

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

BETWEEN:

**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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**APPLICATION RECORD**

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April 17, 2026

**CHARTER ADVOCATES CANADA**

[REDACTED]

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

[REDACTED]

**Counsel for the Applicant**

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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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**NOTICE OF APPLICATION TO DIVISIONAL COURT FOR JUDICIAL REVIEW**

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TO THE RESPONDENT

A LEGAL PROCEEDING HAS BEEN COMMENCED by the applicant. The claim made by the applicant appears on the following page.

THIS APPLICATION for judicial review will come on for a hearing before the Divisional Court on a date to be fixed by the registrar by the method of hearing requested by the applicant, unless the court orders otherwise. The applicant requests that this application be heard in person at the following location:

John Sopinka Courthouse  
45 Main Street East  
Hamilton, ON L8N2B7

on a date and time to be determined.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or an Ontario lawyer acting for you must forthwith prepare a notice of appearance in Form 38A prescribed by the Rules of Civil Procedure, serve it on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the office of the Divisional Court, and you or your lawyer must appear at the hearing.

IF YOU WISH TO PRESENT AFFIDAVIT OR OTHER DOCUMENTARY EVIDENCE TO THE COURT OR TO EXAMINE OR CROSS-EXAMINE WITNESSES ON THE

APPLICATION, you or your lawyer must, in addition to serving your notice of appearance, serve a copy of the evidence on the applicant's lawyer or, where the applicant does not have a lawyer, serve it on the applicant, and file it, with proof of service, in the office of the Divisional Court within thirty days after service on you of the applicant's application record, or at least four days before the hearing, whichever is earlier.

IF YOU FAIL TO APPEAR AT THE HEARING, JUDGMENT MAY BE GIVEN TO IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU. IF YOU WISH TO DEFEND THIS PROCEEDING BUT ARE UNABLE TO PAY LEGAL FEES, LEGAL AID MAY BE AVAILABLE TO YOU BY CONTACTING A LOCAL LEGAL AID OFFICE.

*TAKE NOTICE: THIS APPLICATION WILL AUTOMATICALLY BE DISMISSED* if it has not been set down for hearing or terminated by any means within five years after the notice of application was filed with the court, unless otherwise ordered by the court.

Date: November 27, 2025

Issued by [REDACTED]  
Registrar  
45 Main Street East  
Hamilton, ON L8N 2B7

**TO** Waterloo Region District School Board

[REDACTED]

**AND TO** Crown Law Office – Civil

[REDACTED]

## APPLICATION

1. The Applicant, Geoffrey Horsman, makes application for:
  - a. An order setting aside the decision of the Waterloo Region District School Board (the “**Board**”) communicated on October 29, 2025 and November 10, 2025, imposing the practice of reading land acknowledgements on school councils (the “**Land Acknowledgement Mandate**”) and forbidding school councils from debating the issue (the “**Debate Prohibition**”) (collectively, the “**Decision**”);
  - b. A declaration pursuant to section 24(1) of the *Canadian Charter of Rights and Freedoms* that the Land Acknowledgement Mandate component of the Decision violated the Applicant’s right to freedom of conscience, guaranteed by s. 2(a) of the *Charter*, in a manner that was not reasonably and proportionately balanced;
  - c. A declaration pursuant to section 24(1) of the *Canadian Charter of Rights and Freedoms* that the Debate Prohibition component of the Decision violated the Applicant’s right to freedom of expression, guaranteed by s. 2(b) of the *Charter*, in a manner that was not reasonably and proportionately balanced;
  - d. A declaration that the Decision is unreasonable, *ultra vires* the authority of the Board, and cannot be justified in light of the governing statutory scheme;
  - e. An order extending the time to bring this application, if necessary;
  - f. An order that no costs be awarded for or against the Applicant who brings this application in the public interest; and
  - g. Such further and other relief as counsel may advise and this Honourable Court may permit.
2. The grounds for the application are:

### The Parties

- a. Geoffrey Horsman is a professor of biochemistry, a father to three children who attend Board schools, and an member of the Kitchener Waterloo Collegiate and Vocational School (“**KCI**”) council (the “**Council**”);
- b. The Board is a public school board exercising authority under the *Education Act*, RSO 1990, c. E.2 (the “*Act*”) in the Waterloo Region.

### Factual Background

- c. The Council is a school council created pursuant to Ontario Regulation 612/00. It exists to improve pupil achievement and enhance the accountability of the education system to parents through the active participation of parents;
- d. Land acknowledgements are doctrinal statements, read at the beginning of events in Canada which single out First Nations people as purported holders of a special claim to the land on which the event takes place;
- e. The Council has been opening meetings with land acknowledgements despite no vote or debate being held on the issue;
- f. The Applicant has a deeply and conscientiously held belief in human dignity and the equality of all people, regardless of ethnicity, religion, sex, or nationality. The Applicant finds the reading of land acknowledgements to be racially discriminatory and contrary to the equal human dignity of all;
- g. In the spring of 2025, the Applicant sought to put the practice of reading land acknowledgements at Council meetings on the Council’s agenda to be debated and voted on;
- h. Christine Carmody, the Chair of the Council did not table the issue for discussion, but instead, referred the Applicant to speak to Sue Martin, the principal of KCI;

- i. On May 9, 2025, the Applicant spoke to Ms. Martin about his objection to land acknowledgements and his desire to have the matter debated by the Council. Ms. Martin told the Applicant that the Board requires the reading of land acknowledgements at school council meetings and would not permit the topic to be debated by the Council;
- j. Ms. Martin told the Applicant that he could discuss the issue with her superior who would be responsible for rendering the Board's decision on the issue;

### The Decision

- k. On October 22, 2025, the Applicant met with Vinay Tiwari, the System Administrator of Equity and Inclusive Education at the Board;
- l. On October 29, 2025, Mr. Tiwari emailed the Applicant to provide the Board's position (the "**October 29 Email**"). Mr. Tiwari stated that "territorial acknowledgements will continue to be part of School Council and WRDSB gatherings" (the "**Land Acknowledgement Mandate**"). Mr. Tiwari also stated that "conversations or actions that question the validity of equity-focused initiatives – including those designed to support historically and currently marginalized groups – risk undermining the dignity of members of our community. The WRDSB's commitment to equity and human rights means that certain topics, particularly those that diminish or delegitimize the experiences of equity-deserving groups must be approached with care and in alignment with the *Ontario Human Rights Code*";
- m. On November 3, 2025, Mr. Horsman responded saying "I understand you to be saying that the Board will require school councils to continue reading territorial acknowledgments. Can you please clarify, when you say that certain topics need to be approached with care, whether the school council is allowed to discuss the issue? Of course, my intention is to do so with care and respect";

- n. On November 10, 2025, Mr. Tiwari responded (the “**November 10 Email**”) saying that “the Waterloo Region District School Board requires that territorial acknowledgements continue to be included as part of School Council meetings.” Mr. Tiwari also stated that “discussions that question or challenge established equity-focused practices, including territorial acknowledgements, fall outside the scope of School Council business. These expectations are in place to ensure that all participants experience School Council as a safe, respectful, and inclusive space” (the “**Debate Prohibition**”) (the October 29 Email and November 10 emails are collectively, the “**Decision**”);

#### Legal Grounds

- o. The Board’s Land Acknowledgement Mandate requires that every Council meeting begin with recitation of a dogmatic pronouncement that offends the Applicant’s conscientiously held belief in the equality of persons. Simultaneously, the Board’s Debate Prohibition forbids any discussion, question, or challenge related to this procedure;
- p. The recitation of land acknowledgements infringes the Applicant’s right to freedom of conscience by compelling him either to acquiesce to these recitations, contrary to his conscience, or excuse himself, thus excluding him on the basis of conscientious belief;
- q. The Board’s Land Acknowledgement Mandate also infringes the Applicant’s right to freedom of conscience by violating the Board’s duty of neutrality with respect to matters of conscience;
- r. The Board’s Debate Prohibition infringes the Applicant’s freedom of expression by preventing him from expressing his point of view on the Council’s practice;

- s. The Board did not consider Mr. Horsman's *Charter* protected rights in rendering the Decision, making it unjustified and incorrect;
  - t. In the alternative, the Decision does not represent a proportionate balance between Mr. Horsman's *Charter*-protected rights and the Board's statutory objectives, rendering the Decision unreasonable;
  - u. The Board's Decision is ultra vires and cannot be justified in light of the governing statutory scheme. Ontario Regulation 612/00, which creates school councils, does not give the Board any authority to dictate Council procedure or to govern discussion and debate at Council meetings. On the contrary, the Regulation explicitly delegates to school councils the authority to "make by-laws governing the conduct of its affairs."
3. The following documentary evidence will be used at the hearing of the application:
- a. The affidavit of Geoffrey Horsman, to be sworn;
  - b. Such further and other evidence as counsel may advise and this Honourable Court may permit.

