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July 8, 2025

Honourable Paul Calandra
Ministry of Education
15th Floor
438 University Avenue
Toronto, ON M7A 2A5

Hatim Kheir

Direct Line: [REDACTED]
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VIA EMAIL: paul.calandra@pc.ola.org

Dear Minister Calandra:

RE: Suspension of Catherine Kronas from the Ancaster High School Council by the Hamilton Wentworth District School Board

We are counsel for Catherine Kronas, a mother with a student enrolled in the Ancaster High School (the "**School**"), which is within the Hamilton Wentworth District School Board (the "**Board**"). Ms. Kronas is an elected member of the School's Council (the "**Council**").

On May 22, 2025, the Board intervened in the Council's affairs and suspended Ms. Kronas without warning for expressing her perspective on the Board's practice of opening meetings with land acknowledgements.

We are writing to bring this matter to your attention and to request that you to take steps to prevent public school boards from engaging in political censorship.

Background

Ms. Kronas was first elected to the Council in September 2023 as Chair for the following academic year. In October 2024, she was re-elected as a parent member of the Council. On April 9th, 2025, Ms. Kronas expressed her objection to the Council's practice of starting every meeting with a land acknowledgement. Her objection was brief, polite, and respectful. She merely asked that her objection be noted in the Council's minutes. Her objection may be viewed [here](#). At the meeting, no issue was expressed with her statement or her request that it be noted in the minutes.

On May 22, 2025, the Board [wrote](#) to Ms. Kronas notifying her that she was being suspended from the Council pending investigation, and would not be allowed to attend either in-person or virtual the Council meetings. The Board stated that Ms. Kronas

“allegedly engaged in conduct that has caused harm and is not in compliance with the Hamilton-Wentworth District School Board – HWDSB policy.” The Board did not explain what exactly Ms. Kronas is alleged to have done, who is alleged to have been harmed or how, or what provisions of the Board’s policies have been contravened.

On June 4, 2025, we wrote to the Board notifying them that Ms. Kronas’ suspension was unconstitutional and procedurally unfair. On June 6, we received confirmation from the Board that our correspondence had been received and that a response would be provided by the Board in “a timely manner.” The Board did not provide a specific timeline or any further details.

The Board’s action infringes Ms. Kronas’ constitutional right to freedom of expression and violates her right to procedural fairness.

Ontario’s public school boards are all too often getting involved in political censorship, rather than focusing on the best educational outcomes for the students they exist to serve.

We urge you to take steps to prevent public school boards from engaging in political censorship.

The Board’s Decision Violates Ms. Kronas’ Right to Freedom of Expression

The Decision infringes Ms. Kronas’ right to freedom of expression guaranteed by s. 2(b) of the *Canadian Charter of Rights and Freedoms*. The Board’s letter does not specify what harm Ms. Kronas is alleged to have caused or how. However, given that she attended the April 9, 2025, school council meeting virtually and engaged in no other conduct, it is reasonable to infer that the Board’s reaction stems from her comments during the meeting. These comments constitute protected expression under the *Charter*.¹

As Ms. Kronas spoke in turn and was entitled to participate in the council meeting, it appears the Board’s decision to suspend her is based on disapproval of the content of her expression. This suspension is a clear attempt to restrict her speech based on its content. Therefore, the purpose of the Decision is to limit Ms. Kronas’ freedom of expression, contrary to s. 2(b) of the *Charter*.² In the absence of any articulated harm, the infringement is entirely unjustified and unconstitutional.

The Decision Violates Ms. Kronas’ Right to Procedural Fairness

In rendering its Decision, not only has the Board not provided Ms. Kronas an opportunity to respond, but it has failed to disclose any information which would allow Ms. Kronas to understand the allegation against her. The only information provided by the Board’s letter is that Ms. Kronas “allegedly engaged in conduct that has caused harm and is not in compliance with the Hamilton-Wentworth District School Board – HWDSB policy.”

The following information, which is necessary for Ms. Kronas to understand the allegation

¹ *Montréal (City) v. 2952-1366 Québec Inc.*, [2005 SCC 62](#) at para. 56.

² *Irwin Toy Ltd. v. Quebec (Attorney General)*, [1989 CanLII 87 \(SCC\)](#), [\[1989\] 1 SCR 927](#) at p. 973.

against her, is missing:

- Who made the complaint?
- Who experienced the harm allegedly caused by Ms. Kronas?
- What is the nature of the harm allegedly experienced?
- What did Ms. Kronas say or do that is alleged to have caused the harm?
- How did Ms. Kronas' comment cause the alleged harm?
- Which provisions of the HWDSB Code of Conduct or Provincial Code of Conduct are alleged to have been breached by Ms. Kronas?

The letter then merely states that the "Board is currently reviewing these allegations." There is no indication if or when Ms. Kronas would be able to respond to the allegations. The Board concludes the letter by taking the extraordinary and drastic step of pre-emptively prohibiting Ms. Kronas from attending Council meetings.

Ms. Kronas is an elected parent member of the Council pursuant to s. 4 of *School Councils*, O. Reg. 612/00. She has a right to attend and participate in Council matters. The Board has deprived Ms. Kronas of that right without any explanation of the allegations against her or an opportunity to respond.

The Board is Frustrating the Purpose of School Councils

School council members are elected by parents with students enrolled in schools as representatives of those parents. Councils are empowered to pass their own bylaws and govern their own affairs.³ School councils exist to provide a mechanism to permit parents to voice their concerns and recommendations to Boards.⁴ In all respects, school councils exist to empower parents and serve as a check and balance of school boards. The Board's suspension of Ms. Kronas undermines this function.

Ms. Kronas provided her opinion on how the Council ought to conduct its meetings. She was entitled to do so. The Board intervened to punish her expression and prevent her future contributions to the Council. In doing so, it undermined the very purpose for the Council's existence.

Intervention by the Ministry

Ms. Kronas requests that the Ministry intervene to prevent to prevent Public School Boards from engaging in political censorship. While the Board is still undertaking its investigation, Ms. Kronas has already been prohibited from attending a meeting. There is no basis for the Board's Decision, let alone a justification for pre-emptively suspending Ms. Kronas.

We request that you, as the Minister of Education, speak out against the Board's censorship of Ms. Kronas and urge the Board to immediately cease its ongoing political censorship of Ms. Kronas. We urge you to make it explicitly clear, including through

³ O. Reg. 612/00, s.15.

⁴ O. Reg. 612/00, s. 20.

amendments to Bill 33, that public school boards are not permitted to engage in political censorship. Such an amendment would protect the *Charter* rights of students and parents while focusing schools on their core mandate: education.

Amending Bill 33 would be the surest way to prevent school boards from engaging in political censorship and defending the rights of students and parents in Ontario. School boards should be non-partisan institutions. However, alternatively, the amendments to the *Education Act*, contained in s. 6 of Bill 33 in its current version would permit you to give directions to the Board to end its investigation and suspension of Ms. Kronas under the proposed version of s. 230.2 of the *Act*. We ask that you exercise those powers, once available, to protect the *Charter* rights of Ms. Kronas and other parents in similar circumstances.

If you or your office require any further information, please do not hesitate to contact us.

Yours sincerely,

CHARTER ADVOCATES CANADA

Per:

A handwritten signature in black ink, appearing to read 'Hatim Kheir', written in a cursive style.

Hatim Kheir
Staff Lawyer