

Hanover Parent Alliance for Diversity
Steinbach, MB

April 25, 2024

Minister of Education-Hon. Nello Altomare
168 Legislative Building
450 Broadway
Winnipeg, MB, R3C 0V8

Re: Formal Complaint about the Hanover School Division Board's Discriminatory Actions

Dear Minister of Education, Honourable Nello Altomare

Hanover Parent Alliance for Diversity (HPAD) is a unified group of parents and professionals connected to students in the Hanover School Division (HSD). We keep our names confidential as an Alliance, due to past threats against concerned parents¹, but we will not be silent. **The wellbeing of Hanover students is in jeopardy, given the ongoing pattern of discriminatory and illegal actions of several Hanover School Board Trustees.**

This letter is a both a formal complaint against the Hanover School Board, and an urgent request for you to take corrective actions. The request is also backed by our community; since its launch on April 4, 2024, our petition² calling for you to address the discriminatory trustees and actions they have taken, has reached nearly 900 signatures. As is our right under the *Public Schools Act* 58(1)³, we are officially appealing the actions of the Hanover School Board.

"Where 10 or more resident electors of a school division or school district aggrieved by the action of a school board under subsection 57(1) or by the failure of the school board to take action within three months next following the making of a request under subsection 57(1) the electors may in writing appeal to the minister against the action, or the failure or refusal to act of the school board and the minister may refer the matter to the board of reference."

Background

The Hanover School Division (HSD) has a history of discriminative policy and practice, resulting in at least one Human Rights complaint being lodged against them⁴ in the last decade. At a meeting with HPAD in October 2023, a Hanover Board Trustee (name redacted for security reasons) expressed concerns that both Hanover Board Trustee Shayne Barkman, and Assistant Chair Jeff Friesen were at the "1 million March for Children" rally⁵. This highly problematic rally (ostensibly to eliminate SOGI curriculum) was not only harmful to Hanover school children given the vitriol and hateful rhetoric, but it was deeply inappropriate for any Board Officials to attend.

Seemingly emboldened by the rally, according to the concerned Trustee, a pattern of discriminative dialogue emerged in subsequent Board meetings, largely 'in-camera'. Discussions took place, essentially unchecked, about limiting Indigenous educational content because it's "racist to white people" and removing

¹ <https://www.cbc.ca/news/canada/manitoba/steinbach-area-mom-backlash-1.3534705>

² <https://www.change.org/p/stop-discriminatory-steinbach-hanover-school-board-members>

³ <https://web2.gov.mb.ca/laws/statutes/ccsm/pdf.php?cap=p250>

⁴ <https://www.cbc.ca/news/canada/manitoba/hanover-school-division-mchale-lgbt-complaint-1.3643629>

⁵ <https://steinbachonline.com/articles/parental-rights-group-holds-rally-in-steinbach>

Pride flags (for starters) from schools because they are “sexualized”. Motions for these have not yet emerged but are anticipated.

The discrimination continued out loud at the April 2, 2024, public Board meeting⁶, where a parent delegation (we’ll refer to as ‘PD’) was welcomed to complain, for more than the allotted 10 minutes⁷, about the presence of a gender diverse child in the ‘boys’ changeroom at Steinbach Regional Secondary School (SRSS). PD repeatedly misgendered the Hanover student as a “biological female”. PD went on to voice concern at the potentiality of a “biological male” teacher wearing “prosthetic breasts” in the ‘girls’ changeroom where his daughter would be one day. PD spoke uninterrupted, with both threatening tone and language, saying “my job is to protect my children, if I have to have a 50-year-old man in a changeroom with her, why do we allow it in the name of being inclusive...I will do what I have to protect my daughter”⁸.

Board Chair Brad Unger asked for copies of PD’s presentation, indicated there would be further discussion, and that the board would later “reach out” to PD. We assert that the Board should never have allowed a delegation with an anti-2SLGBTQIA+ agenda to present, let alone commit to discuss the subject further. Rather, once the rhetoric began, Chair Brad Unger should have responded similarly to Brandon Board Chair, Linda Ross, and stopped the delegation immediately⁹.

After the address, and the general business of accepting reports and minutes had been completed, the April 2, 2024, Board meeting concluded with three motions brought forth by Trustee Shayne Barkman: 17.1, 17.2, and 17.3.