November 27, 2025

[REDACTED]

Hatim Kheir

**CHARTER ADVOCATES CANADA**

[REDACTED]

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

[REDACTED]

**Counsel for the Applicant**

**GEOFFREY HORSMAN**

**WATERLOO REGION DISTRICT SCHOOL BOARD**

APPLICANT

**-and-**

RESPONDENTS

Divisional Court File No.: DC-25-00000424-00JR

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**ONTARIO SUPERIOR COURT OF JUSTICE**  
Proceeding Commenced at HAMILTON

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**NOTICE OF APPLICATION FOR  
JUDICIAL REVIEW**

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**CHARTER ADVOCATES CANADA**

[REDACTED]

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

[REDACTED]

**Counsel for the Applicant**

**From:** Vinay Tiwari [REDACTED]  
**Subject:** Re: Follow-up  
**Date:** November 10, 2025 at 10:28 AM  
**To:** Geoff Horsman [REDACTED]

Hi Geoff, thanks for the email.

My apologies for the late response and thank you for reaching out for clarification on this matter.

To clarify — yes, the Waterloo Region District School Board requires that territorial acknowledgements continue to be included as part of School Council meetings. This expectation comes from the Board and reflects our shared commitment to Truth and Reconciliation, equity, and inclusion across all school communities.

With respect to School Council discussions — councils are encouraged to engage in open, thoughtful dialogue that supports student achievement, well-being, and belonging. However, discussions that question or challenge established equity-focused practices, including territorial acknowledgements, fall outside the scope of School Council business. These expectations are in place to ensure that all participants experience School Council as a safe, respectful, and inclusive space.

I do appreciate your desire to approach this topic with care and respect — that spirit is exactly what we hope guides all of our conversations. If there are questions about understanding or deepening this practice, I am happy to talk to you further about this and can share background on the intent and significance of territorial acknowledgements, or connect with staff who can help facilitate a conversation grounded in the principles of Truth and Reconciliation.

Thanks again and take care,



**Vinay Tiwari (he/him)**



On Mon, Nov 10, 2025 at 6:21 AM Geoff Horsman [REDACTED] wrote:  
 Good morning Vinay,

Just following up on my request of a week ago. I look forward to your response.

Best,  
 Geoff

On Nov 3, 2025, at 5:26 PM, Geoff Horsman [REDACTED] wrote:

Hi Vinay,

Thanks for your response. Can you please clarify something for me? I understand you to be saying that the Board will require school councils to continue reading territorial acknowledgments. Can you please clarify, when you say that certain topics need to be approached with care, whether the school council is allowed to discuss the issue? Of course, my intention is to do so with care and respect.

I'd appreciate your clarification on this point so I can understand whether I can take this issue back to the council.

Thanks,

Geoff

On Oct 29, 2025, at 2:58 PM, Vinay Tiwar [REDACTED] wrote:

Hi Mr. Horsman,

Thank you for taking the time to meet with me last week, and for your patience as I followed up.

As we discussed, the Waterloo Region District School Board is firmly committed to advancing Truth and Reconciliation, and to upholding human rights and equity obligations under the *Ontario Human Rights Code*. As a public education system, we have a responsibility to ensure that all spaces connected to our work—including School Councils—reflect respect for human dignity, reconciliation, and inclusion.

While we recognize that differing viewpoints may exist, these principles are not optional; they are foundational to the work of the WRDSB and are protected under provincial legislation. The *Ontario Human Rights Code* guarantees the right to equal treatment in education and obligates school boards to prevent and address discrimination and harassment. The *Education Act* further mandates

that boards promote student well-being, equity, and inclusive learning environments, while the *Anti-Racism Act (2017)* requires public institutions to identify and eliminate systemic racism. Together, these statutes establish a clear legal duty for the WRDSB to ensure that all school spaces, including School Councils, uphold human rights, reconciliation, and equity in both practice and dialogue.

As part of this ongoing commitment, territorial acknowledgements will continue to be part of School Council and WRDSB gatherings. These acknowledgements are an important act of reconciliation, grounded in the *Truth and Reconciliation Commission's Calls to Action*, and serve as a reminder of our shared responsibility to honour the rights, histories, and enduring presence of Indigenous peoples on this land.

As such, conversations or actions that question the validity of equity-focused initiatives—including those designed to support historically and currently marginalized groups—risk undermining the dignity and safety of members of our community. The WRDSB's commitment to equity and human rights means that certain topics, particularly those that diminish or delegitimize the experiences of equity-deserving groups, must be approached with care and in alignment with the *Ontario Human Rights Code*.

We remain committed to dialogue that is respectful, informed, and grounded in our shared goal of creating inclusive and equitable spaces. I welcome and encourage continued conversation about how we can work together to advance these commitments in meaningful ways.

Thank you,



**Vinay Tiwari ([he/him](#))**



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

**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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**AFFIDAVIT OF GEOFFREY HORSMAN AFFIRMED DECEMBER 16, 2025**

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I, **GEOFFREY HORSMAN**, of the [REDACTED] 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.

Factual Background

3. I am a professor of biochemistry and a father to three children who attend schools in the Waterloo Region District School Board (the “**Board**”). I am also a member of the Kitchener-Waterloo Collegiate and Vocational School (“**KCI**”) council (the “**Council**”). KCI is a school within the Board.

4. The Council is a school council created pursuant to Ontario Regulation 612/00. It exists to improve pupil achievement and enhance the accountability of the education system to parents through the active participation of parents.
5. Land acknowledgements are doctrinal statements, read at the beginning of events in Canada which single out First Nations people as purported holders of a special claim to the land on which the event takes place.
6. The Council currently opens its meetings with land acknowledgements despite no vote or debate having been held on the issue.
7. I have a deeply and conscientiously held belief in human dignity and the equality of all people, regardless of ethnicity, religion, sex, or nationality. I believe that the reading of land acknowledgements to be racially discriminatory and contrary to the equal human dignity of all. It offends against my conscientiously held belief in human dignity and equality.
8. In early 2025, I sought to put the practice of reading land acknowledgements at Council meetings on the Council's agenda to be debated.
9. Christine Carmody, the Chair of the Council did not table the issue for discussion, but instead, referred me to speak to Sue Martin, the principal of KCI.
10. On May 9, 2025, I spoke to Ms. Martin about my objection to land acknowledgements and my desire to have the matter debated by the Council. Ms. Martin told me that the Board requires the reading of land acknowledgements at school council meetings and would not permit the topic to be debated by the Council.
11. Ms. Martin told me that I could discuss the issue with her superior who would be responsible for rendering the Board's decision on the issue.

12. On September 17, 2025 the Council held its inaugural meeting for the 2025-2026 academic year (the “**September 17 Meeting**”). Ms. Carmody added “Discussion regarding Territorial Acknowledgements at KCI for those who wish to attend” as an agenda item following the meetings adjournment (see KCI School Council Meeting Agenda dated September 17, 2025 attached as **Exhibit A** to this affidavit).

13. I recorded a portion of the September 17 Meeting including the land acknowledgement. Ms. Martin read the following land acknowledgement:

All right. So, hopefully you can see...

So the Haldimand Tract Proclamation, if you take a look here, a little bit of history and a little bit of a map for you to take a look at, and you can see where roads were situated.

