

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(DIVISIONAL COURT)**

B E T W E E N:

**GEOFFREY HORSMAN**

Applicant

and

**WATERLOO REGION DISTRICT SCHOOL BOARD**

Respondent

APPLICATION UNDER Rules 14.05(2) and 38 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194 and Sections 2(1) and 6(1) of the *Judicial Review Procedure Act*, R.S.O. 1990, c J.1.

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**REPLY AFFIDAVIT OF GEOFFREY HORSMAN AFFIRMED MARCH 11, 2026**

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I, **GEOFFREY HORSMAN**, of the City of Waterloo in the Province of Ontario, MAKE OATH AND SAY:

1. I am the Applicant in this matter and, as such, have personal knowledge of the facts herein deposed, except where based on information and belief, in which case I state the source and believe the same to be true.
2. I swear this affidavit in support of this application for judicial review.

Email Correspondence with Chair Christine Carmody

3. In paragraphs 14-16 of Ms. Martin's affidavit, she references emails I sent to Chair Carmody on February 8, 10, and 17, 2025. Copies of those emails are attached as Exhibits A, B, and C respectively to her affidavit.

4. In the interest of providing full context, I attach the full email exchange with responses from both parties as **Exhibit “A”** to this affidavit.

#### Beliefs Regarding the Motivation behind the Adoption of Land Acknowledgements

5. At paragraph 18 of Ms. Martin’s affidavit, she states that I had expressed the view to her that “Territorial Acknowledgements were only performed out of fear, conformity and compliance.”

6. I reply that I do not believe — and therefore probably did not state — that fear, conformity and compliance were the *only* reasons people perform land acknowledgements. I understand that some people are in favour of performing land acknowledgements. Similarly, I know that others share my viewpoint that land acknowledgements ought not to be practiced. My sense is that most people are not committed to either side of the debate, but acquiesce to the practice of land acknowledgements out of fear, conformity, or compliance.

#### Practice at Other Schools in the Board

7. At paragraph 21 of Ms. Martin’s affidavit, she notes that she told me that other schools start their school council meetings with land acknowledgements.

8. I add that in that same conversation, I informed Ms. Martin that I had attended school council meetings from other schools for my other children and none of them performed a land acknowledgement, demonstrating that there is inconsistent practice in the Waterloo Region District School Board.

#### Discussion after the September 17 School Council Meeting

9. In paragraph 36 of Ms. Martin’s affidavit, she states that the other parent who spoke up after the September 17 School Council meeting referenced at paragraph 14 of my previous affidavit as Chair Carmody.

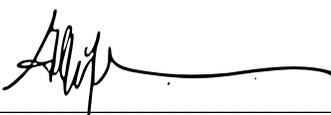
10. I reply that Chair Carmody was not the parent to which I was referring. When I spoke on the topic of land acknowledgments after the adjournment of the meeting, I concluded by saying that I would be happy to hear from other people. I saw a male parent tentatively raise his hand. Then, a woman interjected saying that she believed there would not be a discussion on the topic. Ms. Martin agreed and gave a closing statement. I responded to Ms. Martin's statement and Chair Carmody then responded to me.

11. The parent referenced in paragraph 14 of my previous affidavit is the man who raised his hand. His name is Harish Pawagi. Unfortunately, I do not know the name of the other woman who spoke. However, I was not referring to Chair Carmody's comment.

12. I swear this affidavit in support of this application and for no other or improper purpose.

**AFFIRMED REMOTELY** by videoconference )  
by Geoffrey Horsman at the City of [REDACTED] )  
in the Province of Ontario, )  
before me at the City of [REDACTED] )  
in the Province of Ontario )  
on March 11, 2026 )  
in accordance with O.Reg 431/20. )

  
\_\_\_\_\_  
**HATIM KHEIR**  
**Barrister & Solicitor**  
**LSO: 79576J**

  
\_\_\_\_\_  
**GEOFFREY HORSMAN**

This is **Exhibit "A"** referred to in the Affidavit  
of **Geoffrey Horsman** affirmed before me  
this 11th day of March, 2026.

A handwritten signature in black ink that reads "Hatim Kheir". The signature is written in a cursive style with a large, stylized initial 'H'.

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Hatim Kheir  
Barrister & Solicitor

**From:** Geoff Horsman [REDACTED]  
**Subject:** Re: KCI School Council  
**Date:** February 17, 2025 at 9:32 PM  
**To:** Christine Carmody [REDACTED]  
**Cc:** Jennifer Kruithof [REDACTED]



Hi Christine,

Yes! We've got similarly keen neighbours with snowblowers! They are lifesavers after the plow goes by, for sure!

