an inclusive education system that provides each student with the relevant learning opportunities and supports necessary to achieve success;

These recitals are reflected in clauses 9 and 10 of Board Policy 1:

- 9. The schools will foster the mental and physical well-being of all students through:
 - 9.1 Selection of appropriate programs which emphasize physical, leisure activities; and
 - 9.2 A respect for the worth and dignity of the individual.
- 10. The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.

Section 2 of the *Education Act* states:

Limitations

2. The exercise of any right or the receipt of any benefit under this Act is subject to the limitations that are reasonable in the circumstances under which the right is being exercised or the benefit is being received.

Section 33 of the *Education Act* imposes statutory duties on the Board, some of which are:

- develop and implement a school trustee code of conduct: s. 33(1)(k);
- establish and maintain governance and organization structures that promote student well-being and success, and monitor and evaluate their effectiveness: s. 33(1)(h);
- ensure that each student enrolled in a school operated by the board and each staff member employed by the board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging: s. 33(1)(d);
- establish, implement and maintain a policy respecting the board's obligation under subsection (1)(d) to provide a welcoming, caring, respectful and safe learning environment that includes the establishment of a code of conduct for students that addresses bullying behaviour: section 33(2); and
- to provide a statement of purpose that provided a rationale for the student code of conduct, with a focus on welcoming, caring, respectful and safe learning environments: section 33(3)(d)(i).

School board trustees in Alberta must adhere to their Code of Conduct. This requirement is contained in Board Policy 1 and is a statutory requirement under the *Education Act* pursuant to s. 34(1)(c) which states:

34(1)(c) A trustee of a board, as a partner in education, has the responsibility to (...) comply with the board's code of conduct (...).

This requirement is also contained at clause 6.20 of Board Policy 3.

Finally, school boards have an obligation to enforce a minimum of standard of conduct expected of trustees. This principle is noted in the Ontario decision of *Del Grande v. Toronto Catholic District School Board*, 2023 ONSC 691 ("*Del Grande*") which is equally applicable here:

(...) the Board has a statutory obligation to promote student well-being and a positive and inclusive school climate. The Board also has an obligation to enforce a minimum standard of conduct expected of its Trustees. All Trustees have an obligation to comply with the *Code of Conduct* and to assist the Board in fulfilling its duties. Sanctioning the Applicant for making disrespectful comments was not contrary to the *Education Act*, but consistent with the *Act's* statutory objectives. (para. 81).

IV. Board Policy and Compliance with the Education Act

The Board's mission is as follows:

The Red Deer Catholic Separate School Division is committed to supporting inclusive communities that foster care and compassion of students, families and staff with a complete offering of learning opportunities delivered within the context of Catholic teachings and tradition, and within the means of the Division.
[Board Policy 1]

The purpose of the Mission statement is to govern the interactions within the School Division and among members of the School Division including Board members. Board Policy 1 sets forth beliefs that are meant to govern the interactions of the Division as stewards of Catholic Education, including Belief 10 which reads:

The schools will **foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students**, families and staff that is free

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from physical, emotional and social abuses and models our Catholic faith and values. **Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.** [Emphasis added.]

Administrative Procedure 103 - Welcoming, Safe and Caring, Inclusive and Respectful Learning Environments (“AP 103”) details how the Division Foundational Statements are to be carried out by School Division staff. Among other things, a “Christ-centered, welcoming, caring, respectful and safe learning environment **that respects diversity, equity and human rights and fosters a sense of inclusion and belonging**” is to be maintained. [Emphasis added.]

The Code of Conduct states that the Board “commits itself and its members to conduct that meets the highest ethical standards.” In doing so it is expected that all Board members treat others with mutual respect and affirm the worth of each person. The preamble to the Code of Conduct includes the following:

That trustees are the children’s advocates and their first and greatest concern is the **best interest of each and every one of these children without distinction as to who they are or what their background may be.** [Emphasis added.]

The Code of Conduct, which was carefully reviewed, considered and applied by the Board in this matter, is attached to these Reasons at Schedule “B”. The Board addresses the Trustee’s Code of Conduct violations further in these Reasons.

Consequences for the failure of an individual trustee to adhere to the Code of Conduct are specified in Appendix A to the Code of Conduct, which sets out a range of sanctions and remedial measures, which supplement the disqualification sanction at s. 87(1)(c) of the *Education Act*.

V. Position of the Complainant

The Complaint requested that a formal hearing be held with respect to the Meme Posting. It was argued that the Meme Posting and subsequent interviews with the media given by the Trustee were in direct violation of parts of the Code of Conduct, Board Policy and the *Education Act*. In particular, the Complainant submitted that the Trustee’s conduct undermined the Division’s legal obligations imposed by the *Education Act* and its commitment to inclusion. It was further submitted that this was in contravention of Roman Catholic teachings and was a direct attack on work done by Division teachers to support 2SLGBTQ+ initiatives.

VI. Position of the Respondent

The Respondent’s Views Expressed at the Meeting

At the Meeting the Trustee made the following statements as summarized by the Board:

- the Meme Post is not about the LGBTQ (“2SLGBTQ1A+”) community;
- the Meme Post is about indoctrination through the United Nations which directly correlates to World War II and Nazism; it is about the agenda of the United Nations and Planned Parenthood which is an attempt to sabotage our youths’ identities and destinies and hijacks the LGBTQ [*sic*] community’s original mandate;
- if history is not talked about or taught to our children, it will all be forgotten, and if we forget what happened in the past, it will most definitely repeat itself in some form or another. It is important to understand history and teach the lessons we have learned;
- the Trustee’s intent of the Meme Post is to show what road we are going down and that we must be vigilant as to what we are allowing in to influence our children;

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- the sexuality and beliefs of students is a topic that should be between God, parent and a child; sexual orientation decisions should not be made or influenced at school, especially Catholic Schools;
- that, through the Meme, the Trustee was talking about indoctrination and exposing children who were too young to understand this indoctrination;
- the Trustee posted the Meme to bring attention to what her legal counsel characterized as “objectionable ideology”;
- the Respondent’s position is that the juxtaposition of the two pictures in the Meme relates to the concept of indoctrination and does not make any particular comparisons to the Nazi regime; and
- that the Pride flag is used to silence people; children are being kicked out of school and people are being fired which is antithetical to the Trustee’s religious beliefs; and that “cancel culture” is not what is good, lawful, appropriate or democratic.

The Trustee was clear that her beliefs informed her views: she stated the Holy Spirit had told her to post the Meme and that this was something she should do. The Trustee submitted that Catholic school trustees rely on their beliefs to do their work and should be able to express their religious beliefs as school board trustees.

The Trustee’s Rationale for Having Posted the Meme

The Trustee informed the Board that her religious beliefs informed her views. When asked to explain her discernment process around the Meme Post, the Trustee:

- thought that the Meme Post reflected the truth about today;
- was thinking more about the political part of it than anything; asked is this something that would be understood;
- informed the Board that the Holy Spirit said to the Trustee, Go for it;
- trusts the Holy Spirit and decided to share the Meme Post;
- thought it was such a good outline as to what was going on in the world.

In addition, the Trustee and her legal counsel advanced various arguments which were set forth in the Trustee’s written submissions filed with the Board. Those written submissions are outlined in the following section.

The Respondent’s Written Submissions

The written submissions of Counsel for the Trustee can be broken down into the following main points:

- a) The Meme did not contravene Roman Catholic values in any way, because it was targeted at what the Trustee views to be an objectionable ideology;
- b) The Meme did not contravene the *Education Act* or any Board policy, including the Code of Conduct;
- c) The Meme is protected by the Canadian *Charter of Rights and Freedoms* (“*Charter*”), in particular, the right to freedom of expression and the right to freedom of religion; and
- d) The Board’s conduct demonstrates a reasonable apprehension of bias and lack of procedural fairness.

VII. Issues

These Reasons address the following issues:

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1. Did the Meme contravene Roman Catholic values?
2. Did the Meme contravene the Code of Conduct?
3. Is the Meme protected by the Trustee's *Charter* rights?
4. Is the Decision reasonable?
5. Was the Decision procedurally unfair?

VIII. Did the Meme Contravene Roman Catholic Values?

Both the Complainant and the Respondent made submissions with respect to whether the Meme and its content were contrary to Roman Catholic values. No expert evidence was adduced at the Meeting with respect to Roman Catholic values in this context. The Complainant's submissions did include the CCSSA's LIFE Framework and a section from The Catechism of the Catholic Church, 1994.

In any event, the Board focused on the *Education Act* and the Code of Conduct in reviewing the Complaint and, therefore, did not find it necessary to determine whether the Meme was in contravention of Roman Catholic values.

To be clear, the Board's decision does not turn on whether the Meme contravened Roman Catholic values and the Board does not make a finding in this respect.

IX. Did the Meme Contravene the Code of Conduct?

The Board does not dispute that the Trustee has sincerely held religious beliefs. However, the primary concern before the Board was whether the Trustee, through her Meme Post, breached the Code of Conduct.

These Reasons are limited to the matter before the Board at the Meeting.

Introduction

The Board recognizes that elected school board trustees may hold and express their views. As noted in *Calgary Roman Catholic Separate School District No. 1 v. O'Malley* 2006 ABQB 364:

The trustees collectively and individually owe a public duty to carry out their responsibilities and the work for the Board in good faith and with reasonable diligence. They are elected for that purpose. They need not be of like mind. They may hold strong and conflicting views. They may debate with vigour, and occasionally with rancour. There is no rule requiring trustees to like each other. But they do have one overarching responsibility – a shared public duty to advance the work of the Board to which they had the privilege of being elected. (...) [para. 41]

The Trustee's argument focused, to a large extent, on her freedom to hold her beliefs and her ability to act on the same in her private life (i.e., to post the Meme).

However, freedom of expression generally, including that of a school board trustee is not absolute. These Reasons will address this concept further below.

The principle that rights are not absolute is recognized at section 2 of the *Education Act*, which reads, "the exercise of any right or the receipt of any benefit under this Act is subject to the limitations that are

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reasonable in the circumstances under which the right is being exercised or the benefit is being received.” This is further addressed in Board Policy 3 and, in particular, clause 6.4 which directly addresses social media use:

Trustees will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division.

The Trustee’s freedom to express her views (via the Meme Post) must be balanced against the Board’s duty and right to operate in the context of, and in a manner consistent with, the preservation and enhancement of the Board’s mandate. This includes the Board’s duty to comply with the *Education Act* and to maintain a positive school environment.

While the Trustee may hold religious beliefs, in her role as a school Board trustee, the Trustee’s actions may not unreasonably impinge upon the Board’s statutory mandate to ensure that each student enrolled in its schools and each staff member employed by the Board is provided with a welcoming, caring, respectful and safe learning environment that *respects diversity and fosters a sense of belonging*.

Students have the right to a school system free from bias, prejudice and intolerance, and as a role model and representative of the corporate Board, the Trustee occupies an important role within the education system that extends beyond the classroom. The Division’s principles of respecting the needs of our diverse students are legitimately reflected, for example, in Belief 10 of Board Policy 1, Board Policy 4, and AP 103.

Within the context of the *Constitution Act*, the *Education Act*, the Code of Conduct and corresponding Board Policy, Catholic school board trustees, as role models within the school board and as corporate leaders at the top of the Division hierarchy must be, and be seen to be, tolerant of the pluralistic and diverse nature of society.

Alleged Code of Conduct Breaches

i. Clause 1 of the Code of Conduct and Clause 6.2 of Board Policy 3

Clause 1 of Board Policy 4 requires Board trustees to carry out their responsibilities, as detailed in Board Policy 3, with reasonable diligence.

Under clause 6.2 of Board Policy 3, the Trustee “will refer queries, or issues and problems, not covered by Board policy, to the Board for corporate discussion and decision.”

Analysis

The Trustee’s position is that she did not violate Board policy because she did not make a comparison; rather, the Meme Post was about layers of ideology and about children not understanding those layers. According to the Trustee, the Meme Post was not about people or individuals, rather, it was about ideas which must always be open to criticism and must be tested and challenged.

If the Trustee were of the view there were ideas that had to be tested or challenged, clause 6.2 of Board Policy 3 required the Trustee to refer the same to the Board for corporate discussion. This was not done. Rather, the Trustee took it upon herself to post the Meme.

Finding

In having posted the Meme, the Trustee breached clause 6.2 of Board Policy 3 and thus is in breach of clause 1 of the Code of Conduct. Pursuant to clause 1 of the Code of Conduct, Board trustees shall carry out their responsibilities in accordance with Board Policy 3 with reasonable diligence. A breach of Board Policy 3, is therefore also a breach of Board Policy 4.

ii. Clauses 6 and 22 of the Code of Conduct

The Code of Conduct provides that the Board must commit itself and its members to conduct that “meets the highest ethical standards.” Clause 6 requires the Board trustees to “commit themselves to dignified, ethical, professional and lawful conduct.” Clause 22 requires the Board trustees to represent the “Board responsibly in all Board-related matters with proper decorum and respect for others.”

Analysis

The Trustee made the following arguments:

- a Trustee cannot be responsible for all reactions to social media posts, in particular when such reactions unreasonably take offence based on unreasonable interpretations;
- respect and decorum go both ways; there will be a negative response to something objectively inappropriate, but offence taken to a reasonable position is simply the reality of free speech and the exchange of ideas in the marketplace;
- that someone might be offended by the Meme is not a basis to institute discipline against the Trustee; and
- while the Complainant had a particular reaction to the Meme, that does not mean that someone’s personal subjective definition as to decorum can be imposed on the Trustee. That is the essence of “cancel culture.”

The Trustee’s position is further that there is nothing unprofessional or undignified about the Meme Post:

- there is nothing unprofessional about sharing a dissident minority opinion which did not give rise to a general level of unacceptability;
- the Meme Post reflects a minority opinion that many people do not like and are offended by, but that is a matter for public comment and disagreement. It is an attempt at censorship to claim something is unethical (instead of saying one does not agree); and
- no reasonable person would conclude from the Meme, that what the Nazis did was acceptable or that had anything to do with the LGBTQ (*sic*) community, and that rather, the Meme is about ideas which must always be open to criticism, tested and challenged.

The Trustee’s legal counsel submitted that the first loyalty of a trustee is to the school board, however it was also submitted that the Trustee is espousing a minority view (through the Meme Post) which has struggled to get exposure, and that what the Trustee is saying is that children should not be indoctrinated and that she has a duty to bring up difficult conversations, that she does not lose her rights as a private citizen, and that the Board wants to “shut her up.”

The Board is mindful of the September 6, 2023, letter it received from the Friends of Simon Wiesenthal Center noting that the Meme Post is “a form of Holocaust distortion and minimization and feeds into rhetoric promoting anti-LGBTQ+ hate and discrimination. What makes this post even more abhorrent is the fact that tens of thousands of victims of the Nazis were people who identified as part of the LGBTQ+ community.”

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When asked about this letter, the Trustee indicated that the author may not understand the Meme Post as it did not compare two groups but rather, it is about layers of ideology, and about protecting kids. The Trustee stated that the author of the letter did not understand the meaning of the Meme.

The material from the Complainant contained reactions against and in favour of the Meme. Below are two examples from School Division student alumni:

... Hearing that Monique Lagrange has compared my love to Nazism is downright unacceptable after all the love, hope and student connection I have spurred within the past three years at one of the schools under RDCRS. I am not a Nazi. I am not a threat. I am a man trying to love and treat others with the upmost respect just as God has told me to, regardless of their identity. (... I feel as if I am rightfully upset at the comparison. Proud gay transgender man.)

And,

... As both a Christian and a queer alumni, it hurts me that an individual meant to be promoting the deep rooted Christian value to love others, as well as someone with a large amount of responsibility and influence in the Red Deer Catholic School System is spreading hateful messages publicly. I do not believe that the best interest of all students, regardless of identity, will be coming first with Monique LaGrange present as a Trustee. I ask that Monique LaGrange issue a formal apology for this action, as it is damaging to the queer community present in the RDCRS division. (...) I have met with (...) to discuss how we can work to make our schools a better place for all students, including the 2SLGBTQ1A+ students who may be part of the community. I know that the Red Deer Catholic School Division does care about its students of all identities, and I hope that an informed, thoughtful decision is made in regard to this situation. (...)

A medical professional communicated with the Board as follows:

I (...) am shocked and dismayed that Red Deer Catholic Trustee Monique LaGrange would post on social media a picture of children waving a Nazi flag above a picture of children waving pride flags with the caption, "Brainwashing is brainwashing." The fact that this trustee likens the pride movement to Nazism is absolutely abhorrent particularly as the Nazis sent thousands upon thousands of homosexuals to their death in concentration camps. Instead of promoting and teaching tolerance and diversity to school children, she is advocating a viewpoint that supports creating an environment that promotes bullying, prejudice and discrimination.

It is a well known fact that the LGBTQ2S+ youth are more than four times as likely to attempt suicide than their peers and that a recent survey in North America found that 45% of those youth seriously considered attempting suicide in the past year. This woman's actions suggest very poor judgment and put our youth at serious risk.

Three School Division employees communicated in writing to the Board their personal offence to the Meme Post. One employee, who is also a parent within the School Division, sent this:

(...)

As both an employee for Red Deer Catholic Regional Schools and as a parent .. in the division, I am profoundly concerned about the message conveyed by

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Trustee LaGrange and its inevitable, albeit wrongful comparison to the fundamental values of the school division and its members. The ignorance with which she compares the 2SLGBTQ1A+ community and the Nazis is not only hurtful to the members of both communities and their loved ones, but extremely offensive.