On the 25th of October, 1784, Sir Frederick Haldimand, the governor of the province of Quebec, signed a decree that granted a tract of land to the Haudenosaunee, also known as the Six Nations in compensation for their alliance with the British forces during the American Revolution.

There's – I'm not sure if anyone here has read the book Braiding Sweetgrass. Has anyone read? Yes, a few people? Yep, okay, a few takers.

So, this is a quote that really spoke to me from this text, and so I wanted to share it with you:

“Children, language, lands. Almost everything was stripped away, stolen when you weren't looking, because you were trying to stay alive. In the face of such loss, one thing our people could not surrender was the meaning of the land. In the settler mind, land was”

– sorry, I lost my place –

“In settler mind, land was property real estate, capital, or natural resources, but to our people, it was everything. Identity, the connection to our ancestors, the home of our non-human kinfolk, our pharmacy, our library, the source of all that sustains us. Our lands were where our responsibility to the world was enacted, sacred ground. It belonged to itself, it was a gift, not a commodity, so it could never be bought or sold.”

And so, I thought it was a powerful, powerful message about what the land has meant to people.

And so, I have a quote here from a professor from the University of Alberta, and she says, and this too, I think these themes sort of weave together, and you'll see that connection in the next slide too:

“We don't own anybody in the same way we don't own the land. We are part of its legacy for that moment. And somebody else will come behind us and be part of its legacy in new ways on the same piece of land. And so, you don't own it. You just have the blessing of living alongside that piece of land or that land we reside in for that season. And that season is our lifetime. Or it might just be a day. The question posed here, what impact are you making in the time that you spend on the land in that space?”

And so, the connection here is to the Truth and Reconciliation Commission calls to action, in particular, number 63. There's a sub-point, number three, that calls us to build student capacity for intercultural understanding, empathy, and mutual respect. And so I hope that the pieces of text I've shared with you make that connection for you in terms of the understanding, the empathy, and mutual respect. They're trying to share with us and with each other.

And so, we acknowledge that we are on the traditional territory of the Anishinaabe, Haudenosaunee, and Chonnonton people. We are situated on the Haldimand Tract, the land promised to the Six Nations that includes six miles on each side of the Grand River. We also acknowledge the enduring presence and deep traditional knowledge, laws, and philosophies of the indigenous people with whom we share the land today.

Thank you.

14. At the September 17 Meeting, after the meeting adjourned, Ms. Martin introduced the topic of land acknowledgements. I was permitted to share my perspective on the Council's practice of opening meetings with land acknowledgements. However, when another parent attempted to join the debate, Ms. Martin stated that there would be no debate permitted on the issue at the meeting. Rather, all comments were to be directed to her.

15. On October 8, 2025, having not heard back from Ms. Martin on the issue, I followed up and sent an email asking if I could meet with her and Ms. Carmody to discuss the land

acknowledgement issue further (see October 8, 2025 Email Chain attached as **Exhibit B** to this affidavit).

16. On October 9, 2025, Ms. Carmody referred me to speak to Vinay Tiwari (see October 9, 2025 Email Chain attached as **Exhibit C** to this affidavit). Mr. Tiwari is the System Administrator of Equity and Inclusive Education at the Board.

17. Also on October 9, 2025, Mr. Tiwari emailed me stating that he will be the “primary point of contact regarding this matter” (see Email from Vinay Tiwari dated October 9, 2025 attached as **Exhibit D** to this affidavit).

### The Decision

18. On October 22, 2025, I met with Vinay Tiwari and discussed the issue of land acknowledgements at school council meetings. At the meeting, I reviewed the history of my discussions with Ms. Carmody and Ms. Martin. I also explained my beliefs and concerns with land acknowledgments. He informed me that he would consider what we discussed and follow up with me to provide the Board’s written position.

19. On October 29, 2025, Mr. Tiwari emailed me providing the Board’s position on land acknowledgements (the “**October 29 Email**” is attached as **Exhibit E** to this affidavit). Mr. Tiwari stated that “territorial acknowledgements will continue to be part of School Council and WRDSB gatherings” (the “**Land Acknowledgement Mandate**”). Mr. Tiwari also stated that “conversations or actions that question the validity of equity-focused initiatives – including those designed to support historically and currently marginalized groups – risk undermining the dignity of members of our community. The WRDSB’s commitment to equity and human rights means that certain topics, particularly those that diminish or delegitimize the experiences of equity-deserving groups must be approached with care and in alignment with the *Ontario Human Rights Code*.”

20. On November 3, 2025, I responded saying “I understand you to be saying that the Board will require school councils to continue reading territorial acknowledgments. Can you please clarify, when you say that certain topics need to be approached with care, whether the school council is allowed to discuss the issue? Of course, my intention is to do so with care and respect.”

21. On November 10, 2025, Mr. Tiwari responded (the “**November 10 Email**” is attached as **Exhibit F** to this affidavit) saying that “the Waterloo Region District School Board requires that territorial acknowledgements continue to be included as part of School Council meetings.” Mr. Tiwari also stated that “discussions that question or challenge established equity-focused practices, including territorial acknowledgements, fall outside the scope of School Council business. These expectations are in place to ensure that all participants experience School Council as a safe, respectful, and inclusive space” (the “**Debate Prohibition**”).

22. I understand Board’s Land Acknowledgement Mandate to be endorsing one particular belief, that expressed in the acknowledgement, to the exclusion of all others, including my conscientiously held belief in human dignity and equality. I feel that the Land Acknowledgement Mandate makes Council meetings a preferential space for those who agree with the beliefs it espouses. It has left me in a position where I am required to compromise my conscience or else exclude and isolate myself during that portion of the meeting, which would single me out for my beliefs.

23. The Board’s Debate Prohibition prevents me from debating the issue of whether the Council ought to recite land acknowledgements and has limited my ability to express myself on this issue within the relevant forum.

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

**SWORN REMOTELY** by videoconference )  
by Geoffrey Horsman at the [REDACTED] )  
in the Province of Ontario, )  
before me at the [REDACTED], )  
in the Province of Ontario )  
on the 16th day of December, 2025 )  
in accordance with O.Reg 431/20. )

[REDACTED]

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

[REDACTED]

**GEOFFREY HORSMAN**

This is **Exhibit "A"** referred to in the Affidavit  
of **Geoffrey Horsman** sworn before me this  
16th day of December, 2025.



Hatim Kheir  
Barrister & Solicitor

## KCI School Council Meeting

**Date:** September 17, 2025  
**Time:** 7:00 pm - 8:30 pm  
**Location:** KCI Library



Please enter our school through the King St. parking lot ([bordered in green on our map](#)) entrance and then follow the signs to our library.

Regrets: Heidi Holmes

### Agenda:

7:00 pm	Welcome	Christine Carmody
7:02 pm	Territorial Acknowledgement	Sue Martin
7:05 pm	Introductions	Everyone
7:10 pm	KCI Co-Prime Update	Chiamaka Emeadi and Maddie Arndt
7:15 pm	National Service Dog presentation - Intro Mika	Sue Martin and NSD Staff
7:30 pm	Snap Shot, getting to know each other exercise	Jennifer Kruithof
7:40 pm	SHSM and Tech Options	Joel Kruetzkamp
7:50 pm	Literacy Update	Crystal Brown
7:55 pm	Math Pathways	Crystal Brown
8:00 pm	KCI's Equity Work - DABR, Sept 30th	Crystal Brown
8:10 pm	WRAPSC Volunteers for 2025/2026 school year	Christine Carmody
8:15 pm	Principal's Report	Sue Martin
8:30pm	Meeting Adjourned	Christine Carmody
8:30 pm	Discussion regarding Territorial Acknowledgements at KCI for those who wish to attend	

### KCI School Council Meeting Dates for the 2025-2026 School Year:

September 17, 2025

November 19, 2025

February 18, 2026

May 20, 2026

### Other Information:

[WRDSB School Council Guide](#)

[Waterloo Region Assembly of Public School Councils \(WRAPSC\):](#) [WRAPSC Minutes](#)

This is **Exhibit “B”** referred to in the Affidavit  
of **Geoffrey Horsman** sworn before me this  
16th day of December, 2025.



