

**Delegate Status at HWDSB
Committee of the Whole
May 12, 2008**

Sexual Orientation Strand of Equity Policy

My name is Jim Enos, and I serve as Chair of the Healthy Living Committee and Vice-President of the Hamilton-Wentworth Family Action Council. For the past 12 years our Council has represented families who hold traditional Christian values. For its full 2 year tenure we were thankful to be committee members of the Sexual Orientation Steering Committee. We attended every meeting, and had some positive input in the development of this policy.

We support the Board's vision of this Equity Policy as '*A future in which all student's achieve their full potential.*' The goal of this strand is to create a change in our school environment whereby children of LGBT households feel comfortable attending school, and this in turn enables them to achieve their full potential.

Any time we make change however, even if the primary goals are achieved, sometimes there are results that were not anticipated. For example, the decision to use ethanol as a carbon fuel substitute had the goal to reduce carbon fuel consumption, however, it was not anticipated that producing this fuel would result in the decimation of oxygen producing rainforests, global food shortages and substantial increase in food prices.

Concern 1 – The Policy has been referred to as the ‘unlearning’ process.

Our first concern is how the implementation of this Policy may affect the legal rightful values that our families work to instill in their children. - including respect for **all** people. This policy has been referred to as an ‘unlearning policy’. What concerns us is whether the values that are essential to **our** community may be challenged and unlearned.

This ‘unlearning’ effort was spelled out early in the Committee meetings. By the second meeting in October 2005, we were instructed by the Chair that the terms ‘homophobia’ and ‘heterosexism’ would be ‘central to this strand’. On the opening page of this strand, Item 1.1 reads:

*“The Hamilton-Wentworth District School Board is committed to ensuring that all policies, guidelines, procedures and practices including but not limited to classroom practices, day-to-day operations and communication practices are **anti-homophobic** and **anti-heterosexist**.”*

Against homophobia, **against** heterosexism. This anti-homophobia, anti-heterosexism message is then **predominant** throughout the entire strand, but what is homophobia?

Concern 2 – Conflict with the Definition of Homophobia – Will our children be labelled homophobic and disciplined for citing rational information?

The Ontario Human Rights Commission defines Homophobia as;

*“The **irrational** aversion to, or fear or hatred of gay, lesbian, or bisexual people and communities, or to behaviours stereotyped as homosexual.”*

The key word in the OHRC definition is ‘**irrational**.’

The HWDSB definition removes the keyword ‘irrational’ and defines Homophobia as,

*“The fear and hatred of lesbians and gay men, or **any** behaviour that falls outside the perceived traditional gender roles.”*

What is ‘**phobia**’? A phobia is an **irrational** fear. A fear that is not founded on any fact or logical explanation. For example a person can have a fear of a closed room. However, if a child is afraid to jump from a high building, he is not phobic. They are acting on their natural instincts which are barriers to protect them from harm. Our families, when discussing various lifestyles and behaviours provide valid, **rational** reasons to fear the serious, logical consequences of homosexual and bi-sexual conduct, and as well, heterosexual conduct outside the confines of marriage.

There are several reputable institutions/agencies which recognize the risks associated with homosexual conduct including:

- 1) The American College of Pediatricians, who do **not** support same-sex parenting
- 2) The U.S. Food and Drug Administration which **bans** sperm donations from sexually active gay donors
- 3) The Canadian Blood Services which **bans** male donors who have had sex with a man even once or female donors who have had sex with a man who even once had sex with another man.
- 4) The Ontario Court of Appeal (January 12, 2007) which ruled that restricting homosexual men from donating to sperm banks does **not** violate the Charter of Rights. The three-judge panel stated in the decision, “The medical evidence in the record establishes that there is a higher prevalence of HIV and Hepatitis among men in the MSM (men who have sex with men) category,” saying the ban on homosexual sperm donation by the federal Processing of Semen for Assisted Contraception Regulations was ‘**rational and health-based**.’
- 5) **Health Canada** (December of 2007) identified as unsuitable, organ donations from sexually active gay males.

(Supporting reference material may be found on Pages 2 thru 10 of our appendix)

Our community would hope that this Board supports our parents’ use of information like this to help our children make healthy decisions for their lives, and would not deem our children or their families as homophobic. Unfortunately, this draft of the Equity Policy does have the potential to label as homophobic, families who use this type of information. Children who use this type of

rational information during classroom discussions, could also be labeled as homophobic and subject to disciplinary measures.

Concern 3 – Could the implementation of a policy which is aimed at normalizing and affirming the LGBT lifestyles, lead to increased sexual experimentation and higher incidence rates of sexually transmitted diseases?

To help us understand the reason for this concern, please turn to Page 1 of the appendix. (Modeled Population, HIV Prevalence and Incidence Among MSM by Region, 2004.) This table was produced by the Ontario Ministry of Health and Long Term Care and was presented during an HIV conference at the University of Toronto in February 2007.

Several concerning facts about adult men who have sex with men (MSM) are revealed in this Ministry Table. For the Region of Toronto it shows that:

- 1) 5.5% of adult males belonged to the MSM category, 54,308
- 2) Of the 54,308 males, 10,650 were HIV positive, 19.6%, **1 in 5**

1 in 5 men who had sex with men in the Region of Toronto in 2004 were HIV positive. This is of great concern to these men and to our families. Further, the table also reveals that there is an annual incidence rate of 1.4% which means that by the end of this year, 2008, the prevalence rate will be 25%. **1 in 4** men who have sex with men in the Region of Toronto will be HIV positive.