Trustee LaGrange's claim that the aforementioned posts were about "protecting our children and keeping parents as the primary educators" unfortunately fails to address the fact that the views she expressed by making that post directly contradict the fundamental values of both Red Deer Catholic Regional Schools and Catholic education as a whole. These are the values and principles that she has sworn to uphold as an elected official in our community.

Another School Division employee submitted the following:

(...)

Previously you had used the Nazi regime in comparison to Covid protocols. Now, you are using the promotion of the Pride flag in comparison to Nazi brainwashing.
(...)

(...)

I teach and have taught many members of the 2LGBTQ1A+ community that are very open. They have been very open because we have provided a safe space for these students to be themselves (...)

Perhaps you can explain to me what my response should be to students on Tuesday morning when I am asked why a member of our school board is posting homophobic social media posts? Is that inclusion? Is that welcoming?

This is not simply a social media slip. This is indicative of your personal beliefs, beliefs that go against the very foundation of "all are welcome, all belong." (...)

Another:

(...)

(..) I was deeply saddened and angry that this hateful message would be shared by one of our trustees. (...)

(...) How can we profess that we are working towards creating safe and caring schools when one of our trustees publicly shared hate speech against some of our most marginalized students (...)

The Board also received four emails from parents who supported the Meme Post. These were included in the materials before the Board and were accordingly reviewed and considered during the Board deliberations.

The Board's summary above is not intended to illustrate that greater weight was given to favourable versus unfavourable comments. The conclusion the Board draws, in part, from the public comments is that, contrary to the Trustee's submissions, it is possible and indeed likely for the Meme to be understood in a negative and hurtful way towards the 2SLGBTQ1A+ community, and School Division students from that community in particular.

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The Board accepts the Trustee's view that she is entitled to her personal religious beliefs, and that she is entitled to express them. However, the Trustee has statutory and ethical obligations towards the School Division students as well. In her Trustee role, the Respondent has an obligation to communicate respectfully and inclusively (pursuant to the *Education Act*, Code of Conduct and other Board Policies already addressed above). The Board does not accept the Trustee's submission that the Meme was clearly unrelated to Nazism. Regardless of the Trustee's intent, in the Board's view, a reasonable person viewing two photographs (one over the other) could reasonably conclude that a negative comparison was being made.

Further, the complex and nuanced position which the Trustee is attempting to advance is simply not made clear in a Meme which is limited to two photographs and three words. Had the Trustee wished to communicate this concept, communication methods set out in Board Policies 3 and 4 should have been used. The Trustee had an obligation to ensure her communication was in accordance with Board policy.

Finding

By posting the Meme the Trustee violated clauses 6 and 22 of the Code of Conduct.

Providing, through the Meme Post, a display of students waving Pride flags and a display of children of Nazi Germany waving flags and thereby inferring that children waving Pride flags have been brainwashed in a manner akin to children in Germany at or before WWII, conveys a negative implication. The Meme Post is not, on a reasonably objective standard, dignified nor professional, and based on the above reactions to the Meme Post, was not viewed as inclusive or reflective of supportive school environments that welcome students of all orientations.

The Board disagrees with the Trustee's submission that there is no lack of decorum in the Meme Post or that the same does not show disrespect for others, and that the Meme Post was more about raising the conversation about really difficult controversial issues that are important to parents and students.

School board trustees are open to public inspection - employees, students and their parents and other school stakeholders scrutinize trustee conduct. A trustee's personal online conduct can attract as much attention as in-school or at-Board-meeting conduct. Though posted on a personal Facebook page, the Meme Post, in fact, did attract media attention: the September 7, 2023, media article from the Western Standard entitled, "EXCLUSIVE: Trustee says her post was about protecting children, involving parents"; and, the September 13, 2023, media article from the True North entitled, "Alberta trustee reprimanded for Instagram post critical of gender "indoctrination".

The Trustee holds a position of trust and influence within the education system. As a role model within the school system, the Trustee is required to represent the Board in all Board-related matters with proper decorum and respect for others. In having posted the Meme, the Trustee did not display proper decorum and respect for others. The principles noted in *Del Grande* are equally applicable here (at para. 55):

The focus of the *Education Act* is thus the public education system and **the well-being and achievement of the students who participate in it**, with the goal of ensuring they develop into caring, contributing citizens. **It is the Board**, and **therefore its Trustees**, who are **in service to these objectives** and not the public education system that serves a trustee's objectives. [Emphasis added.]

The Board acknowledges that the Trustee sought to distinguish the *Del Grande* decision and argued that the Saskatchewan decision in *Strom* is more applicable. While noting that the law in Ontario is not identical to that in Alberta, the Board finds that the principles outlined in *Del Grande* as noted in these Reasons are applicable to the issues before the Board.

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The Board Motion is intended to allow the Trustee to continue to bring forward issues before the Board. Elected school trustees may form views and opinions and declare themselves on issues. However, the place for the Trustee to express her views was at the Board table where a fulsome debate may occur. In this instance, the Meme Post did not reflect reasonable decorum. In the Board's view, a reasonably well-informed person would conclude that the Trustee's conduct in having posted the Meme reflected behaviour that did not treat individuals respectfully, equitably and with courtesy.

The Trustee's legal counsel noted that the Trustee espouses a minority view (through the Meme Post) which has struggled to get exposure. However, the Board has established a strong policy framework that demonstrates its unequivocal position that Red Deer Catholic Regional Schools require schools to foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values.

In this case, the Trustee placed her personal interests ahead of her public duty to carry out her duties in a dignified, ethical and professional manner, and to represent the Board with proper decorum, which means that the Trustee must conduct herself in her communications in a respectful and professional manner. Posting a highly controversial Meme which does not elaborate or explain the Trustee's rationale and requires schoolchildren and their parents to draw significant inferences if they are to understand the Meme as the Trustee claims to have intended, does not reflect this standard.

Additional Comment

While this section deals with clauses 6 and 22 of the Code of Conduct, the Board is also of the view, for the reasons noted above, that by the Meme Post the Trustee did not "contribute to a positive and respectful learning and working culture both within the Board and the Division" and thus breached clause 6.18 of Board Policy #3 and thus was an additional violation of the Code of Conduct.

iii. Clause 6.4 of Board Policy 3

Clause 6.4 of Board Policy 3 states that trustees "will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division."

Analysis

When asked at the Meeting how the Trustee squares her duty under Board Policy 4 to act for all voters with the posting of the Meme, the Trustee indicated that just because one person does not like it does not mean that everyone else should not like it.

When asked what the Trustee was thinking when she posted the Meme, she stated that she thought the Meme Post was the truth about today. She had asked The Holy Spirit about it. She stated that she was more thinking about the political part of the Meme Post than anything; that it was something that would be understood; the Holy Spirit said, "Do it, go for it." So, the Trustee "shared it and that was it." The Trustee thought it was such a good outline as to what was going on in the world. The Trustee also indicated that you read books and this is happening and it is right there in your face. "I did not think "education when I looked at this." That was my thought process walking through that."

At the time the Trustee posted the Meme Post, she did not consider the interests of the Board nor did she give consideration to the potential public perception of the same. Again, therefore, the Trustee placed her personal interests ahead of her public duty to carry out and advance Board work.

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The Board is also mindful of clause 10 of Board Policy #4 states that “while elected from specific wards, trustees shall represent the best interest of the entire Division.” This did not occur here.

Finding

In having posted the Meme, the Trustee breached clause 6.4 of Board Policy 3 and thus is in breach of clause 1 of the Code of Conduct.

X. Is the Meme Protected by the Trustee’s Charter Rights?

The Education Act

The Board is aware of the Trustee’s submission that s. 87(1)(c) of the *Education Act* infringes section 3 of the *Charter*. Pursuant to section 11 of the *Administrative Procedures and Jurisdiction Act, RSA 2000 c A-3* (“*Administrative Act*”) this Board does not have the jurisdiction to consider a question of constitutional law with respect to the *Education Act*. Further, and in any event, the Trustee did not provide notice of the intention to raise a question of constitutional law as required by section 12 of the *Administrative Act*. The Board is also mindful of the *Designation of Constitutional Decision Makers Regulation* (Alta Reg. 69/2006).

Further, and in the alternative, the Board has not exercised its jurisdiction to disqualify the Trustee and therefore, s.87(1)(c) of the *Education Act* has not been engaged.

Finally, the Board notes the submission of counsel for the Trustee that section 87(1) violates the section 3 *Charter* rights of Trustee LaGrange’s constituents. This Board lacks jurisdiction to consider the rights of constituents and, in any event, this is not the issue before the Board.

Accordingly, the Board declines to consider the constitutionality of s.87(1)(c) of the *Education Act*.

Charter Rights

As per *Calgary Roman Catholic Separate School District No. 1 v. O’Malley*, 2007 ABQB 574 (paras. 127 to 132) and *Hamilton v. Rocky View School Division No. 41*, 2009 ABQB 225 (paras. 13 to 17), the *Charter* does not have a bearing on the assessment of whether the Trustee violated the Board’s internal Code of Conduct. This matter relates to an internal self-regulatory process governed by Board Policy. Furthermore, the Trustee is not challenging the constitutionality of Board Policy; she made it clear at the Meeting that the Meme Post was not directed toward Red Deer Catholic Regional Schools nor was it a challenge to School Division practices. Accordingly, the *Charter* does not apply here.

In the alternative, if the Board is wrong and the *Charter* does apply in this instance, the Board’s objectives of regulating the Board and school board trustee communications - as per Board Policy, including in relation to messages of inclusivity within the School Division that foster care and compassion of students and families, and address student issues such as safety, bullying, justice and respectful relationships - outweigh any potential negative effects of the Trustee restrictions set out in the Motion. The Trustee has ethical and fiduciary responsibilities which carry with it a corresponding obligation to communicate appropriately. The Meme does not meet this threshold and in the circumstances, any expressive rights held by the Trustee must properly be subordinate to the obligation to create an inclusive environment for students.

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Further, in the Board's view the limitations on the Trustee's conduct are limited, moderate and reasonable. Under the Motion, the Trustee may attend regular Board meetings to bring forward educational-related issues for discussion and debate to the Board through the Board's standard procedures and practices (para. 3 of the Motion).

The Motion strikes a balance between the Board's educational mandate and the Trustee's freedom of expression; the Motion does not interfere with the Trustee's ability, as an elected school board trustee, to act in accordance with her religious beliefs in a manner that is more than trivial or insubstantial. Furthermore, there is evidence noted above before the Board as to the impact of the Meme Post on others (in the context of competing rights and societal concerns).

Charter Values

To the extent an analysis is required as per *Doré v. Barreau du Québec*, 2012 SCC 12 in this matter, the Board is required to balance the severity of the Charter interference with the statutory objectives set out in the *Education Act* and Board Policy, and then ascertain how the Charter values at stake will best be protected in view of these objectives. As described in the prior section, in the Board's view an appropriate balance has been struck.

The Motion is consistent with the statutory objectives set out in the *Education Act* and in Board Policy.

The Board has a statutory duty under s. 33(1)(d) of the *Education Act* to ensure that each student enrolled in a school operated by the board and each staff member employed by the Board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging. (As earlier noted, the preamble in the *Education Act* states that "students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self.") The Board is also required to implement and maintain a policy to provide a welcoming, caring, respectful and safe learning environment; school principals must provide a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.

All Board members, including the Trustee, have a duty to comply with the Code of Conduct, and to assist the Board in fulfilling the above-referenced duties.

The Trustee, as per the Motion, was not sanctioned for holding certain religious beliefs. Rather, the Trustee was sanctioned for having posted the Meme in violation of the Board's Code of Conduct: 6.2, 6.4 and 6.18 of Board Policy 3 and clauses 1, 6, 10 and 22 of Board Policy 4.

The Motion reflects an appropriate balance between the statutory objectives of the *Education Act* and Board Policy and, the Charter values at stake should they be applicable in the unique facts of this case. When a Board member wishes to advance education-related issues, they must do so in accordance with the Code of Conduct. This did not occur in this instance.

XI. Is the Decision Reasonable?

The Trustee's written submissions at paragraphs 54 to 62 advance the argument that the outcome of the Decision must be reasonable. The Board agrees. In the Board's view, the Decision was made carefully and with full consideration of the evidence and argument presented to it and reflects an appropriate balancing of the Trustee's ability to hold and express beliefs with the Board's statutory mandate to provide

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a safe and inclusive environment for its students. The Decision was accordingly reasonable as measured by the principles brought forward by the Trustee.

XII. Was The Decision Procedurally Unfair?

The Trustee argued that these proceedings are tainted by procedural unfairness and bias, and as such, should be stayed. The Board has carefully considered this argument and dismissed the stay of proceedings request.

The foundation of this argument is that, prior to the commencement of the Code of Conduct complaint process, the Board initially passed a motion asking the Minister of Education to dismiss the Trustee. This process was undertaken based on the Board's initial misunderstanding that the Minister was responsible for the review and assessment of the Trustee's conduct. However, the Minister's response informed the Board that this process was in fact the Board's responsibility.

Subsequently, a letter of complaint was filed which triggered the Code of Conduct hearing under Appendix "A" of the Code of Conduct. Prior to the Meeting, each Board member hearing this matter conducted a serious and self-reflective assessment of its ability to hear the matter impartially and without bias. Each Board member determined that they held an open mind and were able to fairly and impartially hear the Trustee's arguments, consider them without pre-determination, and render a fair decision.

The proof of this ability is the outcome of the hearing. Although the Trustee's argument (reflected in her written submissions at paragraphs 96 to 99) focused on the Trustee's objection to the possibility of her disqualification or Trustee removal - including arguments as to the unconstitutionality of the relevant section of the *Education Act* – ultimately the Board did not decide that disqualification or removal was the appropriate sanction. Instead, the above-described Motion was passed.

The Board finds that:

1. the careful and considered self-assessment by each Board member who heard this matter, concluding each maintained an open mind and was able to be impartial; and
2. the fact that the Board's ultimate decision was not, in fact, the same sanction as initially referenced in the request to the Minister of Education,

shows that the Board's decision in this case is not tainted by procedural unfairness or bias. Accordingly, the Board declines to stay these proceedings or the Decision.

XIII. Conclusion

The Board finds that the Trustee breached clauses 1, 6.2, 6.4 and 6.18 of Board Policy 3 and clauses 1, 6, 10 and 22 of Board Policy 4.

The Board finds that the appropriate sanctions are those set out in the Motion.

Finally, the Board wishes to comment on paragraph 1(e) of the Motion.

The Board has required the Trustee to issue a sincere public letter of apology to School Division students, staff and the Board in relation to the Meme Post.

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The Trustee is being asked to recognize that her communication in relation to the Meme Post was not in accordance with Board Policy and to recognize that members of the School Division found it offensive and experienced hurt feelings. This, in the Board's view, does not offend the Trustee's sincerely held beliefs.

Dated this 13th day of October 2023.

From: Murray Hollman [REDACTED]
Date: Fri, Sep 29, 2023 at 1:12 PM
Subject: Code of Conduct Motion Follow-Up
To: Monique LaGrange [REDACTED]

Good afternoon, Trustee LaGrange,

I am emailing you further to:

a) yesterday’s [online posted comments](#) (Online Comments) indicating that you “have nothing to apologize for”, that your legal counsel confirmed you do “not plan on issuing an apology,” and that your legal counsel is not able to state whether you will attend the sensitivity training as required by the September 26, 2023, Board motion further to the *in-camera* Code of Conduct hearing (Code of Conduct Motion); and

b) your Facebook from yesterday (September 28 Posting) on your Facebook page, which I understand has now been removed.





As stated in the Code of Conduct Motion, the sensitivity training covering professional school trustee boundaries and appropriate use of social media, cultural sensitivity and human rights is intended to remind you of your role and responsibilities as a school board trustee and to support you to make better decisions in any further communications, including on social media – in your school trustee role.

Given the Online Comments and the September 28 Posting, there is a live issue as to whether you intend to comply with the Code of Conduct Motion.

While I am not making any substantive determination as a fellow school trustee, in my capacity as Board Chair, I did wish to remind you that the issues relating to your conduct in your role as a school board trustee and your corresponding trustee responsibilities are serious; if a further Code of Conduct complaint were to be submitted, any perceived Code of Conduct breaches or Code of Conduct breaches by you in your school trustee role will be carefully examined and adjudicated by the Board. A breach of the Code of Conduct Motion or any further Code of

Conduct breaches could lead to your disqualification as a school trustee on the Board.

Given the Online Comments, may I ask you to confirm whether you will comply with the Code of Conduct Motion?

Trustee LaGrange, I look forward to hearing from you.

Regards,

Murray Hollman

APPENDIX "D"

<https://rumble.com/v3mhi2z-school-board-trustee-pushes-back-on-indoctrination.html>

On Fri, Oct 20, 2023 at 2:49 PM Murray Hollman [REDACTED] wrote:

Hello Trustees,

Please see the below link for your information:

<https://rumble.com/v3q7lxq-talk-truth-10.19.23-monique-lagrange-full-show.html>

Thank you,

Murray Hollman

--

You received this message because you are subscribed to the Google Groups "Trustees Only" group.

To unsubscribe from this group and stop receiving emails from it, send an email to trustees-only+unsubscribe@rdcrs.ca.