Motion 17.1 - To have Board Trustees be involved in the hiring of music and gym teachers, similar to the process of hiring principals. This is concerning on several levels. Historically, some teachers in these roles have been part of the 2SLBTQI+ community and giving Trustees with unchecked anti-2SLGBTQIA+ ideology the authority to impact hiring, puts these teachers at great risk of discrimination in violation of the Human Rights Code, section 14(1)¹⁰.

"Discrimination in employment 14(1) No person shall discriminate with respect to any aspect of an employment or occupation, unless the discrimination is based upon bona fide and reasonable requirements or qualifications for the employment or occupation."

Much discussion took place around this motion, about the logistics of having Trustees present for interviewing teachers (operational vs governance), and why teachers of only two subject matters were to be subjected to this higher level of scrutiny (the rationale given by Trustee Shayne Barkman was because music and gym teachers are more ‘the face of the Division’ in the community). Several Trustees argued against the motion, citing that hiring of all teachers, should be equal, and it is an operational role that the Board should not engage in; the administrative staff (who the Board hired to perform functions such as this) are wholly capable.

Though it never should have been allowed to be put to a vote, given its discriminatory nature, Chair Brad Unger let it stand. Trustees Lynn and Shayne Barkman (who are, of note, related), Trustee Dallas Wiebe, Trustee Cheryl Froese, and Assistant Chair Jeff Friesen, all voted in support of the of the motion (see Fig. 1). They violated the Public Service Act¹¹ entertaining and endorsing a discriminatory motion.

⁶ <https://hsd.ca/wp-content/uploads/2024/03/Public-Board-Web-Agenda-2024-04-02.pdf>

⁷ <https://hsd.ca/wp-content/uploads/2020/05/BD-Board-Operations-and-Procedural-By-Laws.pdf>

⁸ <https://steinbachonline.com/articles/school-board-considers-request-for-gender-neutral-washrooms-changing-rooms>

⁹ <https://www.cbc.ca/news/canada/manitoba/brandon-school-division-hate-speech-1.7005914>

¹⁰ [https://www.gov.mb.ca/csc/legislation/mhrc.html#:~:text=14\(1\)%20No%20person%20shall,for%20the%20employment%20or%20occupation.](https://www.gov.mb.ca/csc/legislation/mhrc.html#:~:text=14(1)%20No%20person%20shall,for%20the%20employment%20or%20occupation.)

¹¹ <https://web2.gov.mb.ca/bills/42-2/b019e.php#Explanatory%20Note>

Motion 17.2 – To have the Board notified of all applications for all positions within HSD. After much discussion, led largely by Chair Brad Unger, the motion was heavily revised, and ultimately asked for the Board to be notified of any applicants to administrative roles (Principal, Vice Principal). Superintendent Shelley Amos made it very clear that the Board is already given a short-list of administrative candidates, yet this motion was allowed to stand and be put to a vote. Trustees Lynn and Shayne Barkman, Assistant Chair Jeff Friesen, and Trustee Cheryl Froese voted yes, but the motion failed. (see Fig. 2).

Motion 17.3 – To have students separated “between boys and girls” to receive the grade 7 sex education curriculum, as in pre Covid policy and practice. This motion is harmful and exclusionary to any students who don’t identify with the debunked concept of a gender binary¹². Fortunately, it did not pass, but Chair Brad Unger allowed the transphobic, discriminatory motion to be put to a vote, and Trustees Shayne and Lynn Barkman, Assistant Chair Jeff Friesen, and Trustee Dallas Wiebe all voted yes (see Figure 3).

Given the events of the April 2, 2024 public meeting, the concern for further problematic motions must be taken seriously. The three issues we anticipate being brought forward as official motions are outlined below.

Potential Motion 1 - To limit Indigenous educational content taught to Hanover students and limit learning about colonial racism. Such a motion would be a flagrant violation of the Public Schools Act that states that the “purpose of the public school system is to serve the best educational interests of students” and take into account the diverse needs and interests of the people of Manitoba¹³. Furthermore, any motion of this kind would violate the Truth and Reconciliation Commission’s Calls to Action¹⁴, the National Inquiry into Missing and Murdered Indigenous Women and Girls Calls for Justice¹⁵, and the Human Rights Code¹⁶.

