

Form 49
[Rule 13.19]



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COURT	COURT OF QUEEN'S BENCH OF ALBERTA
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APPLICANTS	CORNERSTONE CHRISTIAN ACADEMY OF CAMROSE, TAMMY LOEWEN, ARRON PETERSON, and STEVE KOZMENIUK
RESPONDENTS	THE BATTLE RIVER SCHOOL DIVISION NO. 31
DOCUMENT	AFFIDAVIT OF DEANNA MARGEL
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AFFIDAVIT OF DEANNA MARGEL

Sworn on this 26 day of April __ 2018.

I, DEANNA MARGEL, of Hay Lakes, Alberta, SWEAR AND SAY THAT:

1. I am the chair of the board of Cornerstone Christian Academy of Camrose (the "Society"). I have been a member of the Society board since 2015. I was also a Society board member from 2007-2014. I have personal knowledge of the facts herein deposed except where based on information and belief, in which case I verily believe same to be true.
2. Use of terms such as "we", "us", and "our" references collectively the board members of the Society.

Background

3. Cornerstone Christian Academy ("Cornerstone") is a non-denominational Christian school that has existed since 1986. Prior to 2009 and for 23 years, Cornerstone was an accredited independent school, operated exclusively by the Society. Cornerstone was founded as a religious school based on Christian beliefs as found in the Bible. In the 23 years preceding 2009, the religious character of Cornerstone was unchanged and the religious beliefs and practices that the Society and the Cornerstone parents adhered to, including teaching from the Bible, were unchanged.
4. Section 21(1)(a) of the Alberta *School Act* states that alternative program schools are schools that "emphasize a particular language, culture, religion or subject-matter" [emphasis added]. Alberta Education's Alternative School Handbook (attached to this Affidavit as **Exhibit "A"**) states, "[a]lternative programs are about doing things differently and they involve working collaboratively within the vision and mission of a particular program."
5. In 2009, the Society and the Battle River School Division ("BRSD") entered into an agreement by which Cornerstone became a religious alternative program, pursuant to section 21 of the *School Act*, and became part of BRSD. As with all religious alternative program schools, the Alberta curriculum was to be taught at Cornerstone, alongside religious content as determined by the Society. The agreement was that the Society would be responsible for and have autonomy over three things:
 - a. operation and maintenance of the school building;
 - b. the transportation of students; and
 - c. Determining the religious character of Cornerstone and implementing the Christian programing.
6. The Society owns the school building in which Cornerstone has operated since 1993. The Society agreed to be responsible, financially and logistically, for maintaining the busing Cornerstone students required and for maintaining the building, while BRSD would be responsible for day-to-day operations, including paying the salaries of the teaching and administrative staff. In 2009, a 1-year Master Agreement was executed to this effect.

7. It was agreed in 2009, and subsequently in 2010 and 2015, that the Society would be responsible for determining the content of and implementing the Cornerstone Christian Academy School Vision and Purpose Document (the "Vision and Purpose Document", the current version of which is attached to this Affidavit as **Exhibit "B"**). The Vision and Purpose Document prescribes the faith-based aspect of the programming at Cornerstone. It is explicit regarding the religious beliefs, mission, and core values of the Society, which serve as the foundation for Cornerstone.
8. The Bible-based religious beliefs adhered to by the Society and Cornerstone parents, and contained in the Vision and Purpose Document, include:
 - a. God created people to be either biologically male or female;
 - b. God created human sexuality;
 - c. Sexuality is to be enjoyed by two people of the opposite sex (one male, one female) within a monogamous marriage relationship;
 - d. Marriage was created by God to be the union of a man and a woman to the exclusion of all others, for life.

(together the "Religious Beliefs")
9. BRSD was, at all material times, aware that Cornerstone is a Christian school founded on the Bible, and aware of the Religious Beliefs of the Society and Cornerstone's parents. BRSD was aware from the commencement of its relationship with the Society in 2009 that Cornerstone was teaching and would continue to teach about sexuality, marriage and gender from a Biblical and Christian perspective, including, specifically, the Religious Beliefs.
10. At no time did the Society give any indication, and BRSD had no indication, that the Society would change, or ever anticipate changing the Religious Beliefs, or substituting other beliefs contrary to the Bible, in its operation of Cornerstone.
11. Cornerstone parents associate together for the purpose of manifesting their shared Christian beliefs and practices, including the Religious Beliefs. Parents send their children to Cornerstone so that Cornerstone will teach their children from a Biblical perspective, including the teaching of the Religious Beliefs.