To view this discussion on the web visit <https://groups.google.com/a/rdcrs.ca/d/msgid/trustees-only/CAL6%3D27-8jOxKKLLjDXz4F2o%2Bi4tqv%2BzCN6j38%2B-jYtPyGHn8A%40mail.gmail.com>.



October 16, 2023

Board Chair, Murray Hollman
 Montfort Centre
 5210 - 61 Street
 Red Deer, AB T4N 6N8

Dear Chair Hollman:

RE: Trustee LaGrange Violation of Trustee Code of Conduct and September 26, 2023 Motion

Due to the recent conduct of Trustee Monique LaGrange, I am compelled to issue this written letter of complaint in accordance with my duty as a Trustee of the Red Deer Regional Catholic School Division to report violations of the Trustee Code of Conduct, as outlined in Section 6.21 of Policy 3: Trustee Role Description (“Policy 3”). I am requesting that a formal hearing be held to permit review and consideration of the potential violation of Policy 3 and Policy 4: Trustee Code of Conduct (“Policy 4”) in respect of a recent interview given by Trustee LaGrange. I understand that in order for this complaint to have merit to be considered and reviewed by the Board, at least one other Trustee must write to the Board Chair, within three (3) days of the notice in writing of this complaint being forwarded to all trustees, a letter indicating support for having the complaint heard at a Code of Conduct Hearing.

In particular, I submit that Trustee LaGrange’s participation in and statements made during the October 2, 2023 interview with Laura-Lynn Tyler Thompson (the “Interview”), is in breach of Policy 3 and Policy 4. During the Interview, Trustee LaGrange identified herself as a Trustee of Red Deer Regional Catholic School Division and professed her need to speak out against alleged sexual orientation and gender identity “indoctrination” in the school system. Specifically, the sections of Policy 4 that I believe Trustee LaGrange has violated include sections 1 (and by extension, Policy 3), 5, 6, 7, 11 and 22:

Policy 4: Trustee Code of Conduct

1. Trustees shall carry out their responsibilities as detailed in Policy 3 – Role of the Trustee with reasonable diligence. (*Policy 3 – Items 6.3, 6.7, 6.18, and 6.20*)

6.3 The trustee can engage with the public through a variety of communication methods, understanding that all communications and interactions must reflect the principles of the Code of Conduct.



6.7 The trustee will support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

6.18 The trustee will contribute to a positive and respectful learning and working culture both within the Board and the Division.

6.20 The trustee will adhere to the Trustee Code of Conduct.

5. Trustees shall endeavor to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.

6. Trustees shall commit themselves to dignified, ethical, professional and lawful conduct.

7. Trustees shall reflect the Board's policies and resolutions when communicating with the public.

11. Trustees shall honor their fiduciary responsibility to the Board and be loyal to the interests of the Division as a whole in the contract of Catholic Education. This loyalty supersedes loyalty to:

- 11.1** Any advocacy or special interest groups; and
- 11.2** The personal interest of any trustee.

22. Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.

Additionally, as the Board will recall, on September 26, 2023, a motion was passed in respect of Trustee LaGrange's past conduct (the "Motion") which also contained directions for Trustee LaGrange's future public commentary. The sections of the Motion that I believe Trustee LaGrange has violated by virtue of her participation in and commentary during the Interview are Motion items 1(b) and 1(c), which are as follows:

As of September 26, 2023, until the Trustee's Term of Office, the Trustee:

b. shall not represent the Board / School Division in any official capacity, including Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and speaking with news/media outlets;

c. shall cease making any public statements in areas touching upon or relating to,

- i.** the 2SLGBTQ+ community; and



ii. the Holocaust,

including presenting at meetings and conferences on these topics or related areas and speaking with various news outlets.

Further, the breach of the terms of the Motion itself constitute a violation of Policy 4.

It is a foundational principle for Red Deer Regional Catholic School Division that all members of the school community foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. The Division must be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality. Trustee LaGrange's conduct is not aligned with the Division's foundational principles, the Code of Conduct, or the directions contained in the Motion. Any breach of the Trustee Code of Conduct should not be taken lightly and requires a review.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads 'Sharla Heistad'.

Sharla Heistad
Trustee



October 16, 2023

Board Chair, Murray Hollman
Montfort Centre
5210 - 61 Street
Red Deer, AB T4N 6N8

Dear Chair Hollman:

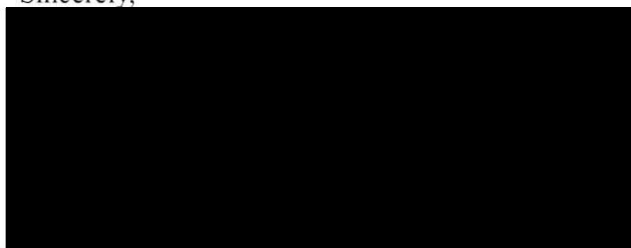
RE: Trustee Monique LaGrange Violation of Policy 4 and September 26, 2023 Motion

I am writing this letter in support of Trustee Sharla Heistad's letter of complaint dated October 16, 2023, in compliance with Policy 4 - Trustee Code of Conduct, Appendix A, No. 5.

I wholeheartedly endorse and support that the complaint outlined in Trustee Heistad's letter be heard at a Code of Conduct hearing.

Thank you for your thoughtful consideration and God Bless.

Sincerely,





POLICY 1: DIVISION FOUNDATIONAL STATEMENTS

Mission

The Red Deer Catholic Separate School Division is committed to supporting inclusive communities that foster care and compassion of students, families and staff with a complete offering of learning opportunities delivered within the context of Catholic teachings and tradition, and within the means of the Division.

Our schools are gospel-centred communities of hope, fostering a Catholic Christian value system within a pluralistic society.

CONTINUING THE MISSION OF JESUS, PROPHET, PRIEST AND SERVANT KING

We make His life, mission and teaching our focal points of belief and conduct within our Catholic schools. Therefore, the education of the whole child -- intellectual, aesthetic, emotional, social, physical, and spiritual -- is our service commitment.

As stewards of Catholic Education nothing in this policy, or any other policy or administrative procedure, is to be interpreted so as to limit or be a waiver of the Red Deer Catholic Regional School Board's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic Schools.

If any of the provisions in this policy conflict with the Red Deer Catholic Separate School Division's rights and powers pursuant to the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools, the Red Deer Catholic Separate School Division's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools will govern.

Abbreviated Mission Statement

Making Christ known to children.

Beliefs

1. Catholic schools, as stewards of Catholic education, have the responsibility to help all children to develop their unique, individual capabilities to learn and to live, and thereby to experience humanity and the world as created by God and redeemed by Jesus Christ.

2. Catholic schools and Catholic parishes are complementary to the family, which is the primary steward for the child's formation.
3. Education must be based on the Christian concept that each person is a unique and special child of God. The objectives and purpose of education as stated by Alberta Education must be set in this total Christian concept.
4. Students must participate in all Catholic education activities including Religious Studies classes, liturgies, celebrations, and sacramental preparations, at all grade levels.
5. The schools will strive for excellence in education for all students to develop their academic and interpersonal skills. In this way, students will be prepared to use their God-given talents to live and work effectively in society.
6. The schools will assist all students to choose and develop a hierarchy of values consistent with the teachings of the Catholic faith.
7. The schools, in cooperation with parents and parishes, will strive to develop the gift of Catholic faith by assisting all students to:
 - 7.1 Perceive faith as a personal, free and joyful response to the gift of God himself;
 - 7.2 Experience the person of Christ in their own lives through relationships with others and with the community of believers;
 - 7.3 Pray and celebrate their faith as a source of strength in daily life; and
 - 7.4 Become aware of their religious heritage and acquire a better understanding of the various rites of the Catholic Church.
8. The schools will help all students, families and staff to realize their responsibility to transform the world by practicing the Catholic faith and values in a pluralistic society.
9. The schools will foster the mental and physical well-being of all students through:
 - 9.1 Selection of appropriate programs which emphasize physical, leisure activities; and
 - 9.2 A respect for the worth and dignity of the individual.
10. The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.

11. Staff of The Red Deer Catholic Separate School Division will support families in the faith development of students by serving as witnesses to their Catholic beliefs. Catholic social teachings will provide a foundation for the future contributions of our students to society and this connection will be formed by authentic Catholic schools shaped by those employed in the Division. Staff also share in the responsibility of helping students see the relevance of our faith in today's world and solving current problems within a Catholic world-view.

Principles of Practice

- We honour our children.
- We provide a safe and secure environment.
- We live and proudly proclaim our Catholic Christian faith.
- We provide quality education in a Catholic environment.
- We pray as an educational community.
- We practice servant-leadership.
- We focus on our mission through clarity of purpose.
- We value our staff.

Motto

Inspired by Christ. Aspiring to Excellence.

Logo



Logo Description

- The central feature is a cross which depicts Christ-centered education.
- The four stylized books represent the Gospels, which define our faith and provide the foundation elements for ongoing personal development.
- The circle represents the head of a child, whose arms are open, embracing Christ and knowledge. In full stride, the child exudes youth and potential.
- Green and blue represent creation and beauty, which are eternal gifts from God.

Reviewed: February 2008

Revised: September 2016, April 2018

ADMINISTRATIVE PROCEDURE NO. 103

WELCOMING, SAFE AND CARING, INCLUSIVE AND RESPECTFUL LEARNING ENVIRONMENTS

Nothing in this administrative procedure is to be interpreted so as to limit or be a waiver of the Red Deer Catholic Regional Division rights and powers pursuant the *Constitution Act, 1867* and the *Canadian Charter of Rights and Freedoms* to maintain the denominational character of Catholic schools.

If any of the provisions in this administrative procedure conflict with the Red Deer Catholic Regional Division rights and powers pursuant to the *Constitution Act, 1867*, and the *Canadian Charter of Rights and Freedoms* to maintain the denominational character of Catholic schools, the Red Deer Catholic Regional Division rights and powers pursuant to the *Constitution Act, 1867* and the *Canadian Charter of Rights and Freedoms* to maintain the denominational character of Catholic schools will govern.

Background

The Division believes everyone in the school community shares in the responsibility of creating, maintaining and promoting a Christ-centered, welcoming, caring, respectful and safe learning environment that respects diversity, equity and human rights and fosters a sense of inclusion and belonging.

The Division's goal is to develop responsible, caring and respectful members of a just, peaceful and democratic society. Student and staff self-discipline and appropriate conduct, consistent with our Catholic Christian morals and beliefs, is an essential part of a positive school climate. The Division affirms the rights of each student and staff member, as provided for in the *Alberta Human Rights Act* and the *Canadian Charter of Rights and Freedoms* and will not discriminate against students or staff members as provided for in the *Alberta Human Right Act* or the *Canadian Charter of Rights and Freedoms*.

All efforts to further enhance welcoming, caring, respectful and safe learning environments of schools must be in accordance with the teaching of the Catholic Church. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice and respectful relationships.

Definitions

1. **Sanctity of Human Life** - Foundational principles of all Catholic social teaching is the sanctity of human life. Recognizing each human person as the image and likeness of God, the Catholic Church believes that the inherent dignity of the human person starts with conception and extends until natural death. The value of human life is valued above all material possessions in the world. This is the lens through which the Division advocates for the safety and well-being of students and staff within our schools.

2. **Catholic teaching on social relationships** recognizes all those called to a life with Christ as, simply and completely, children of God. Our students and staff must respect the unique differences of every person, extending understanding and compassion to others. Each of us is recognized for the entirety of our gifts and is called forth to contribute these gifts for the betterment of creation and the building of God's kingdom. This understanding of the human person and God's plan for each of us defines all of our social relationships. Our relationships, therefore, are characterized by generosity of self, mutual respect, and a desire for the good of the other.
3. **Respect for the Human Person** - Social justice can be obtained only in respecting the transcendent dignity of all students, staff and community members.
4. **Bullying** means repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear or distress to one or more other individuals in the school community, including psychological harm or harm to an individual's reputation. It often involves an imbalance of social or physical power.

Bullying behaviours are a form of aggression and can be:

- Physical – For example: poking, elbowing, hitting
 - Verbal – For example: name calling, insults, racist, sexist or homophobic comments, put-downs
 - Social – For example: gossiping, spreading rumours, excluding someone from the group, isolating, ganging up
 - Cyber – For example: social or verbal bullying through the use of email, text messages, social media including the sharing of intimate images.
5. **Harassment:** Any behavior that in effect or intent disparages, humiliates, or harms another person or class of persons. It is behaviour that denies dignity and respect, and is demeaning and/or humiliating to another person or class of persons. Harassment may include, but is not limited to, references related to age, national or ethnic origin, religion, gender, sexual orientation, disability, race and/or sources of income, family status or citizenship. Sexual harassment is any unwelcome behavior that is sexual in nature. Such behavior may directly or indirectly affect or threaten to affect in an adverse manner a student's well-being and/or learning environment. The behavior does not need to be intended as harassing to be considered as personal harassment. It is sufficient that one knows, or ought reasonably to know, that his/her behaviour is offensive and unwelcome. Harassment is not a relationship of mutual consent. It is any action including, but not limited to verbal, physical, written and cyber messaging that is unwelcome or intimidating and denies individual dignity and respect.
 6. **Restorative Discipline** adds to the current discipline framework of our schools. It promotes values and principles that use inclusive, collaborative approaches between students, home, church and the school for being in community. This approach validates the experiences and needs of everyone within the community, particularly those who have been marginalized, oppressed, or harmed. These approaches allow schools to act and respond in ways that are healing, rather than alienating, or coercive. Restorative Discipline is a strategy that can be used to address bullying within a school.

7. **Supporting Positive Behaviours** is a strategy to further the social responsibility and responsiveness of students in meeting behavioural expectations of their school. Within this model, predetermined levels of support and intervention are established to enhance a positive climate of school engagement for all students. While the support model may look different at each school, three levels are identified as part of the intervention protocol:
- 7.1 **Basic/Universal Support:**
Systemic teaching that produces a clear understanding of expectations is developed in a collaborative and respectful culture.
 - 7.2 **Targeted Support:**
Additional support is provided for those students who have not yet internalized appropriate responses to the expectations that they have been expected to follow.
 - 7.3 **Individual/Intensive Support:**
Highly focused support is established for those students who require ongoing adult monitoring in order to engage in appropriate behaviours.

Supporting Positive Behaviours is based upon a belief that teaching and nourishing appropriate behaviours has a far greater success than relying upon a model of consequences and punishment. This model is applied according to student's age, maturity, and individual circumstances and is a strategy that can be used to address bullying within a school.

Guidelines

1. Ensure that the CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework document is utilized as a resource to continue creating, maintaining and promoting a Christ-centered, welcoming, caring, respectful and safe learning environment that respects diversity, equity and human rights and fosters a sense of inclusion and belonging.
2. All actions by students that impact the safety and well-being of students or staff or call into question a student's success in being accountable for his/her conduct to the successful operation of the school will be addressed through *Administrative Procedure No. 362 Student Conduct*.
3. All schools and classrooms must enact procedures that support the following expectations with respect to bullying or harassment.
 - 3.1 No action toward another student, regardless of the intent of that action will cause harm, fear, or distress to that student.
 - 3.2 No action toward another student within the school community will diminish the student's reputation within the school community.
 - 3.3 Any action that contributes to a perception of bullying, whether or not the behaviour occurs within the school building, during the school day or by electronic or other means, will be addressed by the school if it is determined that the actions impact the well-being of the alleged victim within the school community.

- 3.4 Any action that humiliates or contributes to diminishing the reputation of a student on the basis of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons is deemed to be an act of bullying or harassment.
- 3.5 No report by a student that he/ or she is being “bullied” will be ignored by a school official. The official will respond as if an incident has happened and report the incident to a teacher or principal.
- 3.6 The principal will establish a distinction between those matters of bullying that will be addressed by teachers, and those to be addressed by the principal.
- 3.7 Students who are bystanders to an act of bullying have a responsibility to report observed incidences to school staff. Students are expected to either exercise communication dedicated to prevent bullying behaviour, or failing this, immediately report such incidences to school staff.
- 3.8 Students do not have a role in disciplining other students who have allegedly participated in bullying behaviour. They are encouraged to discourage these actions by labeling the behaviour through communication to others as bullying, requesting that the behaviour cease, and report the incident to a school official.
- 3.9 Each individual and each situation will be resolved based on the specific circumstances of the situation and taking into account the student’s age, maturity, and individual circumstances.
- 3.10 If in the opinion of the teacher or principal an act of bullying has occurred, interventions will be applied dedicated to stopping the behaviour in the future, and educating the student victimized about how to address the issue in the future. Those disciplined for their involvement in bullying will be communicated what to “stop” doing, and “start” doing in order to further a safe and caring culture within the school.
- 3.11 Parents play a primary role in assisting with the resolution of matters pertaining to bullying. Apprising them of issues in this area as they have impacted their children should occur at the earliest opportunity.
- 3.12 A principal may use a Restorative Discipline or Positive Behavioural Support model to address matters of discipline.
- 3.13 Incidences of bullying that adversely impact the safety of individuals or are an affront to the common good of the school community may be addressed through application of sections 24 and 25 of the *School Act*.