Thanks for your detailed response. I am very shocked and appalled to learn that certain topics are not even permitted at WRDSB council meetings! Can you please provide me a link to the directive stating that we can't even discuss this? Among the most precious of human rights are those allowing us to speak and think our own thoughts. Suppression of dialogue is the most egregious violation of human rights. Let's not let government, especially a local school board, take that from us!

In order to avoid legal violations, perhaps we can provide parents with a list of verboten topics ahead of time?

I agree that we are a diverse group, which is why we must aim for maximum inclusion as Canadians unified by basic liberal principles of free expression and property rights. Compelled statements denouncing property rights in favour of some ethnicities over others is entirely opposed to those principles. I, nor anyone I know, has engaged in debate about this topic nor given informed consent.

We are free people, and as parents who are independent and duty-bound to hold government accountable—not the other way round—we can most certainly stop making territorial acknowledgements.

If, as you say, even discussing territorial acknowledgements are beyond our council's mandate, then how exactly did it come to pass that they even decided to implement them at council? As I said, I am quite certain they are not required—but please correct me with the relevant policy. Again, I simply request that we revert to political neutrality. These statements are deeply political, and they do not represent the interests of most people. To many, including many indigenous people, they are highly offensive.

Can you please direct me to any information referring to how this decision was made? It sounds like you were deeply involved in the process, and I am very interested in how this occurred and which experts were consulted. I think it is important to hear both advocates and critics of any policy. I hope both views were considered in this process.

Also, can you explain how trying to discuss the issue of compelled political speech at parent council meetings would, in any way, violate anyone's human rights? This makes no sense to me.

If, truly, discussions about territorial acknowledgements are not permitted, then I kindly request that this be openly stated, perhaps along with the recitation itself.

Thanks Christine!

Geoff

On Feb 17, 2025, at 3:06 PM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

I really wish it would stop snowing although our senior neighbour keeps snow-blowing our sidewalk and driveway which has been amazing.

I again must apologize for my delay responding to this email. We have had a difficult week around here.

Your reading of the Education Act is correct except for that the Ontario Human Rights Code overrides the entire Education Act. So for example, with a discussion about stopping the Territorial Acknowledgement, Indigenous people are a protected group under the Ontario Human Rights Code. To reopen a discussion about not having Territorial Acknowledgements at the WRDSB risks violating Indigenous people's Human Rights and therefore that discussion is not permitted at WRDSB School Council meetings. That is why that discussion cannot take place at KCI School Council's Meetings. KCI School Council also has to follow WRDSB policy. I do not believe we can just choose to stop having Territorial Acknowledgements. It is also important to understand that our School Council is generally always a diverse group. We cannot enter into any discussion that risks violating any of our members' Human Rights and our School Council has to respect the Ontario Human Rights Code at all times.

What further adds to the reason why we cannot discuss Territorial Acknowledgements, is it is beyond the scope of our School Council's mandate. The Territorial Acknowledgement is a WRDSB wide policy and part of the WRDSB's commitments to reconciliation. The WRDSB is the only entity that can make a change to this policy and KCI School Council has no ability to change this WRDSB policy. Discussions about Territorial Acknowledgements started when my son Joseph was in grade one or two. He is now in grade 11. It took several years for the policy to be adopted WRDSB wide. I was one of the parents involved in starting the discussions about having Territorial Acknowledgements in the WRDSB. There was a lot of thought put into the original decision to implement Territorial Acknowledgements at the WRDSB. The decision was carefully made and experts were consulted. I think it is highly unlikely that the WRDSB will reopen that discussion. Your only avenue of pursuing this concern is with the decision makers at the WRDSB.

It is possible to advocate at a school board level to affect change. The problem, I think you are having, is that if you risk violating the Ontario Human Rights Code with any of your discussions, you will likely be shut down for legal reasons because the WRDSB cannot violate anyone's Human Rights at Meetings of the Whole. Every policy decision at the WRDSB cannot violate the Ontario Human Rights Code.

The four School Councils that I have belonged to including three that I have chaired have all had Territorial Acknowledgements. I cannot speak for all of the School Councils in the WRDSB. WRAPSC also has Territorial Acknowledgements.

