

From: [Morgane Oger](#)
To: [Mona Essler](#); [Board of Education](#)
Cc: 
Subject: Re: Questions and request for meeting regarding a June 8 incident at a SD23-hosted event.
Date: Sunday, July 9, 2023 11:20:28 AM

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Good morning Mona Essler,

I am re-sending this email to make sure it is not missed. I am adding the Board to help get this matter unstuck.

I look forward to hearing from the Board or appropriate administrator before the end of July so I do not need to get answers through other channels.

Wishing you a pleasant summer,

Morgane Oger
Executive Director and Founder
Morgane Oger Foundation
<https://ogerfoundation.ca>

I live and work on the unceded territories of the Musqueam, Skwxwú7mesh-ulh, and Tsleil-Waututh nations. As I organize as a bilingual francophone settler and immigrant on this land, I acknowledge and embrace my privilege and my own obligations. I will continue to continuously work to repair harms perpetrated by colonialism and supremacy wherever it is safe and possible to do so.

On Tue, Jun 27, 2023, 5:48 p.m. Morgane Oger <executive.director@ogerfoundation.ca> wrote:

July 27, 2023

Good afternoon Mona Essler,

I am following up on our call this Afternoon, 27 June 2023.

I am writing to ask for a meeting with the Superintendent or other competent person about actions taken and about the decisions that were since made by SD23 to address the incident that occurred during a track-and-field meet at the Apple Bowl Stadium in Kelowna, B.C., organized by the Central Okanagan School District (SD23) for elementary school students.

<https://www.google.com/amp/s/vancouversun.com/news/local-news/girl-verbally-abused-at-kelowna-track-meet-hopes-devastating-incident-can-bring-about-change/wcm/7dbc7ef9-afee-49b0-ad4d-ff282a98119a/amp/>

I am writing this email as Director of the Morgane Oger Foundation and in its name.

The Morgane Oger Foundation works to narrow the gap between Canada's laws and the experience on the ground faced by marginalized communities. We do our work through

education, advocacy, and legal tools.

Someone from the Morgane Oger Foundation spoke with one of the parents of one the children who were targeted on the basis of their gender expression during this incident. This parent is CCd on this email and consents to this email and its contents.

I am writing to ask for answers to 17 questions and to request a follow-up meeting to discuss the matter further as soon as possible.

I do not expect that these questions are impacted by privacy law. If you require explicit consent from the guardian or parent of the affected child whose parent is CCd in this email, it will be requested. It is my hope that SD23 takes the CC to be enough.

Courts have ruled that a person does not need to be of a demographic to be protected from explicitly-prohibited discrimination on the basis of that demographic.

Therefore, knowing that the incident under scrutiny was caused by a belief by someone that the child was of an inappropriate gender to participate in an event;

Knowing that proof of genitals was reportedly demanded of the parent by the person disrupting the event;

knowing that the person who disrupted the event allegedly cited the child's appearance as the reason for demanding proof of genitals;

the following are 17 questions to SD23 that I hope will be answered meaningfully:

1. Was the member of the public who disrupted the shotput event that day by a guardian of a child enrolled in the event or was it someone who is not a guardian of the child?
2. What measures does SD23 have in place to protect children from experiencing unwanted sexual attention from community members including persons who are guardians and persons who are not guardians of learners enrolled in SD23?
3. Did SD23 staff witness any of the incident? If so, did they provide witness statements to RCMP?
4. Did SD23 file a complaint to RCMP about this incident which SD23 bears accountability to prevent?
5. The parent attests that they were told by RCMP that no complaint was made by SD23 or by SD23 staff. Is this a correct?
6. If no complaint has been made, will a complaint be made? When?
7. If there was a complaint made by SD23 to RCMP, did this complaint include the act of disrupting the event? Did the complaint mention sexually-inappropriate conduct including sexual harassment of a young child by a member of the public?
8. Is SD23 treating this as sexual harassment of a child at a SD23 event by an adult?

9. CBC reports that "School District 23 superintendent Kevin Kaardal said the district is taking action to prohibit the couple from entering its schools and attending its events in the future." What action has been taken?

10. Has an apology been made to the child? If not, was an apology offered?

11. This has been a traumatic experience for a number of people in Kelowna and around it, and it was caused by a number of factors - some outside SD23's control and some within SD23's control. What actions will SD23 take to rebuild trust in the community that LGBT families are safe in your Kelowna schools and at your events in light of this incident?

12. In 2022 at SD23 school "École K.L.O. Middle School", there was a series of serious incidents harming a child related to SD23 failing to prevent anti-trans bullying.

The situation resulted in the trans student having to leave the school because SD23 failed to address the problem. A year later, here we are.

What concrete protective measures can you point to that were enacted between May 2022 and today which show SD23 is not negligent in its transgender-safety problem?

<https://www.google.com/amp/s/www.cbc.ca/amp/1.6441819>

13. What actions has SD23 taken so far to address the hate problem that seems to re-occur in the district?

14. Is SD23 treating this latest incident like an act motivated by detestation by someone against persons they perceived to be transgender girls due to their gender identity or expression, as required of all BC Institutions?

15. If not why not?

16. What measures have been put in place to protect children from future sexual harassment by members of the public at District events?

17. Does the District have policy to protect learners and community members from experiencing sexually-inappropriate conduct by members of the public at school events?

I look forward to a prompt reply within 10 working days, and look forward to meeting a representative of the District to discuss the District's answers.

Kind regards,

Morgane Oger
Executive Director and Founder
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<https://ogerfoundation.ca>
+1 778 823 3552

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