Procedures

1. Procedures used by schools to address bullying will be placed within school handbooks, reviewed with school councils, and evaluated for effectiveness annually.
2. Schools must rely on Division support if existing resources or strategies are insufficient in addressing bullying within the school community.
3. Students will be provided with supports that meet individual needs.
4. In maintaining a welcoming, caring, respectful, safe and Catholic environment that respects diversity and fosters a sense of belonging for all students and staff, each incident will be considered on its individual circumstances using a comprehensive and holistic approach to inclusion and meeting all students' needs.
5. Discipline is seen as the change from unacceptable conduct to acceptable behaviour through the use of reasonable and just consequences. In any disciplinary situation, each student will be dealt with on an individual basis.
6. Parent/legal guardian involvement may be necessary to support school discipline procedures. In responsibility as indicated in the School Act:
 - 6.1 To take an active role in the student's educational success, including complying with the Student Code of Conduct;
 - 6.2 To ensure that the parent's/legal guardian's conduct contributes to a welcoming, caring, respectful, safe that respects diversity and fosters a sense of belonging for all students and staff;
 - 6.3 To co-operate and collaborate with school staff to support the delivery of specialized supports and services to students;
 - 6.4 To encourage, foster and advance collaborative, positive and respectful relationships with teachers, principals, other school staff and professionals providing supports and services in schools;
 - 6.5 To engage in the student's community.
7. The school will outline expectations, consequences, and the progression of actions to be taken depending on the severity and/or frequency of the occurrences and must take into account the student's age, maturity and individual circumstances and must ensure that support is provided for student who are impacted by inappropriate behaviour, as well as, for student who engage in inappropriate behaviour. At all time, teachers and administrators will use their professional judgment in applying consequences.

Support for Student Organizations

Procedures

1. The Principal shall:

- 1.1 Ensure all aspects of this administrative procedure are clearly communicated and made publicly available to all staff, students and families;
 - 1.2 Ensure that the CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework document is utilized as a resource to continue creating, maintaining and promoting a Christ-centered, welcoming, caring, respectful and safe learning environment that respects diversity, equity and human rights and fosters a sense of inclusion and belonging.
 - 1.3 Ensure that students and staff with diverse sexual orientations, gender identities and gender expressions:
 - 1.3.1 are treated with dignity and respect;
 - 1.3.2 have the right to be open about who they are, including expressing their sexual orientation, gender identity or gender expression without fear of unwanted consequences;
 - 1.3.3 have the right to privacy and confidentiality;
 - 1.4 Provide safe access to a washroom and/or change room for use by any student who desires increased privacy for any reason. Where possible private washrooms shall be made available.
 - 1.5 Ensure as per the Student Code of Conduct that any discriminatory or prejudicial attitudes, language or behaviours are addressed, whether they occur in person or in a digital form;
 - 1.6 Ensure that a comprehensive school wide approach to foster social-emotional learning is utilized to promote healthy relationships, prevent and respond to bullying or discriminatory behaviours, attitudes and actions.
 - 1.7 Ensure all families are welcomed and supported as valued members of the school community and that parents/guardians are encouraged to play an active role in their child's education;
2. Ensure all staff recognize the confidentiality of sexual orientation and gender identity of all students and protect them from unwanted disclosure; Red Deer Catholic Regional Division is bound by the provisions of the *Freedom of Information and Protection of Privacy Act*, which governs the disclosure of personal information.

3. Principals will support the establishment of student organizations or activities in accordance with Section 16.1 of the School Act:
 - 3.1 If one or more students attending a school operated by a board request a staff member employed by the board for support to establish a voluntary student organization, or lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall
 - 3.1.1 Immediately grant permission for the establishment of the student organization or the holding of the activity at the school, and
 - 3.1.2 Subject to subsection 16.1(4) of the School Act, within a reasonable time from the date that the principal receives the request designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity;
 - 3.2 The students may select a respectful and inclusive name for the organization or activity, including the name “gay-straight alliance” or “queer-straight alliance”, after consulting with the principal.
 - 3.2.1 For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer straight alliance”.
 - 3.3 The principal shall immediately inform the board and the Minister if no staff member is available to serve as a staff liaison referred to section 16.1(1) of the School Act, and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school;
 - 3.4 The principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity must be limited to the fact of the establishment of the organization or the holding of the activity. Notification, if any, must be otherwise consistent with the usual practices relating to other students organizations and activities.
4. Ensure the *Freedom of Information and Protection of Privacy Act*, which governs the disclosure of personal information, is adhered to by staff.

Staff shall:

5. Overnight Trips and/or Field Trips;

Ensure that in planning for field trips or school outings the needs of students who have diverse sexual orientations, gender identities and gender expressions are taken into consideration. It is important to make decisions regarding washroom and change room access prior to embarking on any field trips or school outings, in consultation with the student(s). Gender and sexual minority students may feel comfortable using public washrooms that align with their gender identity. Some students, however, may not feel

comfortable with this option. Best efforts should be made to research the availability of gender or private washrooms at field trip or out of school destinations.

When planning activities that involve the need for overnight or housing accommodations, staff shall ensure these issues are addressed on a case-by-case basis. There is no “one way” in which students are accommodated. Many factors are carefully considered including the needs and wishes of the student and their parents/guardians (where the student has consented), the facilities where students will be sleeping, the beds in which students would be sleeping, the supervision provided, etc.

School staff will make every reasonable effort to provide accommodations that are inclusive, respectful and acceptable to the student and that do not impose any additional expense or burden for the student and or their family. The privacy and confidentiality of the student will be maintained at all times.

6. Extra-Curricular and Physical Education Activities

Ensure that students who choose to or are required to participate in physical education or extracurricular activities, including competitive and recreational athletic teams, can do so in ways that are comfortable for them and supportive of their diverse sexual orientations, gender identities and gender expressions. In circumstances where activities are organized by gender, students who are transgender and gender-diverse have the support they need to participate safely in accordance with their gender identity and/or gender expression. Students also have full access to recreational or competitive athletic activities in accordance with their self-declared gender identity. This is fully supported by the Alberta Schools' Athletic Association in their 2015- 2016 Policy Handbook (<http://www.asaa.ca/resources/asaa-bylaws-policy>).

7. Student Records – maintain student records in a way that respects student’s privacy and confidentiality and is in compliance with Alberta’s privacy legislation and the *Student Record Regulation*.

- 7.1 Students will be informed of any limitations regarding their chosen name and gender identity or gender expression in relation to official school records that require legal name and designation;
- 7.2 School staff may use a student’s chosen (i.e., preferred) name and pronouns on report cards or individualized learning plans or other school issued documents, provided the student has requested this.
- 7.3 Students should be advised that a legal name change is required if they desire their official Alberta Education documents to reflect their new name.

References:

- Stutzman, Lorraine, Mullet, Judy H. (2005). *The Little Book of Restorative Discipline for Schools*.
- *Catechism of the Catholic Church*

- Alberta Catholic School Trustees 'Association (ND). *Safe and caring learning environments for students: A policy exemplar*. Alberta, Canada
- Pastoral Guideline for the LIFE Framework
- Alberta Bill of Rights, s.1 (g)
- School Act

Appendix A:

CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework Document (Revised April 2018)

Revisions:

April 2013

Revised March 2016

Revised May 2018

Appendix A:

CCSSA *Living Inclusion Faithfully for Everyone* (LIFE) Framework Document
(Revised May 2018)

Alberta Catholic Bishops Pastoral Guideline for the LIFE Framework
(April 9, 2017)



POLICY 3: TRUSTEE ROLE DESCRIPTION

The role of the trustee is to contribute to the work of the Board as it carries out its mandate to govern and achieve its vision, mission, beliefs, values and principles. The Board believes that its ability to fulfill its obligations is enhanced when leadership and guidance are forthcoming from within its membership. The oath of office taken by each trustee when she/he assumes office binds that person to work diligently and faithfully in the cause of public education.

Catholic trustees have a unique, dual challenge. They must ensure that students are provided an education which meets or exceeds the goals of Alberta Education and at the same time, ensure that Catholic values and principles are reflected at all times in its policies and practices.

As leaders in the Catholic faith community, Catholic trustees require an understanding, a willingness to grow and a commitment to bearing daily witness to the faith. To meet this challenge, Catholic trustees are entrusted with certain denominational school rights, powers and privileges enshrined in the Canadian Constitution. They exercise these rights with the religious guidance of parish and diocesan authorities.

The Board is a corporation. The decisions of the Board in a properly constituted meeting are those of the corporation. A trustee who is given corporate authority to act on behalf of the Board may carry out duties individually but only as an agent of the Board. In such cases, the actions of the trustee are those of the Board, which is then responsible for them. A trustee acting individually has only the authority and status of any other citizen of the Division.

1. Board Orientation

As a result of elections, the Board may experience changes in membership. To ensure continuity and facilitate smooth transition from one Board to the next following an election, trustees must be adequately briefed concerning existing Board policy and practice, statutory requirements, initiatives and long-range plans.

The Board believes an orientation program is necessary for effective trusteeship. All trustees will attend all aspects of the orientation program.

The Division will offer an orientation program for all newly elected trustees that provides information on:

- 1.1 Role of the trustee and the Board;
- 1.2 Organizational structures and procedures of the Division;
- 1.3 Board policy, agendas and minutes;
- 1.4 Existing Division initiatives, annual reports, budgets, financial statements and long-range plans;

- 1.5 Division programs and services;
 - 1.6 Board's function as an appeal body; and
 - 1.7 Statutory and regulatory requirements, including responsibilities with regard to conflict of interest.
2. The Division will provide financial support for trustees to attend Alberta School Boards Association (ASBA) and Alberta Catholic School Trustees Association (ACSTA) sponsored orientation seminars.
 3. The Division will provide financial support for trustees to attend Alberta Education sponsored trustee workshops or information sessions.
 4. The Board Chair and Superintendent are responsible for developing and implementing the Division's orientation program for newly elected trustees. The Superintendent shall provide each trustee with access to the Board Policy Handbook and the Administrative Procedures Manual at the organizational meeting following a general election or at the first regular meeting of the Board following a by-election.
 5. Incumbent trustees are encouraged to help newly elected trustees become informed about the history, functions, policies, procedures and issues.

6. Specific Responsibilities of Individual Trustees

- 6.1 The trustee will model involvement in the faith community.
- 6.2 The trustee will refer queries, or issues and problems, not covered by Board policy, to the Board for corporate discussion and decision.
- 6.3 The trustee can engage with the public through a variety of communication methods, understanding that all communications and interactions must reflect the principles of the Trustee Code of Conduct.
- 6.4 Trustees will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division.
- 6.5 If trustees choose to post pictures of students on their social media sites, permission must be given by the relevant school authority.
- 6.6 The trustee will participate in, and contribute to, the decisions of the Board in order to provide the best solutions possible for the education of children within the Division.
- 6.7 The trustee will support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

- 6.8 The trustee will participate in training opportunities in order to ensure that the appropriate skills, knowledge and understandings are acquired.
- 6.9 The trustee will ensure that Catholic values and principles are reflected at all times in the Board's policies and practices.
- 6.10 The trustee will become familiar with Division policies, meeting agendas and reports in order to participate in Board business.
- 6.11 The Trustee will keep the Board Chair and/or the Superintendent informed in a timely manner of all matters coming to his/her attention that might affect the Division. Refer administration matters to the Superintendent.
- 6.12 The trustee will provide the Superintendent with counsel and advice, giving the benefit of the trustee's judgment, experience and familiarity with the community.
- 6.13 Trustees are encouraged to share Divisional information, key messages, Board priorities, exemplary practices, and student achievement and learning results.
- 6.14 The trustee will, in alignment with the Board engagement efforts, provide for the engagement of parents, students and the community in matters related to education.
 - 6.14.1 Respectfully bring forward and advocate for local issues and concerns prior to a Board decision;
 - 6.14.2 Interpret the needs of the community to the Board and the Board's action to those we serve; and
 - 6.14.3 Liaise with designated School Council(s).
- 6.15 Trustees are encouraged to develop individual growth plans on an annual basis.
- 6.16 The trustee will share the materials and ideas gained from a trustee development activity with fellow trustees at the next available opportunity.
- 6.17 The trustee will stay current with respect to provincial, national and international education issues and trends.
- 6.18 The trustee will contribute to a positive and respectful learning and working culture both within the Board and the Division.
- 6.19 The trustee will attend Division or school functions where possible.
- 6.20 The trustee will adhere to the Trustee Code of Conduct.
- 6.21 The trustee will report any violation of the Trustee Code of Conduct to the Board Chair or when applicable, to the Vice-Chair.

Reviewed: March 2011, January 2018
Revised: November 2019, June 2022

APPENDIX 'A'**SERVICES, MATERIALS AND EQUIPMENT
PROVIDED TO TRUSTEES**

Trustees shall be provided with the following services, materials and equipment while in office:

1. Reference:

- ◆ Access to *The Education Act*
- ◆ Board Policy Handbook and Administrative Procedures Manual
- ◆ School year and Annual Work Plan
- ◆ Current telephone listings of schools, principals, vice-principals and school secretarial staff
- ◆ List of School Council Chairs
- ◆ These items shall be available online on the RDCRS Board Portal

2. Communications/Public Relations:

- ◆ Access to Superintendent weekly updates on Division News
- ◆ Notification of significant media events, reminders of special meetings
- ◆ Access to school newsletters to trustee liaison
- ◆ Name tags, business cards, lapel pins
- ◆ Speaker's notes
- ◆ Individual and Board photographs

3. Administrative/Secretarial Services:

- ◆ Access to interoffice mail
- ◆ Conference registration, travel and accommodation arrangements
- ◆ E-mail address and Information Technology service support
- ◆ Document management, photocopying and related secretarial services

4. Equipment

- ◆ A computer or stipend, with appropriate software and access. The equipment shall be returned to the Board upon completion of the term in office.
- ◆ Cell phone stipend.

5. Corporate Clothing

- ◆ One piece of corporate clothing

6. Briefcase

7. Professional Development Allowance of \$5,000 per year. This includes mileage, hotel, registration and meals.

8. Mileage compensation for all Board business (stipend)

Appendix revised June 2022

Red Deer trustee has “no regret” about anti-gender ideology post, despite punishment

By **Noah Jarvis** - September 28, 2023



Red Deer Catholic school trustee Monique LaGrange has been banned from committee meetings and is prohibited from representing the school board in public in response to a social media post comparing gender “brainwashing” to Nazi indoctrination.

LaGrange must also undergo sensitivity training about the Holocaust and LGBT issues, though she has “no regret” about her post.

The motion passed by Red Deer Catholic Regional Schools (RDCRS) requires LaGrange to issue a public apology to have her powers reinstated, though doing so would violate her rights, her lawyer argues.

“She didn’t do anything wrong,” said James Kitchen.

“Part of this motion is that she has to go to this re-education and sensitivity training and she has to issue an apology, which is impossible for her to do without lying and violating her conscience because she has nothing to apologise for.”

Board vice-chair Dorraine Lonsdale initially complained about the meme LaGrange [posted](#) to Instagram and Facebook, which featured a picture of children waving the Pride Progress flag beside an archival photo of German children waving the Nazi flag with the caption "brainwashing is brainwashing."

The complaint resulted in a two-day hearing in which the board, while in camera, heard testimony from LaGrange, Lonsdale, and their legal representatives. The hearings resulted in the trustees voting to reprimand LaGrange.

While Kitchen confirmed that LaGrange does not plan on issuing an apology, he was not yet able to say whether LaGrange will attend the prescribed sensitivity training sessions for the Holocaust and the LGBT community.

"Practically speaking, it seems difficult because the end goal of the sensitivity training is for her to issue an apology she won't be able to issue in good conscience without lying," Kitchen said.

Kitchen said LaGrange may challenge the decision in court by seeking a judicial review.

While the RDCRS publicly released the motion censuring LaGrange, the board has not published the reasons behind its punishment.

Author

Noah Jarvis

NEWS

Canadian Catholic school trustee silenced, forced to undergo 'sensitivity' training for opposing LGBT agenda

Catholic trustee Monique LaGrange initially came under-fire for sharing a meme on social media comparing the 'brainwashing' of children in Nazi Germany to the LGBT indoctrination currently taking place in many public schools throughout Canada.

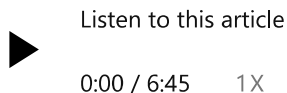


Monique LaGrange

LinkedIn

Anthony Murdoch

Wed Sep 27, 2023 - 2:32 pm EDT



Send an urgent message to Canadian legislators and courts telling them to uphold parental rights.

RED DEER, Alberta ([LifeSiteNews](#)) -- The Red Deer Catholic Regional Schools (RDCRS) board of directors has ordered a fellow trustee to undergo “LGBTQ+” and holocaust “sensitivity” training for a social media post she made comparing the LGBT agenda targeting kids to that of “brainwashing” Nazi propaganda, while also banning her from most of her public duties.

Trustee Monique LaGrange of the RDCRS learned her fate late in the day Tuesday while attending a two-day board meeting at which there was a “secret” gathering concerning her social media post.

LaGrange’s lawyer, Alberta-based attorney James Kitchen of Liberty Coalition Canada, attended the meeting alongside LaGrange, at which the trustees voted on a motion to severely censure LaGrange from doing public duties as a trustee.

Kitchen told LifeSiteNews that RDCRS trustee Dorraine Lonsdale had launched a “complaint” against LaGrange, accusing her of violating the trustee code of conduct and the province’s *Education Act*.

Kitchen told LifeSiteNews that trustees at the meeting ultimately ruled in favor of a motion that determined LaGrange had indeed violated the trustee code of conduct and the *Education Act*, but failed to provide specific details as to which sections LaGrange violated. However, Kitchen did note that these details should be forthcoming within the next 20 days.