I suspect that delegations at the Meetings at the Whole will not be permitted if the delegation violates the Ontario Human Rights Code. This is not based on the political leanings of the WRDSB (school boards' policies follow the Ministry of Education, the Education Act and have to respect the Ontario Human Rights Code) or trying to limit free speech but instead the WRDSB cannot not violate peoples' Human Rights. The Education Act, the Ministry of Education and the WRDSB all have to respect the Ontario Human Rights Code.

Christine

On Mon, Feb 10, 2025 at 8:31 PM Geoff Horsman [REDACTED] wrote:

Hi Christine,

Yes the snow is piling up, and it sounds like we've got more on the way! My shovels are being well used indeed!

Thank you very much for your thoughtful and extensive response.

I agree that much of these policies are coming from the Board. However, my reading of the Education Act is that our council is tasked with improving student achievement and holding the education system to account. And the primary means of doing this is by making recommendations to the principal and the Board.

**2. (1) The purpose of school councils is, through the active participation of parents, to improve pupil achievement and to enhance the accountability of the education system to parents. O. Reg. 612/00, s. 2 (1).**

**(2) A school council's primary means of achieving its purpose is by making recommendations in accordance with this Regulation to the principal of the school and the board that established the council. O. Reg. 612/00, s. 2 (2).**

I have delegated at the Board, and I have taken concerns to teacher—>principal—>superintendent—> senior team to no avail. This is quite a common experience among many parents. The Board is now restricting delegations and seemingly doing all it can to restrict parent input that does not align with their priorities.

I think parent council is an excellent opportunity to bring those concerns to the school and to the Board another way. My reading of the Act is that our primary purpose should be advocating for student achievement and holding the system to account.

With respect to council itself, I see no reason why we recite land acknowledgements at council. There is no policy I can find that requires them, nor are they performed by many other councils.

I think we can simply stop doing them before parent council meetings. Or at least have the discussion, since they've been introduced without any debate. Furthermore, many people do not agree with them and feel they are compelled to participate. This is not modelling proper liberal principles of free expression for our children. There is currently too much fear to speak out, and that is not healthy.

To help you understand where I'm coming from (I certainly don't expect that you agree with me!), you might want to read a couple of short articles:

<https://c2cjournal.ca/2018/06/whose-land-is-it-anyway/>

<https://www.city-journal.org/article/grievance-training>

Again, I'm very happy to have a Zoom call or something if you'd like to further discuss.

Thanks again Christine, and have a great evening!

Geoff

On Feb 10, 2025, at 10:40 AM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

That certainly was a lot of snow. [REDACTED]

I understand your concern about the Chromebooks. I was wondering if you have ever considered switching your student to the WCDSB? This school board is low tech and the students work on paper for the most part I believe even in high school. The WCDSB has limited Special Education resources and generally will attempt to move students who need supports to the WRDSB. Depending on a student's needs, the WCDSB may not be willing to accept the student.

I am happy to hear that you have advocated for your son and found solutions to some of your concerns. I believe part of why there are few textbooks is because of the high cost of the books and the current defunding of our Ontario's publicly funded education system. What grade is your student in? Science definitely has text books in the higher grades. English also supplies books and that number grows as a student progresses through high school. In the last few years, English has also moved towards printed work and writing essays by hand in class. Science and math certainly have a lot of printed work that is on paper.

I think that you will appreciate our proposed Pro Grant Program for this year. Dr. Marcel O'Gorman has agreed to speak to us about Social Media and Cell Phone Addiction in Youth.

[REDACTED]

The Chromebooks supplied to WRDSB high school students was a school board level decision. As a school council, we have no ability to change that policy and a discussion about whether the school board's Chromebook policy is harmful to students is outside of the scope of our school council's mandate. My understanding is that the decision to give each student a Chromebook was for a few reasons including: a reduction of use of paper in the WRDSB due to cost of paper and a desire to limit use of paper to protect for the environment; to give each student access to a laptop as we have many students in the WRDSB who cannot afford a laptop of their own, to give supports to students who require a keyboard to type, read text, to dictate text, and for supports for students with learning disabilities which are all equity and inclusion initiatives; and to prepare students for future careers that largely use computers for writing.

You can most certainly directly engage with the WRDSB about their Chromebook policies. Because this discussion is outside the scope of our school council mandate, the appropriate place to have this discussion is at the WRDSB Meeting of the Whole as a delegation. The only way to affect change on the school board's decisions that impact all secondary schools is to directly engage with the school board.