Hatim Kheir  
Barrister & Solicitor

**From:** Sue Martin [REDACTED]  
**Subject:** Re: KCI School Council Meeting, Wednesday, September 17th, 7:00pm-8:30pm: Call for agenda items  
**Date:** October 8, 2025 at 9:21 PM  
**To:** Geoff Horsman [REDACTED]  
**Cc:** Christine Carmody [REDACTED]

Hi Geoff,

Thanks for your email. As you requested, you were given time to share your views at the School Council meeting.

As discussed earlier, we reflected on what was said and the feedback we received, and so we will continue with the territorial acknowledgement at the start of School Council meetings.

If you'd like to discuss this further, I can explore the possibility of meeting with you and Vinay Tiwari to clarify the process.

Christine will not be part of an ongoing dialogue on this topic.

Kind regards,  
 Sue



**Sue Martin**  
 Principal  
 Pronouns: she/her  
**Kitchener-Waterloo Collegiate and Vocational School**  
 787 King Street West, Kitchener ON, N2G 1E3

*I acknowledge that the land on which WRDSB sites are situated are the lands traditionally used by the Haudenosaunee, Anishinaabe, and Chonnonton people. I also acknowledge the enduring presence and deep traditional knowledge, laws, and philosophies of the Indigenous people with whom we share this land today. We are all treaty people with a responsibility to honour all our relations.*

On Wed, Oct 8, 2025 at 8:20 PM Geoff Horsman [REDACTED] wrote:  
 Hi Christine and Sue,

I'm wondering if the three of us could meet and discuss the land acknowledgment issue, perhaps over Zoom?

I would like clarification on the process, as none of it is clear to me.

Thanks!

Geoff

On Sep 17, 2025, at 3:52 PM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

I am sorry for the delay. I was out running errands.

Given the nature of the conversation, we are making this agenda item optional for School Council members which is why it is after the meeting is adjourned.

All those interested in the topic are welcome to stay. We cannot assume that everyone wants to participate in this dialogue.

Christine

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Thanks Christine,

Can you help me understand why it is scheduled post adjournment? Ideally this important topic should be considered by all parent volunteers.

Thanks!  
 Geoff

On Sep 17, 2025, at 9:46 AM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

I am just about to send it out.

I will ask Sue to post it on the school's website.

I think next year the first meeting needs to be moved forward a week. It is a bit of a scramble to get everything done this quickly. It should however be a great meeting.

See you tonight.

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On Wed, Sep 17, 2025, 8:56 AM Geoff Horsman, [REDACTED] wrote:

Thanks Christine, was the agenda sent out? I can't find it anywhere. Thanks!

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On Sep 15, 2025, at 11:22 AM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

It is on the agenda at the end of the meeting.

Christine

On Mon, Sep 15, 2025, 10:45 AM Geoff Horsman, [REDACTED] wrote:

Thanks Christine,

I look forward to discussing the land acknowledgement!

Best,  
Geoff

> On Sep 10, 2025, at 10:24 AM, Christine Carmody [REDACTED] wrote:

>

> Hi KCI School Council,

>

> I hope that you all had a wonderful summer break and a happy start to the 2025-2026 school year!

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> Our first KCI School Council Meeting is Wednesday, September 17th, 7:00pm-8:30pm in KCI's School Library. Parking is available in KCI's King Street parking lot across from Central Fresh Market. Please use the side King Street door by the Progress Pride Sidewalk.

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> Please send me any items that you would like added to our agenda.

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> A sign up form for this year's school council will be sent out. If you are interested in continuing to be part of our school council, please fill out the form.

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> Christine

> Chair, KCI School Council



This is **Exhibit “C”** referred to in the Affidavit  
of **Geoffrey Horsman** sworn before me this  
16th day of December, 2025.



Hatim Kheir  
Barrister & Solicitor

**From:** Sue Martin [REDACTED]  
**Subject:** Re: KCI School Council Meeting, Wednesday, September 17th, 7:00pm-8:30pm: Call for agenda items  
**Date:** October 9, 2025 at 11:19 AM  
**To:** Geoff Horsman [REDACTED]  
**Cc:** Christine Carmody [REDACTED], Vinay Tiwari [REDACTED]

Hi Geoff,

Vinay and I will connect, and someone will get back to you.

Enjoy the long weekend,  
 Sue



**Sue Martin**  
 Principal  
 Pronouns: she/her  
 Kitchener-Waterloo Collegiate and Vocational School



*I acknowledge that the land on which WRDSB sites are situated are the lands traditionally used by the Haudenosaunee, Anishinaabe, and Chonnonton people. I also acknowledge the enduring presence and deep traditional knowledge, laws, and philosophies of the Indigenous people with whom we share this land today. We are all treaty people with a responsibility to honour all our relations.*

On Thu, Oct 9, 2025 at 11:10 AM Geoff Horsman [REDACTED] wrote:

Thanks everyone!

I hope we can continue to collaboratively seek opportunities to openly discuss this [contentious](#) issue, as per liberal democratic norms. Although I was given an opportunity to speak after the meeting ended (I wasn't made aware beforehand of the format of discussion), this is no substitute for rigorous review in a formal meeting.

If it is true, as Christine suggested, that such discussions may violate Ontario Human Rights law, then we should seek and receive clear legal guidance from the WRDSB—or the Ministry—detailing the parameters of speech restrictions at council.

In any case, it sounds like a decision has been made. Can you please explain your decision, and share the feedback upon which it was based?

With continued land acknowledgements, we will need a mechanism for conscientious objection, to avoid false consensus. From informal discussions after the meeting, I am likely not alone in my concerns.

I'd also point out the [Supreme Court jurisprudence](#) establishing state neutrality in municipal council meetings.

Vinay and Sue, can we set up a call?

Also, is there an email list for our council? It would be useful to be able to speak to one another about such issues.

Happy Thanksgiving to all!

Geoff

On Oct 9, 2025, at 9:51 AM, Christine Carmody [REDACTED] wrote:

Hi Geoff and Vinay,

Geoff, thank you for your email.

As Sue said, I will not be continuing to discuss your concerns regarding Territorial Acknowledgements with you.

I have redirected your query to Vinay Tiwari.

Thank you very much, Vinay, for assisting Geoff with his concerns about Territorial Acknowledgements at KCI 's School Council Meetings.

I hope all of you have a very happy long weekend!

Sincerely,

Christine Carmody  
Chair, KCI School Council

On Wed, Oct 8, 2025 at 8:20 PM Geoff Horsman [REDACTED] wrote:  
Hi Christine and Sue,

I'm wondering if the three of us could meet and discuss the land acknowledgment issue, perhaps over Zoom?

I would like clarification on the process, as none of it is clear to me.

Thanks!

Geoff

On Sep 17, 2025, at 3:52 PM, Christine Carmody [REDACTED] wrote:

Hi Geoff,

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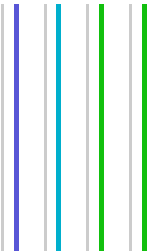
>

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>

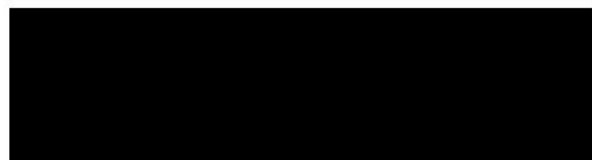
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  - >
  - > Christine
  - > Chair, KCI School Council



This is **Exhibit “D”** referred to in the Affidavit  
of **Geoffrey Horsman** sworn before me this  
16th day of December, 2025.