Kitchen said LaGrange was removed from all board committees, told she could never speak on behalf of the board, and that she would “never be allowed to speak or attend” any “public events.”

In speaking with LifeSiteNews, Kitchen noted that most “egregiously” LaGrange was ordered by her fellow trustees to complete “very extensive sensitivity training” within the next 90 days. This training must address the holocaust, the “oppression of the LGBT community, and human rights” and how to “speak properly” on social media.

She has also been ordered to issue a letter of apology to the board saying she is “sorry” and admitting how “wrong” she was to make the comparison between LGBT indoctrination and Nazi “brainwashing.”

As it stands, LaGrange can still attend board meetings and has retained her voting rights, but has otherwise been “silenced,” according to Kitchen.

“It’s egregious that she’s been taken out of her democratically elected duties...” Kitchen told LifeSiteNews. “But perhaps it’s even more egregious that she has this very intensive sensitivity training [to complete].”

Kitchen said that LaGrange being forced to undergo “sensitivity training” effectively “amounts to compelled speech and a violation of her conscience.”

LaGrange initially came under-fire when she posted to social media an image showing kids in Nazi Germany waving swastika flags during a parade, with the bottom of the post showing an image of kids waving LGBT “pride” flags along with the text, “Brainwashing is brainwashing.”

After her post went viral, calls for her to step down grew from leftist Alberta politicians and others. This culminated in her removal as director of the Alberta Catholic School Trustees’ Association (ACSTA) over two weeks ago.

LaGrange was elected in 2021 and said about being kicked out of the ACSTA that it was “unfortunate that ACSTA decided to make a rash decision to remove me, refusing to acknowledge that the heart of my message was to protect our children and to nourish their God-given identities.”

When it comes to LaGrange's social media post, which has been removed, she said that the post was about protecting kids, not hurting them, saying her meme was "centered around indoctrination and how children are vulnerable to evil agendas (agendas coming from organizations like Planned Parenthood, the UN or SOGI 123) filtering through culture."

"This meme is not comparing or attacking the LGBTQ community, it is about protecting our children and keeping parents as the primary educators," she added.

LaGrange has asked Kitchen to be her media spokesman for the time being, and he told LifeSiteNews that she is "pretty disheartened by today's outcome."

LaGrange considering 'next steps' to fight her censure by her board

As for the next steps she can take, Kitchen told LifeSiteNews that LaGrange is considering looking at what legal recourse she can pursue.

Kitchen noted that in Alberta, the education minister can only remove an entire board of trustees, but not an individual trustee. Individual boards, as noted by Kitchen, have a "common law" right to remove a trustee for serious code of conduct violations.

He also told LifeSiteNews that RDCRS trustee Lonsdale did ask the board to disqualify LaGrange, but only one other trustee voiced "support for that."

Kitchen noted that LaGrange has had a lot of support from many in her community, noting how he submitted to the board "33 pages of emails in support" of his client. He is, however, hoping for more "support" from the public.

Kitchen also told LifeSiteNews that with this "new revolution of parental rights," LaGrange no doubt has "way more support than a year or two ago."

There has been growing opposition in Canada to the teaching of radical transgender ideology in schools, which not only impacts children but also those in education who voice their opposition to such teaching.

This has led the province of Saskatchewan under Premier Scott Moe to announce a slew of pro-parental policies regarding gender and sexual education in public schools.

Premier of Manitoba Heather Stefanson also recently chimed in on the issue, promising that if her Progressive Conservative government is re-elected this fall she will enhance parental rights by mandating that schools inform parents if their child wants to identify as a different "gender."

Starting off this trend, however, was New Brunswick Progressive Conservative Premier Blaine Higgs, who in July survived an attempt by his colleagues to trigger a leadership review over his decision to add parental protections to its “gender identity” policy for public schools.

While LGBT activists have gone after the likes of Higgs and Moe for their slight pushback against gender ideology, a recent Leger poll has shown that Canadians in general favor parental rights in education, especially regarding the material being shared with children.

Send an urgent message to Canadian legislators and courts telling them to uphold parental rights.

TOPICS

[Faith](#) [Family](#) [Gender](#) [Homosexuality](#) [Politics - Canada](#)

TAGGED AS

[Canadian Education](#) [Canadian parents](#) [compelled speech](#) [Education Act](#) [Gender Education](#)
[Gender Identity](#) [legal recourse](#) [Lgbt Agenda](#) [LGBTQ community](#) [Monique LaGrange](#)
[Nazi comparison](#) [Parental Rights](#) [Parental Rights In Education](#) [Public Schools](#)
[Red Deer Catholic Regional Schools](#) [school policies](#) [Sensitivity Training](#) [social media post](#)
[Transgender Ideology](#) [trustee censure](#) [violation of trustee code](#)

**IN THE MATTER OF THE CONDUCT HEARING
BEFORE THE RED DEER CATHOLIC REGIONAL
SCHOOL DISTRICT**

**pursuant to
POLICY 4: TRUSTEE CODE OF CONDUCT**

**Regarding the conduct of Trustee Monique LaGrange
and the Complaint of Trustee Sharla Heistad**

SUBMISSIONS OF TRUSTEE LAGRANGE

November 10, 2023

James S.M. Kitchen
Barrister & Solicitor
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Counsel for Monique LaGrange

Overview

1. On September 26, 2023 the Board of Red Deer Catholic Regional School (RDCRS) passed a motion censuring Trustee Monique LaGrange (the “Motion”). Reasons in support of the Motion were issued on October 13, 2023 (the “Reasons”). The Motion and Reasons were issued in response to a complaint submitted by Trustee Lonsdale.
2. Trustee LaGrange contests the reasonableness of the factual and legal findings of the Board as articulated in the Reasons and contests the lawfulness of the censure as contained in the Motion. Trustee LaGrange intends to file an Application for Judicial Review of the Motion and Reasons.
3. On October 16, 2023, Trustee Heistad submitted to the Board a further complaint (the “Second Complaint”), alleging that Trustee LaGrange contravened various sections of the Trustee Code of Conduct and Trustee Role Description and breached the conditions contained in the Motion. On November 3, Trustee Heistad produced written submissions in support of the Second Complaint.
4. Trustee LaGrange provides these submissions in response to the Second Complaint and the submissions of Trustee Heistad, such as they are. To the degree her written submissions in response to the complaint of Trustee Lonsdale are relevant and applicable, she explicitly relies upon them for the purposes of responding to Trustee Heistad’s complaint.

The Conditions of the Motion

5. Trustee Heistad asserts Trustee LaGrange breached conditions (b) and (c) of the Motion, yet fails to connect any of the impugned actions of Trustee LaGrange or her counsel to those conditions.

Condition (b)

6. Condition (b) of the Motion states:

The Trustee **shall not represent the Board / School Division in any official capacity, including** Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and **speaking with news/media outlets.**

7. No definition or explanation of what “represent” or “official capacity” meant was provided by the Board in either the Motion or the Reasons.
8. Following the issuance of the Motion, a media production by the name of *Talk Truth* published a video interview with Trustee LaGrange. Various media outlets also published, by way of video and print, comments from her counsel. However, neither her nor her counsel “represented” the Board in an “official capacity” in their media comments. At no time did Trustee LaGrange directly state or indirectly indicate during her interview with *Talk Truth* that she was speaking in her “official capacity” as a RDCRS Trustee or that she was representing the Board in any way. The most that can be said is that she identified herself as a Trustee of the RDCRS Board.
9. No reasonable person, upon viewing the *Talk Truth* interview or hearing or reading the comments of her counsel, would conclude that Trustee LaGrange, herself or through her counsel, was “representing” the Board in an “official capacity”.
10. Absent statements from the Board to establish otherwise, words and phrases must be given their ordinary meaning.
11. To represent means to intentionally speak on behalf of a person or group. Legal examples include lawyers representing clients and individuals acting as the representative of a corporate client who instructs the corporation’s lawyer. Other, more familiar examples involve a Trustee attending an award ceremony and stating that they were sent as a representative of the Board to present the award and that on behalf of the Board they bestow an award on the award recipient. In order for the representation to not be fraudulent, the represented party must explicitly delegate the authority to represent them to the representative.

12. Trustee LaGrange did not intend to represent the Board in her *Talk Truth* interview, nor did she unintentionally indicate that she was. Similarly, her counsel did not purport to represent the Board in his comments to the media. In fact, doing so would amount to unprofessional conduct on the part of a lawyer, as it is generally unethical for a lawyer to speak in a representative capacity of anyone who has not engaged their professional services.
13. The phrase “official capacity” may mean any number of things and there is a lack of consensus as to what it means absent an attached definition. While it is clear a Trustee is acting in their “official capacity” when attending Board meetings or attending official School Division events as the representative of the Board, there are many contexts in which a Trustee is not acting in an “official capacity” even while identifying as a Trustee. Examples include conversations with teachers, parents, students, or members of the public about everyday matters, personal matters, or general education matters. The Trustee may, when asked, confirm she is a Trustee, but by so doing does not then act in her “official capacity” when making any comments after identifying herself. Her Trustee role does not subsume her off-duty life, including comments to the media. A Trustee may speak to the media as part of her duties (i.e. in her “official capacity”), or she may speak to the media in her personal capacity.
14. Contrary to Trustee Heistad’s suggestion, there is no obligation on or reasonable need for Trustee LaGrange (or any other trustee) to positively state they are *not* speaking on behalf of the Board when it is already plain they are not. No reasonable person would have initially thought Trustee LaGrange was speaking on behalf of the Board during the *Talk Truth* interview but then thought that she was speaking in her personal capacity because she stated she was speaking in her personal capacity. Yet, this is what Trustee Heistad suggests is the case. A reasonable person listening to that interview would have presumed Trustee LaGrange was speaking in her personal capacity and that reasonable presumption would be confirmed as they continued to listen to the totality of her comments. Trustee Heistad implicitly acknowledges as much when she states Trustee LaGrange speaks publicly about her “personal beliefs” that are not related to Board policies and are “*not representative* of the interests of the [School] Division”.

15. A reasonable person presumes a Trustee is speaking in their official capacity when they attend a Board meeting and witness that Trustee speaking in favour of a motion just as they presume a Trustee is speaking in their personal capacity when discussing educational methods at the local arena with other parents.
16. Trustee LaGrange did not intend to act in an “official capacity” in her *Talk Truth* interview, nor did she unintentionally do so.
17. Only if the Board relies upon a previously undisclosed and overly broad interpretation of the terms “represent” and “official capacity” could it possibly conclude Trustee LaGrange has breached condition (b) to not represent the Board in an “official capacity” when speaking with media. To do so is unlawful. The Board cannot find Trustee LaGrange has breached such a vague, undefined condition on the facts before it.

Condition (c)

18. Condition (c) of the Motion states:

The Trustee shall cease making any public statements in areas touching upon or relating to (i) the 2SLGBTQ+ community... including... speaking with various news outlets.
19. Again, no definition or explanation of the meaning or scope of this condition was provided by the Board in the Motion or in the Reasons. Enforcement of such an ambiguous condition is difficult, to say the least.
20. However, the use of the word “community” indicates an identifiable group of people or individuals within that group. It would then seem this condition purports to prohibit Trustee LaGrange from publicly speaking about LGBT people generally or specific LGBT individuals. The condition, reasonably interpreted, does not prohibit more than that.
21. The condition does not extend to prohibiting public statements regarding LGBT ***ideas, beliefs, or ideologies***. Be it in the Laura-Lynn interview, the *Talk Truth* interview, or at other times, Trustee LaGrange has only ever discussed LGBT ideas, beliefs, and

ideologies. Unfortunately, the Board fails to grasp this, whether disingenuously or by honest mistake.

22. The Board arrived at the Motion and condition (c) by believing or convincing themselves that Trustee LaGrange was somehow targeting LGBT people, instead of accepting that she was opposing certain ideas and ideologies, such as gender ideology, the indoctrination of easily-influenced young children into that ideology, and the sexualization of children by exposing them at school to age-inappropriate sexual content. Gender ideology, the ideological belief system underpinning transgenderism, claims individuals, including young children, can change their gender or become a non-existent gender through self-identification. This ideology is represented within the triangle portion of the revised pride flag (the “pride progress” flag) that appeared in the meme that was the impetus for Trustee Lonsdale’s complaint. This failure on the part of the Board, intentional or unintentional, likely accounts for why the Board chose to charge Trustee LaGrange with not speaking publicly about the LGBT “community”.
23. In her submissions, Trustee Heistad acknowledges that what Trustee LaGrange discusses in her public comments are her “principles” and “personal beliefs” about the family, education, and the aforementioned indoctrination of students with gender ideology. Condition (c) does not capture such comments, just as, for example, a condition to not discuss the Christian community does not reasonably extend to not discussing the beliefs and ideas of Christianity. Such a condition would not be breached by virtue of contesting the resurrection of Christ, opposing the divinity of Christ, or challenging the doctrine of transubstantiation.
24. The only specific evidence Trustee Heistad has provided in support of her assertion Trustee LaGrange breached condition (c) are her references to “body dysphoria” and “mental disorder” regarding the ideological belief held by transgender individuals that they are “born in the wrong body” or are a different gender than what they are. No “expertise” is needed, as Trustee Heistad suggests, to acknowledge that it is severely mentally disordered for someone to think they are not the gender (sex) God created them to be and to further think they can change their gender (sex) to something other than what

it is. While such commentary may offend liberal, secular sensibilities, it aligns with Catholic beliefs and the natural law associated with Catholic beliefs, which rejects the man-made idea that only certain “experts”, and not lay believers, may identify unnatural and/or sinful behaviours.

25. But, more to the point, these comments were made in the context of discussing gender ideology as a system of ideas and beliefs and its implications, not in the context of discussing the LGBT community.
26. As discussed above, words and phrases must be given their ordinary meaning in the absence of definitions being given to them in a particular context. A condition to not discuss the LGBT community, while an act of censorship, may at least have a rationale if imposed upon someone found to have made objectively disparaging comments about LGBT individuals or the LGBT community as a whole, which Trustee LaGrange did not. To impose a condition (or interpret a condition as) preventing even discussion of LGBT ideas, beliefs, and ideologies is an absurd level of censorship incapable of justification. It cannot be reasonably concluded the Board intended this level of censorship. Even if they did and it can somehow be presumed such censorship is lawful, it was incumbent upon the Board to explain the scope of condition (c). The Board is responsible for this failure, not Trustee LaGrange. It is a basic rule of statutory interpretation that ambiguities are resolved in a manner not favourable to the drafters, but to those the drafters contend are caught by the ambiguous provisions they created.
27. Again, only if the Board relies upon a previously undisclosed and overly broad interpretation of the term “community” could it possibly conclude Trustee LaGrange has breached condition (c). To do so is also unlawful. The Board cannot find Trustee LaGrange has breached such an undefined, ambiguous condition on the facts before it.

Media Commentary by Trustee LaGrange's Lawyer

28. Trustee Heistad “believes” that comments by counsel to the media contravene the Code of Conduct and the Motion, although she fails to provide any specific examples. Trustee Heistad may believe this, but her mere belief does not make it so. Nothing stated by counsel contravenes condition (c) of the Motion, or any other conditions, and is not contrary to the Code of Conduct.
29. Although nothing turns on it, Trustee LaGrange's counsel is not her “media spokesman”. That term was used by the journalist who wrote the LifeSite news article in question, not by counsel. In any event, there is nothing unusual or untoward about counsel fielding media inquiries on behalf of clients and counsel did not make any statements on behalf of Trustee LaGrange that contravene the Motion or Code of Conduct.

Code of Conduct and Policy 3

30. Similar to the complaint submitted by Trustee Lonsdale, Trustee Heistad's complaint amounts to a mere expression of personal and political disagreement with Trustee LaGrange's beliefs and views and that Trustee LaGrange publicly expressed those beliefs and views. It would appear Trustee Heistad subscribes to a particular liberal or “woke” worldview that is supportive of gender ideology dressed up as “inclusivity”, and that she believes this worldview morally superior to any other, or at least to the contrasting worldview or “personally-held ideology” of Trustee LaGrange, which could be summarily described as being in favour of parental rights, protecting children, and traditional Catholic beliefs, and in opposition to gender ideology.
31. But, as Trustee Hesitad ought to know and the Board ought to uphold, differences of personal, political, or religious beliefs should be tolerated, not weaponized by one side to silence and discipline the other side through the abuse of power. In this regard, this complaint is no different than the first complaint. Trustees who disagree with Trustee LaGrange are misusing the Trustee discipline process to punish and oust her by disingenuously characterizing views and beliefs they disagree with as “undignified” or “unprofessional” or “disrespectful” of the Board or LGBT people.

32. Trustee Heistad even goes so far as to claim Trustee LaGrange's media comments undermine a positive and respectful learning and working culture within the Board despite there being no connection between her media comments and the working or learning culture at the Board or with the School Division.
33. Trustee LaGrange has not done anything that objectively or reasonably contravenes the Code of Conduct or Policy 3. The Trustee Code of Conduct is not a tool to silence or expel trustees who hold to minority views or beliefs, whether those beliefs are about politically uncomfortable and controversial topics such as gender ideology or anything else. The Board very likely politically agrees with Trustee Heistad and politically disagrees with Trustee LaGrange. But that is not a principled or lawful basis for indulging Trustee Heistad's inappropriate request to use the Code of Conduct to disqualify a fellow trustee whose views and beliefs she disapproves of.