The Ministry of Education has mandated no cell phone use during school time unless it is for medical purposes or for teacher approved educational purposes. KCI has also moved to be a social media free school as of this year. A discussion about KCI's social media policy is a school based decision. This topic does come up at school council meetings and does not exceed our school council's mandate. This topic has proved to be quite divisive because quite a few school council members do not support the limiting of social media at KCI.

On your concern that the administration is expressing political concerns, that has not been my personal experience. I have had a close working relationship with the last two principals at KCI and I have worked quite extensively and communicated with many of the VPs over the last seven years. You can certainly bring these concerns directly to the member of the administration that has made these statements or decisions. Please keep in mind though that the Ontario Human Rights Code has to be followed first and foremost by publicly funded schools and school board employees in Ontario, next, the Education Act also needs to be followed, next the Ministry of Education's policies are set which are then implemented by the WRDSB which sets the policies which administrators then follow. School Councils also are bound first and foremost by the Ontario Human Rights Code, we then follow rules set out in the Ontario Education Act for school councils, then we follow the policies set out for us by the Ministry of Education at our meetings, through specific communication from the school and our planned activities. School Councils have rules that we follow so that we do not run afoul of the Ontario Human Rights Code, the Education Act and the Ministry of Education's policies.

School Councils, publicly funded schools, School Boards and all employees of publicly funded school boards have to follow the Ministry of Education's policy which has to conform to the Education Act which has to respect the Ontario Human Rights Code. The Ontario Human Rights Code is followed, respected and adhered to first and foremost.

The Territorial Acknowledgement is part of the WRDSB's reconciliation. This decision was, I believe, made at the board level many years ago. As a school council, we cannot enter into this type of discussion because whether the WRDSB has Territorial Acknowledgements is beyond the scope of School Councils' mandates, we would violate the rules that School Councils have to follow which are set by The Education Act/The Ministry of Education and we as a school council would risk violating members of our KCI School Community including students, staff and parents/caregivers/guardians' human rights which are protected under the Ontario Human Rights Code. School Councils have to respect the Ontario Human Rights Code first, above the Education Act, the Ministry of Education's policies and the WRDSB's policies. Because the Territorial Acknowledgement is a board level decision, you could bring your concerns as a delegation to the WRDSB's Meeting of the Whole. That is the appropriate place to have that discussion.

Please do not hesitate to contact me further about your additional concerns and I will do my very best to figure out where your concerns should be directed. Our children's education matters a great deal and engaged parents are a very important part of our publicly funded education system in Ontario.

Christine

On Sat, Feb 8, 2025 at 8:50 PM Geoff Horsman [REDACTED] wrote:

Hi Christine,

No worries about the delay, and I'm glad you're feeling better.

Chromebooks have long been a concern for me. I believe over-reliance on screens results in some severe deficits in student learning, as well as general loss of cognitive capacity and focus, to say nothing of mental health problems. Although I'm not an expert, I've read books (e.g. Jonathan Haidt, Cal Newport) on this topic and I admit I struggle to understand why we use them so much. We thankfully have been eventually able to minimize (although not as much as we'd like) our son's screen use at school, and luckily he's been provided some textbooks. From what I can understand, traditional paper-based learning has many advantages.

In any case I think this is a topic that should be investigated in a serious way at council. Our kids' educations are important, and the parent council is the place to seek answers about school policies and advocate for change if needed.

The other issue that concerns me is the rather aggressive and unbalanced political viewpoints expressed by the school. To be fair, this is not just a KCI issue, but nonetheless it's a problem at KCI that we can discuss.

While individual teachers expressing their political viewpoints is inappropriate, it's less of a concern than the school administration taking political positions. I'd rather they stay neutral and stick to maximally inclusive consensus values. For example, we are all Canadians who share a very basic liberal outlook towards individual rights to free thought and diverse ideas. The current practice of land acknowledgments, for example, runs counter to these values in my opinion. They divide people based on ethnicity (which is a general theme at WRDSB) and are often riddled with factual errors. Worse, they are recited in a prayer-like manner, which impresses upon the listener an aura of the sacred. This is inconsistent with secular public education. If any individual would like to start a meeting with a prayer, I don't really mind, but I don't think it's an appropriate use of valuable meeting time that could be used to discuss substantive educational issues. Many people disagree but are fearful of speaking out. That's not a healthy dynamic. So dispensing with the land acknowledgements – and retreating to political neutrality – at parent council seems like a no brainer to me. I'd be happy to make this case at our next meeting.

If you'd like to discuss this more in a call, I'd be more than happy to at your convenience!

Thanks for reaching out, and enjoy the rest of your weekend (looks like some shovelling is in order!).

