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September 8, 2023

VIA EMAIL: jbirrell@ehlaw.ca

Emond Harnden LLP
707 Bank Street
Ottawa, ON K1S 3V1

Attention: Jennifer Birrell

Dear Ms. Birrell:

RE: Josh Alexander Appeals

As you know, Josh Alexander was successful on his Application to the Superior Court. Justice Hooper ruled that Mr. Alexander “has withdrawn from parental control as of December 22, 2022 and has standing to advance his appeals to the School Board.”¹

Accordingly, Mr. Alexander expects the Renfrew County Catholic District School Board to proceed to hear his three appeals and issue Notices of Appeal Hearing pursuant to section 2.5 of the Pupil Exclusion Appeal and Pupil Suspension Appeal Policies. These are the appeal of the December 20, 2022 suspension, the appeal of the January 9, 2023 suspension, and the appeal of the January 26, 2023 exclusion to the end of the 2022-2023 school year. The three notices of appeal are enclosed.

Mr. Alexander proposes the three appeals be heard together and heard by way of videoconference. He also requests the School Board consent, pursuant to section 2.11(a) of the Appeal Policies, to the waiving of the general requirement that appeal hearings are closed to the public. He proposes that any legitimate concerns regarding the privacy of students and parents can readily be assuaged through the use of anonymization and a publication ban on any details that may tend to identify any students or parents.

As you know, Mr. Alexander’s appeals are a matter of national public interest, not to mention a matter of intense interest to Catholics locally, nationally, and internationally. Public and media access to the appeal hearings will foster peaceful civil dialogue and transparency regarding the important legal, theological, and cultural issues underlying the appeals. One would expect the School Board prefers an open, but easily controlled virtual hearing where all the participants are safe from

¹ *Alexander v. Renfrew County Catholic District School Board*, 2023 ONSC 4962, at paragraph 3.

any threats, real and imagined, and can trust they are fully heard by both the appeal panel and the community. Unnecessary secrecy in the context of these appeals serves only to breed distrust in the process and encourage less productive and peaceful means of discussing the issues raised by the appeals.

Regards,

A handwritten signature in black ink, appearing to be 'JK', with a long horizontal flourish extending to the right.

James S.M. Kitchen
Barrister & Solicitor
Counsel for Josh Alexander

JK/rd

Encls.