Pastoral Obligations as a Roman Catholic Leader

34. Trustee Heistad suggests Trustee LaGrange has "little to no regard for her... pastoral obligations as a Roman Catholic leader". As elsewhere in her submissions, she fails to support this bald allegation with evidence or arguments. The Board will recall that similar allegations of not behaving in a Catholic way were raised in Trustee Lonsdale's complaint and the Board saw fit not to rule on that issue. As before, Trustee LaGrange has not made any statements or engaged in any conduct that is contrary to Catholic beliefs, teaching, or values, at least as it would be understood by looking at the Catechism.
35. In fact, quite the opposite is true. Much of the political disagreement between Trustee LaGrange and the Board has arisen precisely because Trustee LaGrange adheres to traditional Catholic beliefs and values about gender, sex, family, and protecting children, while the Board has prioritized the liberal secular values that promote LGBT ideas and gender ideology and undermines parental rights.
36. It is because of her commitment to her pastoral obligations that Trustee LaGrange seeks to protect children, protect parental rights, and uphold Christ-inspired beliefs with

integrity even in the face of political persecution by her fellow Board members. Trustee LaGrange specifically relies upon her written submissions in response to Trustee Lonsdale's complaint regarding the issue of Catholic beliefs and values.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 10th of November, 2023.



James S.M. Kitchen
Counsel for Monique LaGrange



Minutes of a Special Meeting of the Board of Trustees of the The Red Deer Catholic Separate School Division, held November 13, 2023.

Present: S. Heistad
 M. Hollman
 C. Leyson
 K. Pasula
 A. Watson, Trustees
 L. Latka, Secretary-Treasurer
 K. Finnigan, Superintendent of Schools
 M. St. Pierre, Executive Assistant
 J. Butler, Legal Counsel
 T. Haykowsky, Legal Counsel
 W. Teed, Legal Counsel

Joined via Zoom: J. Kitchen, Legal Counsel
 M. LaGrange, Trustee

Not in Attendance: D. Lonsdale, Trustee

Board Chair Hollman called the meeting to order at 8:39 AM and shared that Trustee Lonsdale declared a conflict and that is why she is not a part of the meeting.

Trustee Leyson read the opening prayer aloud.

Trustee Watson read the Land Acknowledgement aloud.

Trustee Pasula requested that the Board make time for Trustees to speak privately without Administration or Legal Counsel within the in camera portion of the meeting.

1. APPROVAL OF AGENDA

11/13/23-01-Leyson

THAT THE AGENDA BE ACCEPTED AS PRESENTED.

CARRIED.

Board Chair Hollman asked Administration to leave the meeting room as they will not be deliberating in or decision makers in the proceedings. Superintendent Finnigan,

Secretary-Treasurer Latka, W. Teed and Executive Assistant St. Pierre left the room at 8:46 a.m.

Executive Assistant St. Pierre and W. Teed were asked to enter the meeting at 8:48 a.m to provide administrative and technical support.

11/13/23-02-Pasula

THAT THE COMMITTEE OF THE WHOLE MOVE INTO CAMERA AT 8:45 AM.

CARRIED.

11/13/23-03-Leyson

THAT THE BOARD MOVE OUT OF CAMERA AT 5:24 PM.

CARRIED.

11/13/23-04-Watson

THAT THE SPECIAL MEETING IS RECESSED AT 5:25 PM UNTIL NOVEMBER 14, 2023 AT 8:30 AM.

CARRIED.

Board Chair Hollman called the meeting back to order at 8:36 AM on November 14, 2023.

11/13/23-05-Watson

THAT THE SPECIAL MEETING COME OUT OF RECESS AT 8:36 AM ON NOVEMBER 14, 2023.

CARRIED.

The following Trustees, Legal Counsel and Administration personnel were present; Trustees Hollman, Heistad, Leyson, Pasula, and Watson, Superintendent Finnigan, Secretary-Treasurer Latka, Executive Assistant St. Pierre. The following were in attendance via Zoom; T. Haykowsky, J. Butler, J. Kitchen, and Trustee LaGrange. Chair Hollman shared that Trustee Lonsdale declared a conflict and that is why she is not a part of the meeting.

11/13/23-06-Leyson

THAT THE COMMITTEE OF THE WHOLE MOVE INTO CAMERA AT 8:37 AM.

CARRIED.

Trustee Heistad, J. Butler, Superintendent Finnigan and Secretary-Treasurer Latka recused themselves from the meeting at 8:37 AM.

11/13/23-07-Watson

THAT THE BOARD MOVE OUT OF CAMERA AT 10:06 AM.

CARRIED.

11/13/23-07-Pasula

I MOVE THAT THE BOARD POSTPONES THIS CODE OF CONDUCT PROCESS UNTIL A COMMITTEE OF THE BOARD CAN INVITE THE RESPONDENT TO A CONFERENCE TO DISCUSS THE SITUATION BEFORE US, ENTER INTO ANY AGREEMENTS, INCLUDING TIME AND COST SAVING MEASURES, AND TO DETERMINE THE BEST COURSE OF ACTION FOR RED DEER CATHOLIC REGIONAL SCHOOLS AND ITS BROADER FAMILY, STUDENT AND CHURCH COMMUNITY GOING FORWARD.

DEFEATED.

Trustee Pasula spoke to his motion, stating that he thought the path we are on, could extend well into the future. Agreement entered during a conference could move matters forward more quickly and finalize others, saving the Division time and money. He added that other actions may also be identified in the interest of our schools and stakeholder communities.

Trustee Watson thanked Trustee Pasula for putting forward the motion, but indicated that she felt the Board of Trustees has allowed sufficient time for reconciliation over the last 6 weeks, and that further time would not be beneficial, for the Division, schools, and families. Watson stated that the matter has been hugely disruptive to the Division and it does not need to be discussed further. Trustee Leyson and Chair Hollman both stated that they echoed Trustee Watson's sentiments.

11/13/23-07-Leyson

BE IT RESOLVED THAT FURTHER TO THE NOVEMBER 13 AND 14, 2023, IN CAMERA DISCUSSIONS, AND AFTER HAVING CAREFULLY CONSIDERED ALL THE POINTS RAISED THEREIN, AND IN ACCORDANCE WITH BOARD POLICY AND THE EDUCATION ACT, TRUSTEE LAGRANGE HAS VIOLATED SANCTIONS ISSUED ON SEPTEMBER 26, 2023, AND HAD FURTHER VIOLATED BOARD POLICY AND THE EDUCATION ACT. AS A RESULT, TRUSTEE LAGRANGE IS HEREBY DISQUALIFIED UNDER SECTION 87(1)(C) OF THE EDUCATION ACT AND BOARD

POLICY FROM REMAINING AS A SCHOOL BOARD TRUSTEE. THE BOARD WILL ISSUE DETAILED REASONS IN SUPPORT OF THIS BOARD MOTION ON OR BEFORE NOVEMBER 24, 2023.

CARRIED.

Trustee Watson spoke to the motion, stating that the Board had issued a fair resolution to the matter but that Trustee LaGrange did not comply with the requests asked of her and that there were no further options or sanctions available to the Board, and disqualification was the only option left. Board Chair Hollmand and Trustee Leyson both echoed her statement.

Trustee Pasula stated that he would like the record to show, that given the Board's commitment to meeting the highest ethical standards, a commitment enhanced when leadership and guidance are forthcoming from within its membership, he stated he won't be able to support the motion for several reasons including and related to:

1. the procedural fairness that the board must act in accordance with; and,
2. the scope of the sanctions Policy 4 makes available to the board.

He stated that he has unresolved questions regarding the procedure the Board has been engaged in through the complaint process in concert with concerns regarding whether our code of conduct authorizes the Board to institute the sanction the motion calls for, and additionally, should it be available as a sanction, whether the proposed disqualification of a publicly elected official - with a duty to represent the electorate, would be commensurate with the conduct of the respondent that gave rise to the complaint.

Mr. Kitchen, Legal Counsel for Trustee LaGrange, stated aloud that Trustee LaGrange will resign pursuant to section 90 of Education Act, and a written resignation will be sent to the Board.

Ms. Haykowsky, Legal Counsel for the Board, asked Mr. Kitchen if the resignation of Trustee LaGrange can be provided to the Board in writing and Mr. Kitchen indicated that yes, a written resignation will be sent to the Division.

Trustee Pasula read the closing prayer aloud.

11/13/23-09-Pasula

THAT THE SPECIAL MEETING ADJOURN, THE TIME BEING 10:21 AM.

CARRIED.

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(CHAIR)

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(SECRETARY-TREASURER)



Minutes of a Special Meeting of the Board of Trustees of the The Red Deer Catholic Separate School Division, held November 23, 2023.

Present: M. Hollman
 C. Leyson
 K. Pasula
 A. Watson, Trustees
 L. Latka, Secretary-Treasurer
 K. Finnigan, Superintendent of Schools
 T. Haykowsky, Legal Counsel
 W. Teed, Legal Counsel
 M. St. Pierre, Executive Assistant

Not in Attendance: D. Lonsdale, Trustee
 S. Heistad

Board Chair Hollman called the meeting to order at 9:02 AM.

Trustee Leyson read the opening prayer aloud.

Trustee Pasula read the Land Acknowledgement aloud.

1. APPROVAL OF AGENDA

11/23/23-01-Leyson

THAT THE AGENDA BE ACCEPTED AS PRESENTED.

CARRIED.

11/23/23-02-Pasula

THAT THE COMMITTEE OF THE WHOLE MOVE INTO CAMERA WITH TRUSTEES ONLY AT 9:05 AM WITH THE SUPPORT OF EXECUTIVE ASSISTANT ST. PIERRE.

CARRIED.

11/23/23-03-Watson

THAT THE BOARD MOVE OUT OF CAMERA AT 9:13 AM.

CARRIED.

Trustee Pasula stated that based on the discussion with the Committee and an opinion from the Division's legal advisor, Trustee Pasula recused himself from the discussion of the meeting's agenda item and excused himself from the meeting at 9:14 AM.

Ms. T. Haykowsky, Legal Counsel and W. Teed, Legal Counsel, entered the meeting at 9:14 AM.

11/23/23-04-Leyson

THAT THE COMMITTEE OF THE WHOLE MOVE INTO CAMERA AT 9:14 AM.

CARRIED.

11/23/23-05-Leyson

THAT THE COMMITTEE OF THE WHOLE MOVE OUT OF CAMERA AT 11:27 AM .

CARRIED.

Board Chair Hollman called the meeting back to order at 11:27 AM.

Superintendent Finnigan, Secretary-Treasurer Latka entered the meeting at 11:28 AM. Trustee Heistad, Trustee Lonsdale and Ms. Butler, Legal Counsel, joined the meeting via Zoom at 11:28 AM.

11/23/23-06-Watson

BE IT RESOLVED THAT THE BOARD ADOPT ITS REASONS IN FURTHERANCE OF THE NOVEMBER 14, 2023, BOARD MOTION.

BE IT FURTHER RESOLVED THAT IN FURTHERANCE OF THE REQUEST OF THE RESPONDENT, SAID REASONS SHALL BE DISCLOSED. THE BOARD CHAIR SHALL RELEASE SAID REASONS ON FRIDAY, NOVEMBER 24, 2023.

CARRIED UNANIMOUSLY.

**Trustee Heistad and
Vice-Chair Lonsdale**

recused themselves from voting on this Motion.

11/23/23-07-Watson

THAT THE SPECIAL MEETING ADJOURN AT 11:35 AM.

CARRIED.

Trustee Watson read the closing prayer aloud.



(CHAIR)


(SECRETARY-TREASURER)

**REASONS FOR DECISION IN FURTHERANCE OF THE
NOVEMBER 13 and 14, 2023, SPECIAL BOARD MEETING**

I. Introduction

The Board of Trustees of Red Deer Catholic Separate School Division (“Board”) possesses those powers statutorily conferred upon it, including pursuant to the *Education Act*, SA 2012, c E-0.3 (“Act”).

The Act grants the Board jurisdiction to review trustee-related complaints, consider trustee conduct, and determine appropriate responses and remedies. In other words, the Board has the statutory authority to govern its internal procedures by regulating the conduct of its members.

To this end, section 87(1)(c) of the Act confers the statutory power on the Board to disqualify a Board member “...from remaining as a trustee of a board if that person has breached the code of conduct of the board established under section 33, where the sanction for the breach under the code of conduct may be determined by the board to be disqualification.”

On November 14, 2023, the Board, seized with the October 16, 2023, Code of Conduct complaint (“Second Complaint”) made by a Board member (“Complainant #2”) against the “Respondent” (at the time of the Second Complaint, Trustee Monique LaGrange), which is attached hereto as Appendix “A”, voted (“Second Motion”) 3-1 in favour of disqualifying the Respondent from her school Board trustee position.

The Second Motion was approved by the Board majority after the November 13 and 14, 2023, special Board meeting (“Second Code of Conduct Hearing”) during which the Board conducted an *in camera* hearing as a result of the Second Complaint. The Second Motion is attached hereto as Schedule “A”.

At the Second Code of Conduct Hearing, the Board heard information, evidence, and argument from both Complainant #2, the Respondent and their respective legal counsel.

These reasons (“November 2023 Board Reasons” or “Reasons”) are issued by the majority of the Board on November 24, 2023, further to the Second Code of Conduct Hearing.

II. Background

The relevant factual background will be briefly reviewed:

First Code of Conduct Hearing

- On September 25 and 26, 2023, the Board held a Special Board Meeting (“First Code of Conduct Hearing”) during which the Board conducted an *in camera* hearing further to the September 7, 2023, Code of Conduct complaint (“First Complaint”) submitted by a Board member (“Complainant #1”) against the Respondent;
- At the First Code of Conduct Hearing, the Board heard information, evidence, and argument from both Complainant #1, the Respondent and their respective legal counsel;
- At the First Code of Conduct Hearing, it was undisputed that, on or about August 27, 2023, the Respondent posted on her personal Facebook account a meme displaying two photographs which respectively showed:
 - a) a group of children holding Nazi flags with swastikas; and
 - b) a contemporary photograph of children holding rainbow Pride flags, and captioned “Brainwashing is brainwashing” (“Original Meme”).

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- During the First Code of Conduct Hearing, the Respondent stated that her intentions were that the Original Meme was not directed toward the Red Deer Catholic Separate School Division (“Division”) and was not a challenge to Division practices;
- After fulsome deliberations, on September 26, 2023, the Board determined that the Respondent had breached Board Policy 3 – Trustee Role Description (“Board Policy 3”), Board Policy 4 - Trustee Code of Conduct (“Board Policy 4” or “Code”), and the Act. The Code is attached hereto as Appendix “B”;
- On September 26, 2023, the Board passed a motion (“First Motion”) censuring the Respondent. The Motion and the related October 13, 2023, Board reasons (“October 2023 Board Reasons”), are bundled and attached collectively hereto as Appendix “C”.

September 28, 2023, Posting

- On September 28, 2023, the Respondent posted two items on her personal Facebook page:
 - a) the first depicting a wolf wearing facial make-up and licking its lips, with the caption, “I just want to read some books to your chickens”; and
 - b) a photograph of a non-binary author with the caption, ““Parental rights really anger me’ non-binary children books author pushes back against parents.” (both of which are attached hereto as Appendix “D”)

At the Second Code of Conduct Hearing, the Respondent’s legal counsel indicated item b) was a news article, not a meme and further, that the Respondent was sharing a news article about an individual who identifies as non-binary. This item is attached hereto as Appendix “E”.

The materials referred to above at (a) and (b) are collectively referred to herein as the “Social Media Posts.”

- On September 29, 2023, the Board Chair emailed the Respondent regarding the Social Media Posts, and informed the Respondent that the issues relating to her conduct as a school board trustee and her corresponding trustee responsibilities are serious. The Board Chair further advised the Respondent that breach of the First Motion could result in further conduct hearings, a possible outcome of which was disqualification from acting as a trustee. This email is attached hereto as Appendix “F”.
- At or around October 2, 2023, “*Laura-Lynn Talks*”, released an interview (“Laura-Lynn Interview”) in which the Respondent appeared as a guest. It is the understanding of the Board that the Laura Lynn Interview was recorded sometime between September 26, when the First Motion was passed, and October 1, 2023. At the outset of the Laura-Lynn Interview, the Respondent identified herself as a Red Deer Catholic Regional Schools Trustee and she spoke about the posting of the Original Meme that resulted in the First Code of Conduct Complaint. A link to the Laura-Lynn Interview is attached as Appendix “G”.
- On October 19, 2023, the “*Talk Truth*” talk show (“Talk Truth Interview”), which aired on the same date, conducted by Corri and Allen Hunsperger, included an interview with the Respondent a link to which is attached as Appendix “H”.

At the outset of the *Talk Truth* Interview, Corri Hunsperger identified the Respondent as a Red Deer Catholic School Trustee who is currently in the news and who got herself “into a little bit of hot water”.

The Respondent spoke about the Original Meme that led to the Respondent being, “brought up on a code of conduct” “in front of the Board”. When asked if she could “rewind time”, the Respondent stated that: she would “still post” the Original Meme again; “it is not offensive if you understand” “what is actually going on in the world.”; it’s thought-provoking; it’s a warning of what could be. History likes to repeat itself. And so, where are we in that, that you know circle of history. So, you know people need to wake up. They seriously do and parents need to know what’s going on.”