Hatim Kheir  
Barrister & Solicitor

**From:** Vinay Tiwari [REDACTED]  
**Subject:** Re: KCI School Council Meeting, Wednesday, September 17th, 7:00pm-8:30pm: Call for agenda items  
**Date:** October 9, 2025 at 12:42 PM  
**To:** Geoff Horsman [REDACTED]  
**Cc:** Christine Carmody [REDACTED] Sue Martin [REDACTED]

Hi Mr. Horsman,

Thank you for your email and for taking the time to share your reflections following the KCI School Council meeting. I appreciate your commitment to open dialogue and your interest in ensuring that council discussions are transparent and inclusive.

The Waterloo Region District School Board is firmly committed to advancing Truth and Reconciliation, and to upholding our human rights and equity obligations under the Ontario Human Rights Code. As a public education system, we have a responsibility to ensure that all spaces connected to our work—including School Councils—reflect respect for human dignity, reconciliation, and inclusion. While there may be differing viewpoints, these principles are foundational to the WRDSB and will continue to guide our decision-making.

Moving forward, I will be the primary point of contact regarding this matter to ensure clear and consistent communication. I would be pleased to arrange an in-person meeting with you to discuss any remaining questions or clarifications once additional information is available.

With respect to your request for a council contact list, please note that any such request would need to be reviewed and vetted through the Board's Privacy Office to ensure compliance with privacy legislation and WRDSB policy before any personal information is shared.

Thank you again for your thoughtful engagement and for raising these considerations. Wishing you a restful Thanksgiving weekend as well.

Take care,



**Vinay Tiwari (he/him)**



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I hope we can continue to collaboratively seek opportunities to openly discuss this [contentious](#) issue, as per liberal democratic norms. Although I was given an opportunity to speak after the meeting ended (I wasn't made aware beforehand of the format of discussion), this is no substitute for rigorous review in a formal meeting.

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I hope all of you have a very nappy long weekend!

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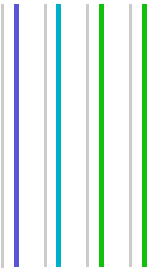
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> Please send me any items that you would like added to our agenda.

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> A sign up form for this year's school council will be sent out. If you are interested in continuing to be part of our school council, please fill out the form.

>

> Christine

> Chair, KCI School Council



This is **Exhibit “E”** referred to in the Affidavit  
of **Geoffrey Horsman** sworn before me this  
16th day of December, 2025.



Hatim Kheir  
Barrister & Solicitor

**From:** Vinay Tiwari [REDACTED]  
**Subject:** Follow-up  
**Date:** October 29, 2025 at 2:58 PM  
**To:** Geoff Horsman [REDACTED]

---

Hi Mr. Horsman,

Thank you for taking the time to meet with me last week, and for your patience as I followed up.

As we discussed, the Waterloo Region District School Board is firmly committed to advancing Truth and Reconciliation, and to upholding human rights and equity obligations under the *Ontario Human Rights Code*. As a public education system, we have a responsibility to ensure that all spaces connected to our work—including School Councils—reflect respect for human dignity, reconciliation, and inclusion.

While we recognize that differing viewpoints may exist, these principles are not optional; they are foundational to the work of the WRDSB and are protected under provincial legislation. The *Ontario Human Rights Code* guarantees the right to equal treatment in education and obligates school boards to prevent and address discrimination and harassment. The *Education Act* further mandates that boards promote student well-being, equity, and inclusive learning environments, while the *Anti-Racism Act (2017)* requires public institutions to identify and eliminate systemic racism. Together, these statutes establish a clear legal duty for the WRDSB to ensure that all school spaces, including School Councils, uphold human rights, reconciliation, and equity in both practice and dialogue.

As part of this ongoing commitment, territorial acknowledgements will continue to be part of School Council and WRDSB gatherings. These acknowledgements are an important act of reconciliation, grounded in the *Truth and Reconciliation Commission's Calls to Action*, and serve as a reminder of our shared responsibility to honour the rights, histories, and enduring presence of Indigenous peoples on this land.

As such, conversations or actions that question the validity of equity-focused initiatives—including those designed to support historically and currently marginalized groups—risk undermining the dignity and safety of members of our community. The WRDSB's commitment to equity and human rights means that certain topics, particularly those that diminish or delegitimize the experiences of equity-deserving groups, must be approached with care and in alignment with the *Ontario Human Rights Code*.

We remain committed to dialogue that is respectful, informed, and grounded in our shared goal of creating inclusive and equitable spaces. I welcome and encourage continued conversation about how we can work together to advance these commitments in meaningful ways.

Thank you,



**Vinay Tiwari (he/him)**





This is **Exhibit “F”** referred to in the Affidavit  
of **Geoffrey Horsman** sworn before me this  
16th day of December, 2025.



Hatim Kheir  
Barrister & Solicitor

**From:** Vinay Tiwari [REDACTED]  
**Subject:** Re: Follow-up  
**Date:** November 10, 2025 at 10:28 AM  
**To:** Geoff Horsman [REDACTED]

Hi Geoff, thanks for the email.

My apologies for the late response and thank you for reaching out for clarification on this matter.

To clarify — yes, the Waterloo Region District School Board requires that territorial acknowledgements continue to be included as part of School Council meetings. This expectation comes from the Board and reflects our shared commitment to Truth and Reconciliation, equity, and inclusion across all school communities.

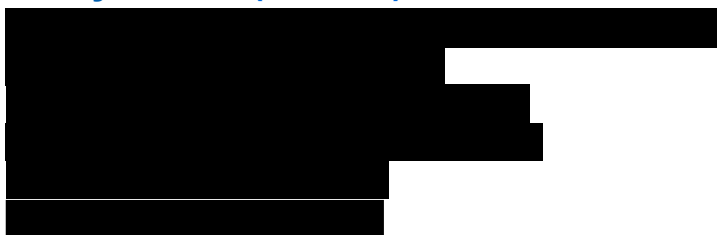
With respect to School Council discussions — councils are encouraged to engage in open, thoughtful dialogue that supports student achievement, well-being, and belonging. However, discussions that question or challenge established equity-focused practices, including territorial acknowledgements, fall outside the scope of School Council business. These expectations are in place to ensure that all participants experience School Council as a safe, respectful, and inclusive space.

I do appreciate your desire to approach this topic with care and respect — that spirit is exactly what we hope guides all of our conversations. If there are questions about understanding or deepening this practice, I am happy to talk to you further about this and can share background on the intent and significance of territorial acknowledgements, or connect with staff who can help facilitate a conversation grounded in the principles of Truth and Reconciliation.

Thanks again and take care,



**Vinay Tiwari (he/him)**



On Mon, Nov 10, 2025 at 6:21 AM Geoff Horsman [REDACTED] wrote:  
 Good morning Vinay,

Just following up on my request of a week ago. I look forward to your response.

Best,  
 Geoff

On Nov 3, 2025, at 5:26 PM, Geoff Horsman [REDACTED] wrote:

Hi Vinay,

Thanks for your response. Can you please clarify something for me? I understand you to be saying that the Board will require school councils to continue reading territorial acknowledgments. Can you please clarify, when you say that certain topics need to be approached with care, whether the school council is allowed to discuss the issue? Of course, my intention is to do so with care and respect.

I'd appreciate your clarification on this point so I can understand whether I can take this issue back to the council.

Thanks,

Geoff

On Oct 29, 2025, at 2:58 PM, Vinay Tiwari [REDACTED] wrote:

Hi Mr. Horsman,

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Thank you,



**Vinay Tiwari ([he/him](#))**



**GEOFFREY HORSMAN**

APPLICANT

**-and-**

**WATERLOO REGION DISTRICT SCHOOL BOARD**

RESPONDENTS

Court File No.: DC-25-00000424-00JR

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**ONTARIO SUPERIOR COURT OF JUSTICE**

Proceeding Commenced at HAMILTON

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**AFFIDAVIT OF GEOFFREY HORSMAN**

**AFFIRMED DECEMBER 16, 2025**

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**CHARTER ADVOCATES CANADA**

[REDACTED]

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

[REDACTED]

**Counsel for the Applicant**

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

**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 [REDACTED] 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 [REDACTED] )  
 in the Province of Ontario, )  
 before me at the [REDACTED] )  
 in the Province of Ontario )  
 on March 11, 2026 )  
 in accordance with O.Reg 431/20. )

[REDACTED]

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

[REDACTED]

**GEOFFREY HORSMAN**

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



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 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,

Thanks for the email, [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**

---

**CHARTER ADVOCATES CANADA**

[REDACTED]

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

[REDACTED]

**Counsel for the Applicant**

COURT FILE NO. DC-25-00000424-00JR

**ONTARIO SUPERIOR COURT OF JUSTICE**

**(DIVISIONAL COURT)**

**B E T W E E N:**

**GEOFFREY HORSMAN**

Applicant

- and -

**WATERLOO REGION DISTRICT SCHOOL BOARD**

Respondent

\*\*\*\*\*

This is the Cross-Examination of **VINAY TIWARI** on his Affidavit sworn February 27, 2026 taken under oath via Zoom videoconferencing through the offices of Cindy Jones Verbatim Reporting Service, the 25th day of March 2026 in pursuance of the appointment herein.

