



Justice Centre for Constitutional Freedoms

January 25, 2016

David Eggen
Minister of Education
Legislature Office
228 Legislature Building
10800 - 97 Avenue
Edmonton, AB, T5K 2B6

Dear Minister,

Further to my correspondence of January 18, 2016, I write on behalf of several religious schools in Alberta, regarding mandatory Gay-Straight Alliances and the “Guidelines” on gender expression and gender identity which you released earlier this month.

Alberta’s broad range of diverse religious schools fully support the goal of providing every student with a welcoming, caring, respectful and safe learning environment, and are already providing that to students. Your “Guidelines” are based on certain assumptions, or an ideology, that not everyone shares. A “one size fits all” approach does not respect the fact that different schools have different perspectives and beliefs, and therefore will have different approaches to creating a welcoming, caring, respectful and safe learning environment. Parents have a right to choose from amongst different schools and different means of seeking the wellbeing of their children.

We understand that you have stated publicly that the Ministry's Guidelines are voluntary, and will not be enforced. Yet I have heard from school principals, school board trustees, and other leaders in Alberta’s education community that your ministry will not accept school policies or school board policies that fail to adhere to the “Guidelines,” and that non-compliance will carry negative consequences for schools and school boards which fail to comply.

Accordingly, I request that you clarify, and elaborate on, what, specifically, you mean when you say that adherence to the “Guidelines” will be “voluntary”.

For example, if a school or school board submits policies to you which

- Reject “self-identification” as the measure of an individual’s sexual orientation, gender identity and gender expression;
- Refer children who struggle with gender identity disorder (a recognized mental illness) for counselling and therapy, with the goal of re-integrating gender identity gender identity with biological reality;

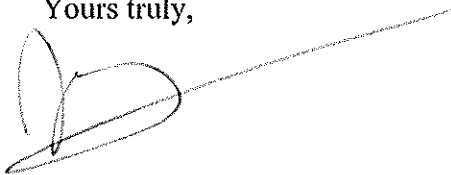
- Require teachers, principals and other school staff to inform parents (or guardians) when their child expresses confusion about, or difficulties with, matters related to gender identity, gender expression, and sexual orientation;
- Prohibit all boys from using the girls' washrooms or change rooms, without exception;
- Prohibit all girls from using the boys' washrooms or change rooms, without exception;
- Prohibit boys from wearing the girls' uniform, and prohibit girls from wearing the boys' uniform (in regard to schools which have uniforms);
- Refuse to allow students to change their names, or use a different name, without express parental consent;
- Refuse to acquiesce to a student's request to change her/his gender information on student records in the PASI (Provincial Approach to Student Information) system;
- Uphold and continue with the practice of having separate clubs, sports teams and other activities for boys and girls, and maintain current practices of separating students by gender;
- Refuse to allow a girl to join the school's boys' sports teams, or other boys' clubs and activities;
- Refuse to allow a boy to join the school's girls' sports teams, or other girls' clubs and activities;
- Continue using the words "father," "mother," "him", "her", "Mr." and "Mrs." and reject "non-gendered" language; or
- Refuse the establishment of Gay-Straight Alliances, Queer-Straight Alliances, and any other club that promotes a belief system or ideology that is hostile to, or incompatible with, the mission, vision, beliefs and practices of the school,

what will be the consequences, if any, for that school or school board?

Alberta's religious schools seek written confirmation that your "Guidelines" truly are voluntary, such that no negative repercussions will ensue from non-compliance. Will you provide an assurance, in writing, that a school or school board whose policies include one or more of the items referred to here above will *not* risk decertification, defunding, or other consequences?

I have already raised this issue with you on January 18. In light of your March 31 deadline for schools and school boards to submit their policies to you, I request a response from you by Friday January 29, 2016, to give schools and school boards adequate time to consult extensively with parents, prior to meeting your deadline. Your response is greatly appreciated.

Yours truly,



John Carpay, B.A., LL.B.
President
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