The HSD website contains a land acknowledgement as follows:

“We acknowledge the traditional territory upon which the schools of Hanover School Division reside as the lands of Treaty 1 territory and the homeland of the Metis people. The Hanover School Division operates on the traditional lands of the Anishinaabe. In the spirit of truth, reconciliation, and collaboration, we honour our relationship with Indigenous Peoples and respect the contributions of history culture, and language of Canada’s original people.”¹⁷

To promote that Hanover school division honours the relationship with Indigenous peoples, respects the contributions of history, culture and language of Canada’s original people but then consider or discuss any kind of motion like this, is hypocrisy at best, and racial discrimination at worst.

Potential Motion 2 - To limit 2SLGBTQIA+ inclusive and evidence-based sex education to HSD students. Motion 17.3 brought forward on April 2, 2024, was an obvious first attempt to affect exclusionary and discriminatory limits to sexual health education. If left unaddressed, additional attempts should be expected from the same Trustees. Any motion to limit sexual health education, such that it is no longer inclusive of 2SLGBTQIA+ representation and sexual health material, is a violation of the Public Schools Act, no longer serving the diverse needs of our student population, nor contributing to the development of a fair, compassionate, healthy, and prosperous society¹⁸.

¹² <https://www.hrc.org/resources/transgender-and-non-binary-faq>

¹³ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250

¹⁴ https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Calls_to_Action_English2.pdf

¹⁵ https://www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Calls_for_Justice.pdf

¹⁶ <https://web2.gov.mb.ca/laws/statutes/ccsm/h175.php>

¹⁷ <https://hsd.ca/governance/board-of-trustees/>

¹⁸ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250

Potential Motion 3 - To prohibit 2SLGBTQIA+ symbols (Pride flags) in HSD schools. This potential threat to eliminate representation for marginalized students, (and staff) would be an extension of the well-established anti-2SLGBTQIA+ sentiment from a number of Trustees. Representation matters, and the rights to identity expression are protected under the Manitoba Human Rights Code. Again, a motion such as this would not meet the diverse needs and interests of the entire student population as the Public Schools Act directs.

Complaint

Our complaint is with the following six Board Trustees:

1. Chair Brad Unger, Ward 3¹⁹
2. Assistant Chair Jeff Friesen, Ward 1²⁰
3. Trustee Lynn Barkman, Ward 3²¹
4. Trustee Shayne Barkman, Ward 2²²
5. Trustee Cheryl Froese, Ward 4²³
6. Trustee Dallas Wiebe, Ward 1 West²⁴

Two of the trustees acted in bad faith with their presence as public officials at the ‘1 Million March for Children’. All of them have entertained, endorsed, and/or voted in favour of discriminatory and illegal motions. We have every reason to believe that more inappropriate actions and motions will follow. With their actions, the above-named Trustees have failed to meet their duties as outlined in the Public Schools Act, including but not limited to the following sections:

1. To ensure that each pupil enrolled in a school within the jurisdiction of the school board is provided with a safe and caring school environment that fosters and maintains respectful and responsible behaviours²⁵
2. To establish a written policy concerning respect for human diversity, and ensure that the policy is implemented in each school in the school division or school district²⁶
3. In preparing its respect for human diversity policy, a school board must have due regard for the principles of The Human Rights Code²⁷
4. A respect for human diversity policy must accommodate pupils who want to establish and lead activities and organizations that (a) promote (i) gender equity, (ii) antiracism, (iii) the awareness and understanding of, and respect for, people who are disabled by barriers, or (iv) the awareness and understanding of, and respect for, people of all sexual orientations and gender identities; and (b) use

¹⁹ <https://hsd.ca/governance/board-of-trustees/brad-unger/>

²⁰ <https://hsd.ca/governance/board-of-trustees/jeff-friesen/>

²¹ <https://hsd.ca/governance/board-of-trustees/lynn-barkman/>

²² <https://hsd.ca/governance/board-of-trustees/shayne-barkman/>

²³ <https://hsd.ca/governance/board-of-trustees/cheryl-froese/>

²⁴ <https://hsd.ca/governance/board-of-trustees/dallas-wiebe/>

²⁵ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250, p.101

²⁶ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250, p.102

²⁷ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250 p. 107

the name "gay-straight alliance" or any other name that is consistent with the promotion of a positive school environment that is inclusive and accepting of all pupils²⁸