\*\*\*\*\*

**A P P E A R A N C E S:**

HATIM KHEIR	Counsel for the Applicant
DARREN LEUNG	Counsel for the Applicant
NADYA TYMOCHENKO	Counsel for the Respondent
NATALIE KOLOS	Counsel for the Respondent

**CINDY JONES  
VERBATIM REPORTING SERVICE**

By MR. KHEIR

**VINAY TIWARI; Affirmed**  
**BY MR. KHEIR**

1. Q. Okay, thank you. And thank you, Mr. Tiwari, for taking the time to join us this afternoon, I'll try to be relatively quick. So, first of all, I just wanted to ask some background questions here. So, I understand that you're a System Administrator for Equity and Inclusive Education Learning Support Services for the Waterloo Regional District School Board, right?

A. Yes.

2. Q. Okay. And you've been in that role since August 2025?

A. That's correct.

3. Q. Okay. And I understand that before that, you were a principal, is that right?

A. That's right.

4. Q. Okay. Were you a principal at Kitchener Collegiate Institute?

A. No, I was not.

5. Q. Okay. Now, from your Affidavit, I gather that you attended a KCI School Council meeting on September 17<sup>th</sup>, 2025, is that correct?

A. Yes, that is correct.

By MR. KHEIR

6. Q. Okay. Now was that the first of their council meetings that you'd attended?

A. Yes, that was first of council meetings.

7. Q. Okay. Now, you've affirmed an Affidavit in this matter, and that was affirmed on February 27<sup>th</sup>, 2026, is that right?

A. That - let me just take a look, but I believe so. Yes, that's correct.

8. Q. Okay. And in affirming that Affidavit, you understood that you were making a solid affirmation as to the truth of the contents of the affidavit?

A. Yes.

9. Q. And in doing that, you understood the contents of the Affidavit would constitute your evidence as if you had testified to it yourself under oath, right?

A. Yes, that's correct.

10. Q. Okay, so, it just looked like you were scrolling there, so I take it you have the Affidavit with you now?

A. I do.

11. Q. Okay. So, I'd like to take you to paragraph thirty-three of the Affidavit.

A. Okay.

12. Q. So, if you could scroll to that.

A. Sorry, almost there. Okay.

13. Q. Okay. So, I'm just going to read it for the record, so, it says, quote

*"The KCI School Council's decision to begin meetings with a territorial acknowledgement is consistent with the policy direction established by the Ontario Ministry of Education, as well as the strategic priorities, policies and practices in place at the WRDSB, which are reflected in the culture that has been created by the Board of Trustees, School Administrators and teaching staff"*

End quote. We looking at the same paragraph?

A. We are.

14. Q. Okay. So, now, if you could keep that portion on your screen. But I just want to ask you, so, are you aware that the principal, Susan Martin, or Sue Martin, has also provided an Affidavit in this matter?

A. I'm aware of that.

15. Q. Okay. And have you seen her Affidavit?

A. I have.

By MR. KHEIR

16. Q. Okay. So, I'm going to share my screen, so just bare with me while I pull that up.

A. Yeah, no problem.

17. Q. Okay. So do you see Sue's Affidavit on my screen now?

A. I do.

18. Q. Okay --

REPORTER: Can you zoom in on that counsel, the text is small.

MR. KHEIR: Okay. Does that make it a bit bigger on your end?

REPORTER: That's good, as long as, as long as it's, you guys can see it on your end, yeah.

19. Q. Okay. And as I'm going through this process, you know, I know you don't have the document right in front of you, so Mr. Tiwari if you need me to scroll, zoom, you know, whatever the instructions, you name it. Okay, so, actually, before I move on, so you'd indicated you'd seen her Affidavit, maybe I'll start by going to the bottom of her Affidavit. So, she, as you can see here, she affirmed her Affidavit on March 2<sup>nd</sup>. Do you see that?

A. I can see that, yes.

By MR. KHEIR

20. Q. Okay. And so, you know, that date is after when you affirmed your Affidavit. Did you review a draft of her Affidavit prior to affirming yours, or was it afterwards?

A. I did not, it was afterwards.

21. Q. Okay, thank you. Okay, so, now I'm going to go back to paragraph twelve of the Affidavit. There we are, okay, so again I'll just read it for the record, so it says, quote

*"The KCI School Council's decision to begin meetings with the territorial acknowledgment is consistent with the policy direction established by the Ontario Ministry of Education, as well as the practices in place at KCI, which reflect the culture created by WRDSB Board of Trustees, School Administrators, teaching staff and students."*

End quote. So, now if we compare this paragraph to your paragraph thirty-three, you'd agree that the first two lines are exactly the same, right?

MS. KOLOS: Counsel, I - they say what they say and so, I'm not sure, like, do you really want the witness trying to compare with you what you have on the screen with what he has on his screen?

By MR. KHEIR

MR. KHEIR: Yeah, I'm asking him to, I'm going to compare these paragraphs.

MS. KOLOS: So, Vinay, do you still have your paragraph twelve or paragraph thirty-three up on the screen?

A. I do.

MS. KOLOS: Do you want to take a look and do as, what counsel has asked?

A. Yeah, for sure. Just give me a couple minutes.

So, the first part, so the 'KCI's School Council's decision to begin meetings with a territorial announcement is consistent with the policy direction established by the Ministry of Education', that part is the same.

22. Q. Okay. And in terms of the last portion of the paragraph, again, they're very similar except for some minor differences in phrasing, would you agree with that?

A. Similar but yes, different.

23. Q. Okay. So, you had said you had read her Affidavit but that was after yours had been Affirmed, so, you weren't pulling from her Affidavit for this phrasing, right?

A. I was not.

By MR. KHEIR

24. Q. Okay, now I want to ask you a bit about the, what's being described in this this paragraph. So, at the start -

MS. KOLOS: Counsel, now, just before, are you asking Mr. Tawari about his Affidavit because you still have Ms. Martin's on the screen.

MR. KHEIR: Well, the phrase I'm going to ask about is the same, but we can take Ms. Martin's down now, okay.

25. Q. Okay, so, just looking at your Affidavit now. So, at the beginning you refer to KCI's School Council's decision to begin meetings with a territorial acknowledgement --

A. Yeah.

26. Q. Now, am I correct that you weren't present when that decision was made?

A. Sorry, what, if you could just rephrase that for me?

27. Q. Right. So, this paragraph refers to the KCI's School Council's decision to begin meetings with a territorial acknowledgement. Were you present when that decision was made?

By MR. KHEIR

A. I'm not understanding. So, the actual decision of them doing this?

28. Q. Correct.

A. No, no I wasn't.

29. Q. Okay. And you haven't seen any Minutes recording how that decision was made? Minutes of their meeting, just to be specific.

A. Minutes of the meeting? Of which meeting are you speaking of, though?

30. Q. Well, if at some meeting, this decision was made to begin meetings with a land acknowledgment --

A. Yeah.

31. Q. -- you haven't seen any Minutes to that effect? I don't know if they exist or not.

A. I, I have not.

32. Q. Okay. So, you don't have any personal knowledge about the process of this decision being made, that you're referring to?