12. In 2010, a 5-year Master Agreement was executed (the “2010 Master Agreement”, attached to this Affidavit as **Exhibit “C”**). Attached to the 2010 Master Agreement as Schedule “A” was the Vision and Purpose Document, as it then was. The Master Agreement states, *inter alia*:

The Board recognizes and supports the commitment of the Society in ensuring the availability of a program of studies for students whose parents desire **an educational setting which operates in accordance with the religious beliefs, core values, and educational philosophy of Cornerstone Christian Academy of Camrose and the Society.** [Emphasis added]

13. On July 1, 2015, the Master Agreement was renewed for a five-year term by BRSD and the Society.
14. Prior to 2017, the relationship between BRSD and the Society was excellent; BRSD and the Society exhibited mutual respect for each other and communicated openly.

BRSD’s Demand to Censor the Bible at Cornerstone

15. On January 30, 2017, Imogene Walsh, BRSD Assistant Superintendent of Business emailed the Applicant regarding the proposed Vision and Purpose Document (attached to this Affidavit as **Exhibit “D”**), stating that one of the many Scripture references in the Vision and Purpose Document, I Corinthians 6:9-11 (the “I Corinthians Scripture Reference”), must be removed.
16. Ms. Walsh further stated in the January 30 email, “[b]ased on the position of the Minister of Education and Alberta Education, we do not support leaving this reference in the document”.
17. BRSD referenced no provision of the Master Agreement for its requirement that the Society remove the I Corinthians Scripture Reference. No legislative provision was cited by BRSD to authorize the removal of the I Corinthians Scripture Reference, which reflects Christian beliefs that BRSD was aware are foundational to Cornerstone’s religious character, including the Religious Beliefs.
18. After seven years of an excellent relationship, such a demand was a surprise to the Society. The Society considered such a demand to be a profound interference with the

religious character of Cornerstone and a breach of the Master Agreement. The Society therefore resisted the removal of the I Corinthians Scripture Reference from the Vision and Purpose Document.

19. In an attempt to resolve the issue, the Society, including myself, met with representatives of BRSD on April 24, 2017. BRSD's legal counsel was present at the meeting. At the meeting, Laurie Skori, then chair of BRSD Board of Trustees, repeatedly stated that the I Corinthians Scripture Reference "goes against the *Alberta School Act*, *Canadian Human Rights Act*, and our own BRSD policies." Ms. Skori further claimed the I Corinthians Scripture Reference somehow represented a legal risk for BRSD.
20. The Society requested clarification from BRSD regarding their demand. On May 27, 2017, Ms. Skori stated in an email to the Society (attached to this Affidavit as **Exhibit "E"**):

"The original request from BRSD requested that you remove ... the Corinthians scripture from your vision document. In addition to this, **our lawyer indicated that any scripture that could be considered offensive to particular individuals should not be read or studied in school.** The above mentioned items [*sic*] are what is required by the CCA Board to be considered in compliance with with [*sic*] the School Act and Human Rights Legislation as a member of a public school board." [Emphasis added]
21. The Society was shocked that the demand from BRSD to remove the I Corinthians Scripture Reference expanded dramatically to include the censorship of the Bible at Cornerstone. We hoped BRSD would reconsider the demand to stop reading portions of the Bible at Cornerstone once they were properly appraised of our constitutional freedoms.
22. On June 8, 2017, our counsel sent a lengthy letter to BRSD (attached to this Affidavit as **Exhibit "F"**), explaining the Society's contractual and constitutional rights, and reminding BRSD that it had no authority to censor or prohibit the use of Scripture at Cornerstone, particularly in light of the fact that Cornerstone is a Christian school. The letter set out that the demand to censor and prohibit any Biblical passages was a violation of the *Canadian Charter of Rights and Freedoms*.