5. A school's code of conduct must include (a) a statement that pupils and staff must behave in a respectful manner and comply with the code of conduct; (b) a statement that the following are unacceptable: (i) abusing physically, sexually, or psychologically — orally, in writing or otherwise — any person, (i.1) bullying, (ii) discriminating unreasonably on the basis of any characteristic set out in subsection 9(2) of The Human Rights Code²⁹

Actions

In consideration of all of the above, we the Hanover Parent Alliance for Diversity, backed by nearly 900 other members of our community with the aforementioned petition, respectfully request the following three actions from you, Honorable Minister Altomere:

Action One – We request that the six listed HSD Board Trustees, who have each (at minimum) violated multiple provisions of the Public Schools Act, be disqualified from their positions immediately, as is called for in Section 39.6(1) of the Act itself.

“Disqualification for violation or conviction. 39.6(1) A trustee is disqualified from holding office if he or she (a) violates any provision of this Act; or...”

Action Two – We request that a permanent Board oversight person, or official Trustee appointed by the Minister of Education, be installed to oversee all Board meetings and Trustee communications to ensure law, human rights codes, Calls to Action and Calls for Justice are being consistently followed.

“Appointment of official trustee. 28(1) The Lieutenant Governor in Council may appoint an official trustee for any school division or school district, the affairs of which are not being or cannot be, in his opinion, satisfactorily managed by the school board of that school division or school district, as the case may be.”

Action Three - We request that a thorough evaluation of HSD Board policies and recent motions be conducted, making corrections and revisions as necessary to align with the Public Schools Act, the Human Rights Code, and all other relevant legislation³⁰.

“Educational Administration Act. 8(1) The minister may establish procedures for evaluating education in, or any other aspect of the operation of public and independent schools and, at his discretion, conduct or cause the evaluation to be conducted.”

Conclusion

As the Minister of Education, you have an invaluable role to play in the lives of our students. While you may never step foot in a class room, the decisions you make, the oversight you provide, and the accountability you bring to our school division are essential. Given the authority you hold under the Educational

²⁸ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250, p.108

²⁹ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=p250, p.121

³⁰ <https://www.canlii.org/en/mb/laws/stat/ccsm-c-e10/latest/ccsm-c-e10.html>

Administration Act to further positive and safe school environments³¹, we find our three requested actions to be both reasonable and within your purview.

We would be pleased to meet with you in person or over Zoom as soon as possible. Given that the next HSD Public Board meeting is scheduled for May 7, 2024, time is of the essence. Please contact us by the email provided, and a delegation from our Alliance will be happy to meet with you at your earliest convenience. We also invite you, or a representative, to attend the next Board meeting at the Hanover School Division Administration Office, located in Steinbach.

Sincerely yours,

Hanover Parent Alliance for Diversity

³¹ https://web2.gov.mb.ca/laws/statutes/ccsm/_pdf.php?cap=e10

Fig. 1

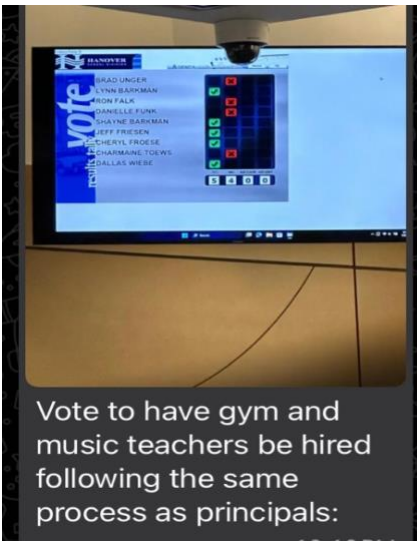


Fig. 2

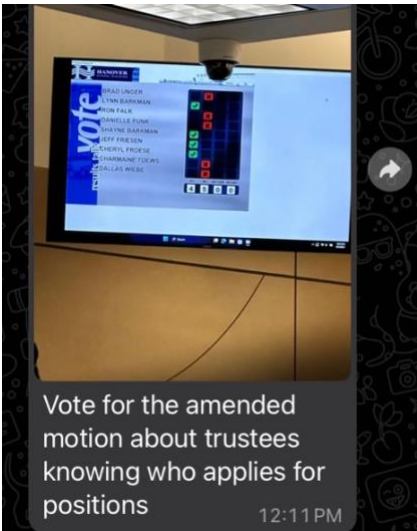


Fig. 3