This table also shows that for the rest of Ontario (Ontario less Toronto and Ottawa), where the the proportion of men who have sex with men is 7 times smaller than that of Toronto that the HIV prevalence rate is approximately half of Toronto's. So it can be seen that in regions where men having sex with men is most prevalent that HIV rates are highest.

“If Hamilton-Wentworth District School Board’s Equity Policy results in a broader acceptance of homosexuality, what impact will this have on HIV rates? The table shows that in those regions where homosexual and bisexual behaviour is more broadly practiced there is an elevated prevalence of HIV. Our families are deeply concerned with this possible unintentional result of this policy.

The authenticity of this Table has been confirmed with the Ministry. In addition we have written to the author of this report seeking clarification about a number of issues. We inquired of the author as to HIV prevalence rates for adult males in Toronto in 2004 who contracted HIV solely via **heterosexual** contact. The doctor replied that HIV rates for these men from non-endemic countries (like Canada) is 0.10% which is **196 times lower** than the prevalence rate for men in the MSM group.

We asked the doctor, “*Why is the MSM group 196 times higher?*” He responded, “*The higher HIV infection rates among MSM are likely due to the greater efficiency of HIV transmission*

through anal intercourse compared to vaginal intercourse and the higher number of sexual partners among MSM compared to heterosexuals.”

Again, our community finds there are valid, rational reasons for our children to avoid engaging in homosexual and bisexual activities. Rational, health-based evidence recognized by the Ontario Court of Appeal and various blood, sperm and organ donor agencies. Evidence recognized by the Ontario Human Rights Code in Part II, Section 11, under Bona fide reasons. Evidence this Board **must** also recognize and honour. Choosing to ignore these facts will not change the facts. Understanding and presenting these facts is not **phobic**; it is part of thinking critically about something which our families identify as harmful.

Concern 4 – Promoting Queer Heroes

Another of the concerning consequences of this policy is that it provides opportunity for curriculum designed to elevate persons who practiced homosexuality to **mentor** status, not simply because of some feat they may have accomplished but also for their sexual practices. There were many at the Committee table who clearly indicated this Equity Policy will be used to promote ‘**Queer Heroes**’. We are not requesting that children of LGBT families not attend our schools or that they not be afforded protections against bullying, however, we have deep concern with the impact on children of elevating people to mentor status based on their sexuality.

Concern 5 – Spiritual Concerns

Families who hold traditional Christian values and adhere to Biblical teachings also have concerns from a spiritual perspective. **Our Christian faith is our identity**. It is important to understand that we consist of three domains - body, mind and spirit - and these domains are not mutually exclusive, that is to say, you cannot train one domain without affecting the other two.

As Christians, we are required to ‘come out and be separate’ from unbelievers. This is found in 2nd Corinthians 6:17, 18, 7:1.

In this passage the word ‘separate’ was translated from a Greek word which meant literally ‘to draw boundaries’ – to put limits on our lives. As Christians we must not permit ourselves to participate in unclean behaviours including lust, fornication, adultery, homosexuality and bestiality.

The Bible, we believe to be God’s living word, is very clear regarding the physical and spiritual consequences of homosexuality in several passages including;

Genesis 19: 4-11, Leviticus 18: 22-25, Leviticus 20:13, Romans 1: 25-27, 1st Corinthians 6:9, 1st Timothy 1: 9-10

The Sexual Orientation Strand of the Equity Policy shows disregard for our Christian values and Biblical teachings which must be adhered to by our families and thus has tremendous potential to impart physical and spiritual harm to our children. It is founded on two terms – ‘*homophobia*’ which we have shown today is not actually a phobia at all, and on the term ‘*heterosexism*’ which would seek to label and stigmatize our families who hold that “Marriage is the union of one man

and one woman to the exclusion of all others.”

Concern 6 - Implementing Section 10.4 of the Sexual Orientation Strand

As we indicated at the beginning of this presentation, we had some positive input in the development of this policy with the most significant piece being Section 10.4 which reads as follows:

10.4 The Hamilton-Wentworth District School Board will provide staff development to assist all staff in creating physically, emotionally, socially, intellectually and spiritually safe learning environments for all students.

All but one member of the Committee supported this item and so it is just to ensure that each and every component of the strand of this policy be doable in keeping with Section 10.4.

At two separate public meetings we have posed the following question,

As parents of faith-based families, we recognize that people are made of three components: body, mind and spirit (or soul). Our faith teaches that homosexuality is a conduct with physical, emotional and spiritual consequences. That being the case, how will these safe learning environments defined in Section 10.4 be enforced for our children?

On both occasions the following answer was provided, *“We don’t know, we will have to determine this at the implementation stage”*.

Since the Board does not know, we ask that trustees recommend that a committee be struck to develop an implementation plan regarding this policy, particularly in conjunction with Section 10.4. It is our recommendation that the implementation plan then be submitted to our faith community as well as other faith groups for their consideration. Until such time as this implementation plan is approved by all faith communities, we request that this Strand be set aside and that the Board simply apply an anti-harassment / anti-bullying policy for any reason.

We close with a quote from Chief Justice McLachlin (S.C.C.) in Chamberlain v. Surrey School District #36:

“As my colleague points out, the demand for tolerance cannot be interpreted as the demand to approve of another person’s beliefs or practices. When we ask people to be tolerant of others, we do not ask them to abandon their personal convictions.”

We look forward to an Equity Policy which does **not** demand our families to approve of another person’s beliefs or practices, a policy which does **not** ask us to abandon our personal convictions.

Thank you