A. No, I don't.

33. Q. Okay. So, is it fair to say that in this paragraph when you're referring to the KCI School Council's decision, you're just referring in a general sense to the fact that the council does perform the

acknowledgement? You're not alluding to a formal decision that was made at some point in the past that you know about?

A. Sorry. Can you just restate that?

34. Q. Okay. So, maybe I'll come at this a slightly different way. So, you don't know if at some point in the past, a meeting was held where the school council had a vote on whether or not to perform territorial acknowledgements, correct?

A. Correct.

35. Q. Okay. So, when you're referring to the KCI School Council's decision, in terms of your personal knowledge, you don't actually know whether that decision was made or how it was made, correct?

A. That, that's correct.

36. Q. Okay. So, I guess now to come back to that originally a little confusing question of mine. When you use the phrasing 'KCI School Council's decision', you're just referring back that the school council does perform land acknowledgements, that you've seen them do it.

A. Sorry, just, so, if you can just rephrase that for me?

By MR. KHEIR

37. Q. So, you use the word the 'KCI School Council's decision' in, you use the word 'decision' in --

A. Right.

38. Q. -- your Affidavit, here. Are you using that just to refer to the practice of council of reading the territorial acknowledgements? Not a decision in the formal sense of the word, as in an event that occurred in the past that you're aware of?

A. That's correct.

39. Q. Okay, so then, that's all the questions I have for you today. Thank you very much.

A. Okay.

MS. KOLOS: Thank you.

\*\*\*\*\*

Transcribed to the best  
of my skill and ability

Gary Roversi

Verbatim Reporter

**CINDY JONES**  
**VERBATIM REPORTING SERVICE**

COURT FILE NO. DC-25-00000424-00JR

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

B E T W E E N:

**GEOFFREY HORSMAN**

Applicant

- and -

**WATERLOO REGION DISTRICT**  
**SCHOOL BOARD**

Respondent

---

This is the Cross-Examination of

**VINAY TIWARI**

---

**CINDY JONES**  
**VERBATIM REPORTING SERVICE**

FILE NO. DC-25-0000424-00JR

ONTARIO SUPERIOR COURT OF JUSTICE

B E T W E E N:

GEOFFREY HORSMAN

Applicant

- and -

WATERLOO REGION DISTRICT SCHOOL  
BOARD

Respondent

---

Cross-Examination of

**SUE MARTIN**

---

CINDY JONES  
VERBATIM REPORTING SERVICE

COURT FILE NO. DC-25-0000424-00JR

**ONTARIO SUPERIOR COURT OF JUSTICE**

**B E T W E E N:**

GEOFFREY HORSMAN

Applicant

- and -

WATERLOO REGION DISTRICT SCHOOL BOARD

Respondent

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This is the Cross-Examination of **SUE MARTIN** on her Affidavit sworn March 2, 2026 herein, taken under oath via Zoom videoconferencing through the offices of Cindy Jones Verbatim Reporting Service, the 31st day of March, 2026.

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**A P P E A R A N C E S:**

HATIM KHEIR     )  
DARREN LEUNG    )                   Counsel for the Applicant

NATALIE KOLOS     )  
NADYA TYMOCHENKO )                   Counsel for the Respondent

-2-

S. Martin by Mr. Kheir

**SUE MARTIN, Affirmed****EXAMINATION BY MR. KHEIR:**

1 Q. So Ms. Martin, I don't plan to be too  
long this afternoon but I do have a few different  
discrete points to cover off, all a bit of  
background. So, I mean, obviously you are currently  
the principal at the Kitchener Collegiate Institute;  
right?

A. Yes.

2 Q. And I understand you have been in that  
role since February of 2025; is that right?

A. That's correct.

3 Q. Okay, and so before that, were you -- was  
your position at a different school?

A. Yes.

4 Q. Okay. So then I take it the -- what you  
would have observed would have been in February or  
sometime thereafter; right?

A. That's correct. Sorry, you just broke up

-3-

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for a second, but that's right, I came to KCI in  
February 2025.

5 Q. Okay, and if at any point my question  
isn't clear or anything like that, please do let me  
know and I can -- I will be happy to repeat myself.

MS. KOLOS: Counsel, you were just cutting out  
and I wasn't sure if it was just my audio but it  
sounds like it maybe was on your end as opposed  
to anybody else's. I will maybe just flag that  
before we get too far into it.

MR. KHEIR: Okay. Does it sound okay right now?

MS. KOLOS: It does.

BY MR. KHEIR:

6 Q. I will try to go ahead. If you need me  
to -- I will try to stick with what we have right  
now. Okay, so in terms of when you started, the KCI  
school council was already practicing land  
acknowledgements at the opening of their council  
meetings; right?

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A. That's correct, they had been doing so since at least 2021.

7 Q. Okay, now, I'm going to take you to your Affidavit. Do you have it? Do you have it handy?

A. Yes, I have it on the screen.

8 Q. Okay, March 2nd, correct, of this year?

A. Yes.

9 Q. And if we go to -- I'm going to take you to paragraph 12 of your Affidavit.

A. Yes.

10 Q. I will just read it into the record. So it says "The KCI school council's decision to begin meetings with a Territorial Acknowledgement is consistent with the policy direction established by the Ontario Ministry of Education as well as the practises in place at KCI which reflect the culture created by the WRDSB's board of trustees, school administrators, teaching staff and students". Do you see that?

A. Yes.

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11 Q. Okay, so I'm going to -- I want to  
compare this. So are you aware that Vinay Tiwari has  
provided an Affidavit in this matter?

A. Yes.

12 Q. Okay, and have you seen his Affidavit?

A. Yes.

13 Q. So I'm going to put it up on my screen,  
so bear with me while I do the screen share. Just  
let me know when it becomes visible for you.

A. I can see it, it's just the font is  
really tiny.

14 Q. Okay. Does that make it better?

A. Yes.

15 Q. Okay, so if at any point you need me to  
scroll forward, backward, zoom, take you to a  
particular part, you just let me know, okay. I will  
start just by going to the bottom of his Affidavit.  
So you will see here it was affirmed on the 27th of  
February; right?

A. Yes.

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16 Q. So now at paragraph 33, I want to compare  
this paragraph 33 to paragraph 12 in your Affidavit.  
So you will agree that the first two lines from this  
paragraph are identical to the first two lines of the  
paragraph 12 in your Affidavit. You can take your  
time to ---

A. Yes.

17 Q. --- look at them.

A. Yes.

18 Q. So you do agree?

A. Yes.

19 Q. Okay.

A. The first two lines, yes.

20 Q. Okay, and the -- there is a slight  
difference in -- there is a difference in wording  
following that, but then the ending of both  
paragraphs is also very similar. Would you agree  
with that?

A. Being similar, yes.

21 Q. Okay, and would you agree that the -- the

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S. Martin by Mr. Kheir

-- they are so similar as to not -- it couldn't be a coincidence, would you agree with that?

A. Yes.

22 Q. Okay, so now Mr. Tiwari swore his Affidavit a few days before yours. Had you had a chance to review his Affidavit before swearing yours?

A. No.

23 Q. Okay, so where did you draw this specific language specifically at the beginning of this paragraph about the KCI school council's decision to begin meetings with the territorial acknowledgement from?

A. Through this process I have worked with the board lawyers to prepare the Affidavit.

24 Q. Okay, so that led -- that specific wording was provided to you?

MS. KOLOS: Well, counsel, obviously, you know, discussions that my office has with Ms. Martin is privileged, so I think that she has gone as far as in her answer that your question would

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permit. Do you want to try a different question?

BY MR. KHEIR:

25 Q. Okay, well, why don't I ask you a bit about what this paragraph is discussing, then. So you reference at the start of this paragraph the KCI school council's decision to begin meetings with the territorial acknowledgement. Now, based on what we have already discussed, you weren't present when that decision was made; correct?

A. That's correct. I've just been with KCI for one year. The territorial acknowledgement had been made for years before I came here.

26 Q. Okay, and have you -- you haven't reviewed the minutes recording how this decision was made; have you?

A. No. Like at its inception, like years ago?

27 Q. Correct.

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A. No.