The Respondent also indicated in the Talk Truth Interview that,

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“teachers they’re not in the profession to indoctrinate your children. They, they love children. They’re there to make the world better, um, and so, you know, you have to understand that part of it. But most of us that have gone to university in the last 20 years, we have been victims of this indoctrination ourselves. And so, when you’re indoctrinated, you don’t think anything of what you’re, you know, the way you’re teaching it the words you’re using. And so, it just becomes your normal, um, and so this filters down it’s a very slow drip into our classrooms. And so, it’s you know it’s just being aware of how the process works and the whole agenda of how they’re indoctrinating us, where that’s coming from you have to understand that as well. So be aware, um, as a parent take your authority back. So, you are the primary educator and we can’t forget that. We as parents, so I have a unique perspective here because I’m a parent, I have a background I was a teacher and I’m now a school trustee. So, I’ve seen the whole gambit basically and so I have a very interesting perspective and authority is huge. So, parents have given their authority away to something that maybe they perhaps didn’t recognize. And so, it’s getting that authority back and educating your kids. You should be educating your kids, you know, about relationships and sexuality, that’s your job as a parent. That’s between you, your child, and God. Not the teachers. And so, the teachers are there to do reading, arithmetic, you know that sort of thing right. And you know we need to just make sure that we are as a parent, we know what the boundaries are.”¹

The Laura Lynn Interview and the Talk Truth Interview are collectively, the “Interviews.”

The above events were undisputed at the Second Code of Conduct Hearing.

The Second Complaint

- The Second Complaint related to both the Social Media Posts and the Interviews, and alleged that the Respondent’s Social Media Posts, and participation in and commentary during the Interviews, contravened the Code and the Act, and further breached the First Motion;
- Following receipt of the Second Complaint and in accordance with Appendix A of Board Policy 4 and the Act, the Board scheduled the *in camera* Second Code of Conduct Hearing;
- The Respondent was present (virtually) at the Second Code of Conduct Hearing and was provided with a full opportunity to make submissions; she was represented by counsel who submitted written and oral arguments to the Board.
- Complainant #1 did not participate in any way in the Second Code of Conduct Hearing or the preparation of these Reasons.

III. Materials Submitted at the Second Code of Conduct Hearing

Prior to the Second Code of Conduct Hearing, Complainant #2 submitted the following materials to the Board, the Respondent and her legal counsel:

- a) The Second Complaint;
- b) The October 16, 2023, support letter for the matter to proceed to a hearing;
- c) The 8-page written Submissions of Complainant #2 (“Complainant #2’s Written Submissions”) which included:
 - Board Policy 4;
 - First Motion and October 2023 Board Reasons;
 - Board Chair’s September 29, 2023, 1:12 p.m. email to the Respondent;

¹ Note: These statements are taken from the October 19, 2023, “Talk Truth” talk show.

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- Laura Lynn Interview;
- Board Chair's October 20, 2023, email (Trustees Only) re: Some New Information;
- Trustee Heistad Complaint re LaGrange conduct 10.02.23;
- Policy 1 – Division Foundational Statements;
- Board Administrative Procedure 103 - Welcoming, Safe and Caring, Inclusive and Respectful Learning Environments (“AP 103”);
- Board Policy 3;
- TrueNorth² and LifeSite news articles;³ and
- Talk Truth Interview.

In response to Complainant #2's Written Submissions, the Respondent's legal counsel submitted to the Board, and Complainant #2 and her legal counsel, a 10-page written submission (“Respondent's Written Submissions”) which did not contain any attachments.

Complainant #2 and the Respondent were both present and were represented by Counsel at the Second Code of Conduct Hearing.

At said hearing, no party objected to the Board composition nor raised issues of procedural unfairness.

Pursuant to Appendix A of Board Policy 4, during the *in camera* portion of the Second Code of Conduct Hearing submissions were made by the parties (i.e., Complainant #2 and her legal counsel, and the Respondent and her legal counsel) to the Board. Board members also posed questions at the Second Code of Conduct Hearing. Following the completion of their deliberations, the Board returned to a public session and, as earlier noted, voted 3-1 in favour of the Second Motion which reads:

BE IT RESOLVED that further to the November 13 and 14, 2023, *in camera* discussions, and after having carefully considered all the points raised therein, and in accordance with Board Policy and the Education Act, Trustee LaGrange has violated sanctions issued on September 26, 2023, and had further violated Board Policy and the Education Act. As a result, Trustee LaGrange is hereby disqualified under section 87(1)(c) of the Education Act and Board Policy from remaining as a school board trustee. The Board will issue detailed reasons in support of this Board motion on or before November 24, 2023.

IV. Alberta's Education Act

The preamble of the Act addresses inclusiveness and respect in the provision of education to Alberta students:

WHEREAS students are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self;

WHEREAS the Government of Alberta recognizes the importance of an inclusive education system that provides each student with the relevant learning opportunities and supports necessary to achieve success;

² True North Canada News, *Red Deer Trustee has “no regret” about anti-gender ideology post, despite punishment*, by Noah Jarvis, published September 28, 2023, attached as Appendix “I”.

³ LifeSite, *Canadian Catholic school trustee silenced, forced to undergo ‘sensitivity’ training for opposing LGBT agenda*, by Anthony Murdoch, published September 27, 2023, attached as Appendix “J”.

These recitals are also reflected in beliefs 9 and 10 of Board Policy 1 – Division Foundational Statements:

9. The schools will foster the mental and physical well-being of all students through:
 - 9.1 Selection of appropriate programs which emphasize physical, leisure activities; and
 - 9.2 A respect for the worth and dignity of the individual.

10. The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality.

Section 2 of the Act states:

Limitations

2. The exercise of any right or the receipt of any benefit under this Act is subject to the limitations that are reasonable in the circumstances under which the right is being exercised or the benefit is being received.

Section 33 of the Act imposes statutory duties on the Board, some of which are:

- develop and implement a school trustee code of conduct;⁴
- establish and maintain governance and organization structures that promote student well-being and success, and monitor and evaluate their effectiveness;⁵
- ensure that each student enrolled in a school operated by the board and each staff member employed by the board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging;⁶
- establish, implement and maintain a policy respecting the board's obligation under subsection (1)(d) to provide a welcoming, caring, respectful and safe learning environment that includes the establishment of a code of conduct for students that addresses bullying behaviour;⁷ and
- to provide a statement of purpose that provides a rationale for the student code of conduct, with a focus on welcoming, caring, respectful and safe learning environments.⁸

School board trustees in Alberta must adhere to their code of conduct. This requirement is contained in Board Policy 1 and is a statutory requirement under the Act, which states:

A trustee of a board, as a partner in education, has the responsibility to (...) comply with the board's code of conduct (...).⁹

This requirement is also contained at clause 6.20 of Board Policy 3.

⁴ Act s. 33(1)(k).

⁵ Act s. 33(1)(h).

⁶ Act s. 33(1)(d).

⁷ Act s. 33(2).

⁸ Act s. 33(3)(d)(i).

⁹ Act s. 34(1)(c).

Finally, the courts have recognized that school boards have an obligation to enforce a minimum of standard of conduct expected of trustees. This is noted in the Ontario decision of *Del Grande v. Toronto Catholic District School Board*, which the Board cited in the October 2023 Board Reasons. The Board acknowledges that this decision is not binding in Alberta, but continues to find the following principle applicable:

(...) the Board has a statutory obligation to promote student well-being and a positive and inclusive school climate. The Board also has an obligation to enforce a minimum standard of conduct expected of its Trustees. All Trustees have an obligation to comply with the *Code of Conduct* and to assist the Board in fulfilling its duties. Sanctioning the Applicant for making disrespectful comments was not contrary to the *Education Act*, but consistent with the *Act's* statutory objectives.¹⁰

V. Position of Complainant #2

The Second Complaint alleges that the Respondent breached the Code in relation to the above-described conduct (“Alleged Code Breaches”) in the following ways:

- a) failing to carry out her responsibilities with due diligence (Board Policy 4, Section 1, noting the responsibilities outlined in Board Policy 3, Section 6.3, 6.4, 6.7, 6.18 and 6.20);
- b) failing to represent the Board with respect and decorum and to reflect Board policy in public communications (Board Policy 4, Sections 7 and 22);
- c) failing to work in harmony with fellow Board members including in communications to the electorate (Board Policy 4, Sections 5 and 15); and
- d) failing to conduct herself in a dignified, ethical, professional and lawful manner (Board Policy 4, Section 6).

The Second Complaint further alleges that the Respondent failed to comply with the First Motion in the following ways:

- a) continuing to represent the Board in an official capacity in speaking to news and media outlets; and
- b) continuing to make public statements touching upon the 2SLGBTQ+ community.

VI. Position of the Respondent

The Respondent’s Written Submissions

The Respondent contests the reasonableness of the factual and legal findings of the Board as articulated in the October 2023 Board Reasons and intends to seek judicial review of the First Motion. The Board acknowledges that seeking such a remedy is the Respondent’s right. However, as the Respondent has not sought and obtained a judicial stay of the First Motion, it remains in force notwithstanding her disagreement with it.

The Respondent disagrees with the Second Complaint and advances the following arguments:

- a) The definitions used in the First Motion, in particular those of “represent”, “official capacity” and “community”, are vague and uncertain, and must be interpreted according to their ordinary meaning in the absence of a specified definition;

¹⁰ *Del Grande v. Toronto Catholic District School Board*, 2023 ONSC 691, para 81.

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- b) The Respondent did not communicate (intentionally or unintentionally), in the Interviews or otherwise subsequent to the First Motion, in any official capacity as a school board trustee with the media;
- c) The Respondent has spoken only about 2SLGBTQ+ ideology, and not about the “community” being specific individuals or the group of people comprising that community as a whole;
- d) The Respondent has not breached the Code and the Second Complaint arises from a personal disagreement with the Respondent’s personal beliefs; and
- e) The Respondent’s conduct is consistent with her pastoral obligations, as she adheres to traditional Catholic beliefs and values.

The Respondent’s Views Expressed at the Hearing

Through her counsel, the Respondent expressed her views at the Second Code of Conduct Hearing consistent with those found in the Respondent’s Written Submissions. The Respondent stressed that she loves all students in the Division, but that truly adhering to Catholic values, beliefs and teachings requires a rejection of what she describes as transgender “ideology” which, in the Respondent’s view, is in fact a mental disorder.

The Respondent also reiterated her arguments that the First Motion was unclear and that she did not violate any of its terms. The Respondent acknowledged that at no time did she seek clarification of any of the terms of the First Motion. In her view, the onus was on the Board to make the First Motion clear, and not on the Respondent to seek clarification.

VII. Issues

After careful consideration of the written and oral submissions of Complainant #2 and the Respondent, the Board determined that the following issues required determination:

1. Did the Respondent’s conduct subsequent to the issuance of the First Motion constitute a failure to comply with the conditions of the First Motion?
2. Did the Respondent’s conduct subsequent to the issuance of the First Motion constitute a further breach of the Code?
3. If the answer to either or both of Issue 1 and Issue 2 is yes, what is the appropriate sanction?

VIII. Reasons

Context to These Reasons: Board Policy and Compliance with the Act

The Board’s mission is as follows:

The Red Deer Catholic Separate School Division is committed to supporting inclusive communities that foster care and compassion of students, families and staff with a complete offering of learning opportunities delivered within the

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context of Catholic teachings and tradition, and within the means of the Division.¹¹

The purpose of the Mission Statement is to govern the interactions within the Division and among members of the Division including Board members. Board Policy 1 sets forth beliefs that are meant to govern the interactions of the Division as stewards of Catholic education, including Belief 10 which reads:

The schools will foster and maintain a safe, secure, caring, respectful and inclusive learning environment for all students, families and staff that is free from physical, emotional and social abuses and models our Catholic faith and values. Schools will be comprehensive and holistic in their approach to inclusion and other potential student issues including bullying, justice, respectful relationships, language and human sexuality. [Emphasis added]

AP 103 details how the Policy 1: Division Foundational Statements are to be carried out by School Division staff. Among other things, a “Christ-centered, welcoming, caring, respectful and safe learning environment **that respects diversity, equity and human rights and fosters a sense of inclusion and belonging**”¹² is to be maintained. [Emphasis added]

The Code states that the Board “commits itself and its members to conduct that meets the highest ethical standards.” Board members are expected to conduct themselves, at all times, in a mutually respectful way which affirms the worth of each person, especially students:

That trustees are the children’s advocates and their first and greatest concern is the **best interest of each and every one of these children without distinction as to who they are or what their background may be.**¹³ [Emphasis added.]

Section 1 of the Code requires that Trustees carry out their responsibilities as detailed in Board Policy 3 with reasonable diligence. Board Policy 3 is attached in full as Appendix “K”. The Board notes the following provisions in particular:

6. Specific Responsibilities of Individual Trustees

(...)

6.3 The trustee can engage with the public through a variety of communication methods, understanding that all communications and interactions must reflect the principles of the Trustee Code of Conduct.

6.4 Trustees will be cognizant that they are representing the interests of the Board while posting or commenting on social media, and aware of public perception that their posts, comments and social media engagement, are in accordance with their duties within the school division.

(...)

¹¹ Board Policy 1: Division Foundational Statements, Mission (“Mission Statement”).

¹² AP 103, Background.

¹³ Code p. 1.

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6.7 The trustee will support the decisions of the Board and refrain from making any statements that may give the impression that such a statement reflects the corporate opinion of the Board when it does not.

(...)

6.18 The trustee will contribute to a positive and respectful learning and working culture both within the Board and the Division.

(...)

6.20 The trustee will adhere to the Trustee Code of Conduct.

Failure to adhere to these responsibilities is considered to be a breach of the Code pursuant to section 1 of Policy 4, which Policy also states:

5. Trustees shall endeavour to work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during debate.

6. Trustees shall commit themselves to dignified, ethical, professional and lawful conduct.

7. Trustees shall reflect the Board's policies and resolutions when communicating to the public.

...

15. Work together with fellow trustees to communicate to the electorate.

16. Remember at all times that individual trustees have no legal authority outside the meeting of the Board, and therefore relationships with school staff, the community, and all media of communication is to be conducted on the basis of fact.

...

22. Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.

Consequences for the failure of an individual trustee to adhere to the Code are specified in Appendix "A" to the Code, which sets out a range of sanctions and remedial measures, all of which supplement the disqualification sanction in the Act:

87(1)(c) A person is disqualified from remaining as a trustee of a board if that person has breached the code of conduct of the board established under section

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33, where the sanction for the breach under the code of conduct may be determined by the board to be disqualification¹⁴

Issue 1: Did the Respondent's Conduct Subsequent to the Issuance of the First Motion Constitute a Failure to Comply with Conditions of the First Motion?

The Board did not arrive at the First Motion lightly. As noted in the October 2023 Board Reasons, the Board carefully reviewed all materials provided to it at the First Code of Conduct Hearing, considered the submissions of Complainant #1 and the Respondent, and engaged in a fulsome and comprehensive consideration of the issues.

The Board notes that the Laura-Lynn Interview was recorded before the First Motion had been issued publicly but after the First Motion had been passed (and was therefore in effect). The Board does not find this distinction to be of any significance. The Respondent did not inform the Board that she had made an effort to halt the release of the Laura-Lynn Interview, or if that was not possible, to publicly disavow it. The Respondent did not alert the Board that this interview was about to be publicly released, nor did the Respondent offer any explanation to the Board as to this interview (rather, the Respondent maintains the Laura-Lynn Interview did not breach the First Motion). The Laura-Lynn Interview is in context consistent with the Respondent's overall approach and subsequent to the issuance of the First Motion.

Condition (b) of the First Motion

Condition (b) of the First Motion ("Condition (b)") states:

As a result, as of today's date [September 26, 2023] and up to and including the Trustee's Term of Office ("End Date"), the Trustee

a.

b. shall not **represent the Board/School Division in any official capacity**, including Board/School Division functions, events, award ceremonies, conferences, assemblies, school masses, graduation events, school council meetings and **speaking with news/media outlets**. [emphasis added]

The Respondent's Written Submissions indicate that the First Motion lacks clarity surrounding the meaning of "represent" and "official capacity", and that in the absence of any specific definition, the plain and ordinary meaning of those terms must be used. The Respondent further argues that at no time in any of the Respondent's media comments, either personally or through counsel, did she purport to "represent" the Board in an "official capacity".

The Board agrees with the Respondent that the interpretation of Condition (b) must be in accordance with the plain and ordinary meaning of its language; however, such interpretation must also be reasonable and account for the context in which it was written. The Respondent was identified, introduced or described as a school board trustee in the Interviews. The topics of discussion were in both of the Interviews related to educational issues within the scope of a Trustee's job responsibilities, and/or the First Motion which was the result of a process applicable only to school board trustees. The Board is of the view that a reasonable person, reading or hearing comments or social media postings of a school board trustee introduced and/or

¹⁴ Act s. 87(1)(c).

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self-described as such, would not anticipate that such comments were offered solely in the trustee's personal capacity absent, at minimum, a specific declaration to that effect from the trustee.

The Respondent's arguments in this regard are unconvincing and the Board does not accept them. The Board finds that the Respondent has not complied with Condition (b) of the First Motion in relation to the Interviews.