Geoff

On Feb 7, 2025, at 9:49 AM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

I apologize for the delay, I am feeling better but I am still sick. I hope that you and your family manage to avoid this virus as it is very nasty. I really appreciate your offer to help with school council.

I have a few questions about your agenda items requests.

Could you please elaborate on your concerns about the Chromebooks that are supplied to all secondary students in the WRDSB and your student(s) and students with ASD specifically at KCI?

What are your other concerns that you mentioned about KCI?

Also, could you please give me more details about your specific grave concerns about the politicalization of WRDSB schools and specifically in relation to KCI?

Sincerely,

Christine

On Mon, Feb 3, 2025 at 8:57 PM Geoff Horsman [REDACTED] wrote:

No problem Christine, I hope you feel better soon!

Geoff

On Feb 3, 2025, at 6:54 PM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

I am afraid I have come down with the nasty cold going around KCI.

I will reply as soon as I am feeling a bit better.

Christine

On Sun, Feb 2, 2025 at 5:36 PM Geoff Horsman [REDACTED] wrote:

Hi Christine,

[REDACTED]

I apologize if my email came across as accusatory, that was not my intention. I've been on a few councils and I've gotten the feeling that the principal often sort of drives the agenda, but I could be mistaken.

There are several issues regarding my observations of my children's educations that I've found in common with many other parents. For example, I am not convinced that Chromebooks are a net benefit, and may even be particularly harmful to especially to kids on the spectrum. I also have grave concerns about the politicization of the school. It would be good to try to open up these conversation in a respectful way.

I'd love to chat more if you have the time...perhaps we could arrange a quick call or zoom meeting?

Best,

Geoff

On Feb 2, 2025, at 4:11 PM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

Thank you very much for taking the minutes at our School Council meetings. Everyone on Council really appreciates your minute taking efforts!

[REDACTED]

You are very welcome to join our agenda committee mid school year. For future reference, a form is sent out at the beginning of the school year and you can either sign up for the agenda committee on the form or email me or the principal and join the agenda committee that way too.

I assure you that the school does not run School Council.

I sent emails to all council members who submitted their email addresses to be part of School Council before both of this year's School Council meetings requesting agenda items from School Council members. The agenda items I received were added to the agenda or were added to Dennis' principal's update and some of these agenda item requests will be continued to be discussed at our next meeting.

I do not believe that you sent me any agenda items. If I missed your agenda items, I apologize for this error and assure you that it was not intentional.

Out of curiosity, what items would you like added to the agenda? What kind of substantive discussions would you like to see happen at council?

Sincerely,

Christine

On Fri, Jan 31, 2025 at 11:02 AM Geoff Horsman [REDACTED] wrote:

Thanks Jennifer, and I look forward to hearing from you Christine!

Best,

Geoff

On Jan 31, 2025, at 11:01 AM, Jennifer Kruthof [REDACTED] wrote:

Hi Geoff,

Thanks for agreeing to take minutes again in February. There is usually a much smaller meeting a

Thanks for agreeing to take minutes again in February. There is usually a much smaller meeting a few weeks prior to the regular meeting at which we create the agenda for the upcoming School Council meeting. I've CC'd our Chair, Christine, to let her know that you'd like to be part of that agenda creation team.  
Kind regards,

Jennifer Kruithof

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**From:** Geoff Horsman [REDACTED]  
**Sent:** Tuesday, January 28, 2025 6:01 PM  
**To:** Jennifer Kruithof [REDACTED]  
**Subject:** Re: KCI School Council

**Caution** - External Email - This Message comes from an external organization. Do NOT click on unrecognized links or provide your username and/or password.

Sure, I'd be happy to!

Also, I'm wondering if we can try to get a few other issues discussed at council. It seems to me that the school kind of runs the show and I'd like to find a way to get more substantive discussions going.

Maybe we can have a call if you have time.

Geoff

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**GEOFFREY HORSMAN**

APPLICANT

**-and-**

**WATERLOO REGION DISTRICT SCHOOL BOARD**

RESPONDENTS

Court File No.: DC-25-424-JR

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**ONTARIO SUPERIOR COURT OF JUSTICE**

Proceeding Commenced at HAMILTON

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**REPLY AFFIDAVIT OF GEOFFREY  
HORSMAN**

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**CHARTER ADVOCATES CANADA**

[REDACTED]

**Hatim Kheir (LSO#79576J)**

[REDACTED]

**Counsel for the Applicant**