28 Q. Okay, so you have no personal knowledge about how the decision was made?

A. That's correct.

29 Q. Or -- you have referenced it's been done since at least 2021. Do you know specifically when this decision that you are referencing was made?

A. Mm-hmm, I could see reference to the territorial acknowledgement being provided in previous minutes dated 2021 and forward.

30 Q. Okay, so is it fair to say that from those minutes you are inferring that the territorial acknowledgement was read at least as far back as then but you don't know specifically if or when the school council made a decision to adopt that practice?

A. That's correct. Yeah, previous to my time at KCI.

31 Q. Okay, so you don't actually know what decision making process was followed to -- to start the practice of reading land acknowledgements?

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S. Martin by Mr. Kheir

A. That's correct, it predates me.

32 Q. So is it fair to say, then, that when you agreed to this paragraph here that -- and you made it a part of your evidence that the KCI school council's decision to begin meetings with the territorial acknowledgement is consistent with the policy direction that when you are using that word decision, you are not actually referring to some sort of formal decision making process that you are aware of in the past, but more you are -- you are referring to the school council's practice of opening with land acknowledgements?

A. Just to clarify, again I was not part of the decision making process in 2021. What I have seen in passing is the practice continued since that time.

33 Q. Right, but you don't know if the practice was adopted following a deliberation by the school council; correct?

A. Correct, it predates me. I just came to

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KCI in 2025.

34 Q. Okay, so you don't know if the school council ever voted on it?

A. That's correct, it predates me.

35 Q. Okay, so you don't know if the school council made the decision or if a past principal or someone else from the board had directed the school council to adopt the practice; correct?

A. Correct.

36 Q. Okay. Now, so are you -- I can take down actually Mr. Tiwari's Affidavit, so I will do that. Are you aware that Mr. Horsman has provided two Affidavits in this matter?

A. Yes.

37 Q. Okay, so there was a first one which came before your Affidavit and then have you -- are you aware of the Reply Affidavit which came after?

A. Yes.

38 Q. Okay. Have you had a chance to see it?

A. Yes.

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39 Q. Okay, so in fairness to you, I want to go through a couple -- a few of the parts of his Affidavit that discuss your evidence and then that way you can have an opportunity to respond or clarify as needed.

So I will start by going to paragraph 36 of your Affidavit. I won't put it up on my screen, if you just want to follow along on your end. So in terms of placing this paragraph in context, you are discussing what occurred at the September 17th, 2025 KCI school council meeting; correct?

A. Sorry, can you repeat that? I was still scrolling through 36.

40 Q. Sorry, are you there now?

A. I was thinking. I am, yes.

41 Q. Okay, so in this paragraph you are discussing what occurred at the September 17th, 2025 KCI school council meeting; is that right?

A. Correct.

42 Q. Okay, and then now you reference

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S. Martin by Mr. Kheir

paragraph 14 of Mr. Horsman's first Affidavit and you say that he states that when another parent attempted to join the debate you had stated that there would be no debate permitted at the meeting and so then you say that the -- that parent referenced in his other Affidavit was Chair Carmody. Do you see that?

A. Yes.

43 Q. Okay, so now I'm going to show you -- I'm going to again share my screen and show you Mr. Horsman's Reply Affidavit. Just let me know when you see it on your screen.

A. Yeah, thanks.

44 Q. Okay, so now I'm going to scroll down to paragraph 9. So you see here Mr. Horsman's referencing paragraph 36 in your Affidavit which we just looked at; right?

A. Mm-hmm.

45 Q. And he references this -- that point of yours about the -- that other parent being Chair Carmody and then he goes on in paragraph 10 to

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provide his reply to that. Do you see that on my screen?

A. Yes.

46 Q. So he says that that wasn't the parent he was referring to, he says that -- he sort of describes the exchange that occurred and says that there was a male parent who tentatively raised his hand and a woman that interjected saying she thought that there would be no discussion on the topic. Do you see that?

A. Mm-hmm, yes.

47 Q. Okay, and then in paragraph 11 he identifies the male as Harish Pawagi. So do you -- having seen Mr. Horsman's explanation about that occurrence, first I just want to ask did you see Mr. Pawagi raise his hand?

A. No.

48 Q. Okay. Is it fair to say you don't dispute that Mr. Horsman saw it?

MS. KOLOS: I'm not sure she can speak on his

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behalf.

THE DEPONENT: Yeah, I didn't see his hand.

BY MR. KHEIR:

49 Q. It's possible he saw it and you didn't;  
is that -- is that fair?

A. Yes.

50 Q. Okay, and -- okay, so I will pull --  
that's just all I wanted to clarify with that  
paragraph. So now I'm going to -- I'm going to stop  
sharing again and go back to your Affidavit. So I'm  
going to go to paragraph 18 of your Affidavit next.

A. Mm-hmm.

51 Q. So here you are describing an in person  
meeting that you had with Mr. Horsman on March 26,  
2025?

A. Yes.

52 Q. Okay, and starting in the third line, you  
state that, "He expressed his view that territorial  
acknowledgements were only performed out of fear,

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conformity and compliance". Do you see that?

A. Yes.

53 Q. Okay, so now I'm going to -- I'm going to go back to his Affidavit and I'm going to take you to paragraph 5, so just a moment while I pull it up. You just let me know when you see it.

A. Yes.

54 Q. Okay, so at paragraph 5 we see he is referencing that paragraph 18 which we just read?

A. Yes.

55 Q. Okay, so he clarifies his belief that -- that he accepts that people don't only perform land acknowledgements out of fear, conformity and compliance but that some people are in favour of them.

Obviously you can't speak to what his belief is, but he does state that he doesn't believe he would have -- he would have said that people only -- that's the only reason that people perform land acknowledgements.

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S. Martin by Mr. Kheir

Is it fair to say that on your end you might have misremembered whether he said only or not only?

A. Yes, that's fair to say.

56 Q. Okay, so I will -- so again I'm going to stop sharing, we will go back to your Affidavit. There is just one more of these points I just want to give you a chance to respond to. So we are going to go to paragraph 21 of your Affidavit. You let me know when you have it pulled up on your end.

A. Yes.

57 Q. Okay, so here you are explaining you had another phone conversation with Mr. Horsman on May 1st, 2025; right?

A. Yes, mm-hmm, sorry.

58 Q. Okay, and your -- you state in the Affidavit that in the conversation you noted that other schools also start their school council meetings with a territorial acknowledgement as does the parent involvement committee; right?

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A. Yes.

59 Q. Okay, so I'm going to share my screen  
again and I'm going to go to paragraph 7 of Mr.  
Horsman's Affidavit.

MS. KOLOS: Just for the record, counsel, the  
Reply Affidavit?

BY MR. KHEIR:

60 Q. Yes, the Reply Affidavit, thank you.  
Okay, do you see it on your screen yet?

A. Yes.

61 Q. Okay, so do you see at paragraph 7 he  
references paragraph 21 of your Affidavit?

A. Yes.

62 Q. And so he is adding that in the same  
conversation he informed you that he has attended  
other school council meetings for other schools which  
his other children attend and none of them have  
performed land acknowledgement. Do you see where he  
says that?

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A. Yes.


63 Q. Now, I don't take you to be disagreeing, you are just relaying different parts of the same conversation, but do you remember him saying this?

A. Yes.

64 Q. Okay, so thank you. That's all my questions so we can go off the record.

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I hereby certify the foregoing  
to be a true and accurate transcription  
of my shorthand notes to the best of my  
skill and ability.



---

Kathy Pettorossi, C.S.R.

**GEOFFREY HORSMAN**

APPLICANT

**-and-**

**WATERLOO REGION DISTRICT SCHOOL BOARD**

RESPONDENTS

Court File No.: DC-25-00000424-00JR

**ONTARIO SUPERIOR COURT OF JUSTICE**

Proceeding Commenced at HAMILTON

**APPLICATION RECORD**

**CHARTER ADVOCATES CANADA**

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

[REDACTED]

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