Condition (c)

Condition (c) of the First Motion ("Condition (c)") states:

As a result, as of today's date [September 26, 2023] and up to and including the Trustee's Term of Office ("End Date"), the Trustee

- a.
- c. shall cease making any public statements in areas touching upon or relating to,
 - i. **the 2SLGBTQ+ community**; (emphasis added) and
 - ii. the Holocaust

The Respondent submitted that the term "community" is not clear or defined, and accordingly must be understood to refer to specific individuals or the group of 2SLGBTQ+ individuals as a whole. By contrast, the Respondent argues that her comments related to ideas and ideology, not this particular community. For the reasons following, this argument is unconvincing, and the Board does not accept it.

A critical feature of the 2SLGBTQ+ community is the gender and sexual orientation of its individual members as expressed as a member of that community. To separate those individuals from that core understanding of their own identity is artificial. Further, it is a strained interpretation that is at odds with any possible "plain meaning" of the term "community".

Further, the Respondent has argued that the Original Meme and Social Media Posts are not about the 2SLGBTQ+ community but about "transgender ideology" (as the Respondent puts it). This argument is similar to that rejected by the Board in the First Code of Conduct Hearing in which the Board found that the nuanced message allegedly sought to be conveyed by the Respondent in the Original Meme to an audience, including elementary-aged school children, was not adequately conveyed by a three word, two picture meme.

The Respondent cannot insist on a plain meaning interpretation of language only when it suits her.¹⁵

The Board finds that the Trustee has not complied with Condition (c) of the First Motion by making public statements in areas touching upon or relating to the 2SLGBTQ+ community, *inter alia* through the Interviews.

In addition, the evidence provided in the Second Complaint of the Social Media Posts demonstrates posting of content of a similar nature to the Original Meme at issue in the First Complaint, touching upon or related to the 2SLGBTQ+ community. The Board finds that the Social Media Posts are an additional violation of the First Motion.

¹⁵ Respondent Submissions paras 10 and 26.

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Intended Breaches of First Motion Not Part of the Reasons

The Board notes that the 90-day timeline granted to the Respondent has not yet passed since the First Motion. As a result, the Board does not find that the Trustee violated conditions (d) or (e) of the First Motion related to sensitivity training and an apology.

Issue 2: Did the Respondent's Conduct Subsequent to the Issuance of the First Motion Constitute a Further Breach of the Code?

The Respondent expressly relies on her prior submissions at the First Code of Conduct Hearing (para. 4). She is entitled to do so. However, the Board carefully reviewed and considered those submissions before issuing the First Motion, which remains the Board's valid and as yet uncontested ruling on the matter.

The Respondent's Written Submissions (paras. 30-33) essentially dismiss the Second Complaint as a disagreement over personal beliefs and politics while dismissing the Complainant #2's views as "liberal" or "woke".

The October 2023 Board Reasons clearly outline the Respondent's Code breaches that led to the First Motion, and to the extent that the Respondent continues to express disagreement with them, the Board hereby adopts and incorporates those reasons. As noted above, the Respondent has continued with a course of conduct that is disparaging of the 2SLGBTQ+ community, disregarding of the inclusivity guidance promulgated by the Board and the Division, and disrespectful of the Board, all the while offering no new rationale or explanation. In this regard, the Board agrees with and accepts the submissions of Complainant #2 in finding that the Respondent has breached the following provisions of the Code:

- Policy 3, Sections 6.3, 6.4, 6.7, 6.18 and 6.20; and
- Policy 4, Sections 1, 5, 6, 7, 15 and 22.

The Board's detailed reasons for finding breaches are as follows:

- Board Policy 3, Section 6.3: For the reasons noted, the Respondent failed to communicate with the public in a manner that reflected the principles of the Code;
- Board Policy 3, Section 6.4: For the reasons noted, the Respondent's activity on/in relation to the Social Media Posts failed to reflect any recognition of her obligation to represent the interests of the Board, her duties as a trustee, or awareness of public perception;
- Board Policy 3, Section 6.7: For the reasons given, the Respondent has failed to support the First Motion and October 2023 Board Reasons, indeed, the Respondent through her counsel has publicly denigrated them and indicated an intention not to comply. While the timeline for compliance has not yet expired such that the First Motion has not yet been breached with respect to these declarations, these expressions, as an *obiter* statement, nevertheless contradict section 6.7;
- Board Policy 3, Section 6.18: For the reasons noted, the Respondent has failed to contribute to a positive and respectful learning environment; to the contrary, a community within the Division has been made to feel unwelcome and unsafe;
- Board Policy 3, Section 6.20: For the reasons noted, the Respondent has not adhered to the Code;

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- Board Policy 4, Section 1: For the reasons noted, the Respondent failed to carry out her responsibilities under Policy 3 with reasonable diligence. The Respondent instead knowingly has declined to carry out the above-described responsibilities with respect to the 2SLGBTQ+ community;
- Board Policy 4, Section 5: For the reasons noted, the Respondent did not endeavour to work with her fellow trustees in a spirit of harmony and co-operation. Rather, the Respondent conducted herself contrary to Board and Division guidance, disregarded a motion of the Board, and has through her counsel denigrated and disrespected her fellow trustees;
- Board Policy 4, Section 6: For the reasons noted, the Respondent has not conducted herself in a dignified, professional and ethical manner. Rather, she has disrespected and denigrated the Board and a valued and respected community within the broader educational community that she was elected to serve;
- Board Policy 4, Section 7: For the reasons noted, the Respondent has not reflected Board policy and resolutions in her public communications, in fact, she has openly disregarded and/or expressed the intention to disregard them. While the time to comply with certain conditions of the First Motion has not yet passed and accordingly it has not yet been breached, repeated open affirmations of the intent not to comply are inconsistent with this provision;
- Board Policy 5, Section 15: For the reasons noted, the Respondent has not worked together with the Board to communicate with the electorate. Rather, the Respondent has engaged in her own communications contrary to Board and Division policy and the First Motion;
- Board Policy 4, Section 22: For the reasons noted, the Respondent has failed to represent the Board responsibly and with proper decorum and respect for others in Board-related matters. In a public interview, in which the Respondent is identified as a trustee and does not state that she is speaking solely in her personal capacity, at which business of the Board is discussed, the Board finds this provision applicable. The Respondent failed to show respect for either the Board or the 2SLGBTQ+ community.

Accordingly, the Board finds that the Respondent has committed further and additional breaches of the Code, in addition to her non-compliance with the First Motion.

Catholicity-related Arguments raised by the Respondent and her Counsel

According to the Respondent's Written Submission, the Respondent seeks to protect children, protect parental rights, and uphold Christ-inspired beliefs with integrity even in the face of alleged political persecution by her fellow Board members. The Respondent's legal counsel argued that it is not of value to be able to secretly hold one's beliefs but not be able to espouse them.

The Board wishes to highlight what it wrote in the First Motion regarding the Respondent's ability to raise any education-related concerns, including those relating to what the Respondent refers to as "gender ideology":

- a) the Respondent could bring forward any educational-related issue for discussion and debate to the Board through the Board's standard procedures and practices; and
- b) the Board welcomes open debate or education-related issues in accordance with Board policy and procedures, including sensitive or difficult topics.

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The Respondent Suggests that Board Members Act as if they Serve on a Secular Board

At the Second Code of Conduct Hearing the Respondent's legal counsel suggested the Respondent acted as if she served on a religious Catholic school board whereas the other Board members acted as if they served on a secular school board. Paragraph 35 of the Respondent's Written Submissions addresses this as follows:

... Much of the political disagreement between Trustee LaGrange and the Board has arisen precisely because Trustee LaGrange adheres to traditional Catholic beliefs and values about gender, sex, family, and protecting children, while the Board has prioritized the liberal secular values that promote LGBT ideas and gender ideology and undermines parental rights.

During the Second Code of Conduct Hearing the Respondent's legal counsel submitted that:

- a) it is disingenuous to say that gender ideology and the sexualization of children are Christ-centered; they are not;
- b) No true follower of Christ, who is both honest and reasonable, would claim that they are;
- c) That Catholic beliefs are at odds with "LGBTQ ideologies", and this is the source of conflict between the Respondent and the Board.

However, the issue before the Board does not turn on whether the Respondent's impugned conduct contravened Roman Catholic values but whether the same violated the Act, the Code and the First Motion.

To the extent the Respondent is suggesting that her personal interpretation of Catholic doctrine entitles her to disregard the Act and Board Policies 3 and 4, which the Board views as reasonable, it does not. The Respondent has obligations to the Board on which she serves, to the Division, and to its students, which obligations are set forth in legislation and in Division and Board policy, all of which govern trustee conduct.

Furthermore, the Respondent was free to seek to change Board Policies 3 and 4 and related Board practices to better align with what she believes to be the proper approach to Catholic education. Following the First Code of Conduct Hearing, the Respondent did not put forward any "gender ideology"- related agenda items for the Board to examine and debate.

The Board does not find that the Catholicity-related arguments have a bearing on its decision as to whether or not the Respondent is in breach of the Code or the First Motion.

Additional Arguments of the Respondent

At paragraph 31 of her Written Submissions, the Respondent argues that the Board is "misusing" its disciplinary power to "...silence and discipline the other side through the abuse of power". The Board rejects this characterization.

As noted above, the Respondent was free to bring matters to the Board for discussion and debate; she did not. The Respondent was free to seek a judicial stay of the First Motion; she did not. Rather than making an effort to work with the Board following the First Motion, which did not call for the disqualification remedy, the Respondent continued with the same or similar course of conduct. With respect, it is hardly an abuse of power, or indeed even a surprise, that the parties now find themselves here. The Board Chair attempted to engage with and inform the Respondent that the path she was on could lead to this outcome (i.e. Board Chair's September 29, 2023, 1:12 p.m. email to the Respondent); again the Respondent paid no heed.

At paragraph 33 of the Respondent's Written Submissions, the Respondent further argues that the Code is not a "tool to silence or expel trustees who hold to minority views or beliefs...". The Board agrees. The

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Board is not reacting to or addressing “minority views or beliefs”. The Board is addressing one of its members’ failure to comply with a validly issued Board motion, and with the Code.

The Board is reluctantly utilizing the Act and the Code in the manner outlined in these Reasons because the Respondent has left it no choice.

Responses to the Dissent

The Board acknowledges the concerns of the trustee who ultimately voted against the Second Motion (“Dissenting Trustee”). The Respondent did not raise issues of procedural unfairness at the Second Code of Conduct Hearing. In any event, as noted in the October 2023 Reasons, the Board had concluded that the First Code of Conduct Hearing was conducted in a fair manner in accordance with the principles of procedural fairness.

Concerns with the availability, and appropriateness, of the disqualification sanction were also expressed. The availability of the sanction is found at s. 87(1)(c) of the Act. This Board has deliberated upon the suitability of the sanction, finding that disqualification is appropriate.

The Board wishes to be clear - the Second Motion is not the result of the Original Meme, or a single social media post or single interview. Rather, the conduct considered at the Second Code of Conduct Hearing was as outlined in the Second Complaint. The content of the Social Media Posts and the Interviews also have an impact beyond a single trustee. Trustee conduct which suggests a lack of inclusivity of all individuals, regardless of sexual orientation or gender, impacts the community that the Division serves and students in particular.

Lastly, the Dissenting Trustee proposed an alternative resolution whereby the Respondent would be invited to a meeting to discuss an agreed resolution to these matters. With the utmost respect, the Board sees no indication of a willingness on the part of the Respondent to conduct herself in accordance with Board Policies 3 and 4, which, again, in the view of the Board are reasonable.

The Board notes the following in support of its view that the Respondent is unwilling to discuss an agreed resolution to these matters, including:

- i. The Respondent, via her counsel, has indicated through the media that she will not comply with the First Motion’s apology condition, and likely not with the condition that she receive sensitivity training;¹⁶
- ii. The Respondent’s Written Submissions state at paragraph 2 that she “contests the reasonableness of the factual and legal findings of the Board as articulated in the Reasons and contests the lawfulness of the censure as contained in the Motion. Trustee LaGrange intends to file an Application for Judicial Review of the Motion and Reasons.” Again, the Respondent is entitled to seek such a review. However, the First Motion remains the valid decision of the Board, which the Respondent dismisses throughout her submissions;
- iii. The Respondent expresses in the Interviews that she would not do anything differently if given the chance;¹⁷
- iv. The Respondent’s Written Submissions contain gratuitous and disrespectful interjections, for example:

¹⁶ True North Canada News, *Red Deer Trustee has “no regret” about anti-gender ideology post, despite punishment*, by Noah Jarvis, published September 28, 2023, attached to the Reasons as Appendix “I”.

¹⁷ Laura Lynn Interview, attached to the Reasons as Appendix “G”; Talk Truth Interview, attached to the Reasons as Appendix “H”.

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- a. Para. 4: "... submissions of Trustee Heistad, *such as they are.*";
 - b. Para. 21: "Unfortunately, the Board fails to grasp this, *whether disingenuously* or by honest mistake.":
 - c. Para. 22: "...*by believing or convincing themselves...*";
 - d. Para. 22: "failure on the part of the Board, *intentional or unintentional...*".
(The emphasis is ours.)
- v. The Respondent's Written Submissions go on to dismiss the concerns raised in the First and Second Complaints as nothing more than a particular "liberal" or "woke worldview" (para. 30). Indeed, the Trustee, through her counsel at para. 24 of her submissions, suggests that:

No "expertise" is needed, (...) , to acknowledge that it is severely mentally disordered for someone to think they are not the gender (sex) God created them to be and to further think they can change their gender (sex) to something other than what it is. While such commentary may offend liberal, secular sensibilities, it aligns with Catholic beliefs and the natural law associated with Catholic beliefs, which rejects the man-made idea that only certain "experts", and not lay believers, may identify unnatural and/or sinful behaviours.

The Board acknowledges that expressing an intent not to comply with the First Motion prior to the 90-day timeline does not necessarily amount to a breach and that there is still time within which the Respondent could comply with conditions (d) and (e). However, the intention communicated to the public to date is part of the context in which the Board considered the suggestion of the Dissenting Trustee that an agreed-upon resolution could be achieved under the current facts. The Respondent disavows any connection between her public conduct wherein she identified herself, and was expressly acknowledged as, a Board trustee speaking about matters such as the content of school curriculum within the scope and ambit of her role as a trustee including the discipline levied on her solely in her official capacity as a trustee. Based on the facts before the Board, this distinction is artificial. The Board finds that a reasonable person, hearing a school board trustee introduced as such and discussing matters related to education and trustee discipline, would be of the reasonable belief that the trustee's comments were offered in their official capacity as a trustee – in particular when that trustee refrains from confirming that they are commenting solely in their personal capacity. With respect, contrary to the Respondent's submission, if the Respondent wished the public to understand that she is speaking solely in her personal capacity then she should have said so; and

- vi. Finally, as described above, the Respondent continues to advance interpretations of her words and conduct which she asserts are what she really intended, as opposed to how her words have been interpreted. The position that the Respondent was attempting to advance is not made clear, for example, in the social media post depicting a wolf wearing facial make-up and licking its lips, with the caption, "I just want to read some books to your chickens."

The Board has considered the suggestion that the Respondent and Board could achieve an agreed resolution of the Second Complaint. Respectfully, and in light of the context above, the Board disagrees.

Issue 3: If the answer to either or both of Issue 1 and Issue 2 is yes, what is the appropriate sanction?

Unfortunately, it has become apparent to the Board that the Respondent did not accept the First Motion with the weight and seriousness anticipated or hoped for by the Board. The Respondent is entitled to her personal beliefs. She is free to work within the Board and Division to seek change. However, the Respondent is not free to disregard Board policy in order to further her views.

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Further, the Respondent has continued a course of conduct that has resulted in further breaches. This has all occurred in a very short time.

As noted above, the Board has the jurisdiction to disqualify a trustee pursuant to s. 87(1)(c) of the Act, following which the trustee is required to resign pursuant to s. 90 of the Act. The Respondent accepted that statutory requirement and resigned under protest at the conclusion of the Second Conduct Hearing.

Given the totality of the evidence before the Board, the Board was left with very few options. Disqualification was reasonable, and in light of the Respondent's conduct, the only realistic outcome in this matter.

IX. Conclusion

The Board is of the view that the Respondent can no longer be permitted to continue as a Board member. Again, while the Respondent is entitled to her personal beliefs, the Respondent's conduct constitutes a breach of the Code and Act, and in addition, a violation of the First Motion. This will not be condoned by the Board.

Accordingly, the Board passed the Second Motion pursuant to section 87(1)(c) of the Act, disqualifying the Respondent from continuing in her position. The Respondent then resigned under protest pursuant to s. 90 of the Act.

XII. Summary of Responses to Issues

1. Did the Respondent's conduct subsequent to the issuance of the First Motion constitute a failure to comply with the conditions of the First Motion?
 - a. Answer: Yes.
2. Did the Respondent's conduct subsequent to the issuance of the First Motion constitute a further breach of the Code?
 - a. Answer: Yes.
3. If the answer to either or both of the above questions is yes, what is the appropriate sanction?
 - a. Answer: For the reasons given herein, disqualification as a Board member.

Dated this 24th day of November 2023.

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SCHEDULE "A" – BOARD MOTION NOVEMBER 14, 2023

BE IT RESOLVED that further to the November 13 and 14, 2023, in camera discussions, and after having carefully considered all the points raised therein, and in accordance with Board Policy and the Education Act, Trustee LaGrange has violated sanctions issued on September 26, 2023, and had further violated Board Policy and the Education Act. As a result, Trustee LaGrange is hereby disqualified under section 87(1)(c) of the Education Act and Board Policy from remaining as a school board trustee. The Board will issue detailed reasons in support of this Board motion on or before November 24, 2023.