23. However, Laurie Skori emailed the Society on the same day, June 8 (attached to this Affidavit as **Exhibit "G"**), to inform us that, although BRSD had received and read the letter from our counsel, their demand was unchanged.
24. On June 9, the Society emailed Ms. Skori to inquire whether Ms. Skori was speaking on behalf of the entire BRSD Board of Trustees, and Ms. Skori confirmed in a June 9 email (attached to this Affidavit as **Exhibit "H"**) that, "[a]s for the board's position it remains the same", and that "the BRSD Board of Trustees will make a final decision." The Society did not understand what Ms. Skori meant by the phrase, "make a final decision" as BRSD had provided the Society with no explanation as to what "decision" they were going to make, or even that they were going to make any "decision" regarding Cornerstone at all.
25. On June 13, 2017, the public, including parents and other stakeholders, were informed as to the existence and nature of BRSD's demand. The BRSD Board of Trustees met two days later and decided to establish a committee (the "BRSD Committee") to engage in further discussions with the Society. It was revealed at this June 15 meeting that the BRSD Board of Trustees had been considering terminating the Master Agreement and had intended to vote to terminate the Master Agreement on June 15. However, with the public having been informed of the dispute, BRSD decided not to terminate the Master Agreement and instead established the BRSD Committee.
26. At no time prior to June 15, 2017 did BRSD indicate to the Society that it was considering terminating the Master Agreement.
27. The Society was hopeful that it could work with the BRSD Committee to resolve the issues.
28. On June 19, the BRSD Committee, Ms. Skori, Ms. Walsh and BRSD's legal counsel met with members of the Society, including myself, and our legal counsel. At the meeting, Ms. Skori and BRSD's legal counsel asserted that "human rights" required that no "offensive" Scripture could be taught at Cornerstone. BRSD claimed that the Society was in breach of Alberta legislation, but BRSD refused to say what legislative provision was being infringed.

29. On June 23, the BRSD Committee and the Society, including myself, met again. At this meeting BRSD presented the Society with a proposed addendum to the Master Agreement (the “Addendum”, attached to this Affidavit as **Exhibit “I”**) that would prohibit communications with parents and other members of the public. The Addendum required that:

- a. the Society cease from communicating with Cornerstone teachers and staff (including the principal) without the prior permission of BRSD;
- b. the Society not discuss any requirements that BRSD imposes on the Society with Cornerstone parents, such as the demand in May 2017 to censor Scripture at Cornerstone; and
- c. the Society and its legal counsel remove all information from the internet that detailed BRSD’s actions as referenced herein.

30. At the June 23 meeting, Ms. Skori yelled at members of the Society, threatened legal action against us individually and corporately, made unfounded personal accusations, and pounded the conference table. Ms. Skori was eventually compelled to leave the room due to her emotional state.

31. On June 27, the Society emailed BRSD to explain that it was accountable to parents for the religious nature of Cornerstone and could not agree to be gagged and censored by the Addendum.

Decision to Terminate

32. On June 29, BRSD passed a motion to terminate the Master Agreement. BRSD claimed that the Decision was justified because the Society’s education programming at Cornerstone was non-compliant with Board policies and provincial legislation, including the *Alberta Human Rights Act* and the *School Act*. Attached to this Affidavit is a letter addressed to myself, dated June 29, 2017 and signed by Laurie Skori, then chair of the BRSD board of trustees (attached to this Affidavit as **Exhibit “J”**). The letter explains the reasons for the Decision. BRSD released a public statement the same day (attached to this Affidavit as **Exhibit “K”**) and communicated the Decision to the media.

33. Clause 11.2.2 of the Master Agreement states:

This Agreement may be terminated at any time by mutual consent. If there is not mutual consent, the party wishing to terminate shall provide 365 days' written notice, provided that such notice is effective on June 30 of the following school year. **Both parties agree that decisions and actions surrounding termination will be based on what is in the best interests of students and will be carried out with a focus on student well-being.** Both parties will do their best not to terminate the Agreement in mid school year. [Emphasis Added]

34. BRSD has never suggested that the academic program at Cornerstone or the academic qualifications of its students or graduates are deficient in any way. No evidence of student harm has been brought forward or explained by BRSD. BRSD has not explained how shutting down Cornerstone was a decision that was made "in the best interests of the students."

35. Cornerstone has always been a Christian school that primarily serves a religious community. Neither Cornerstone nor the Society had changed since the inception of the Master Agreement. BRSD entered into the Master Agreement with the Society, and twice renewed it for further five-year terms, knowing and agreeing that Cornerstone would be operated as a Christian school based on the Bible. BRSD was aware from the commencement of its relationship with the Society that Biblical beliefs about marriage, sexuality, and gender would be taught at Cornerstone.

Irreparable Harm to the Cornerstone Community

36. If Cornerstone is not granted an interlocutory injunction pending the eventual hearing for judicial review the effects on Cornerstone will be severe. It will be wound down, de-accredited and defunded at the conclusion of the 2017-2018 school year. Its students will be dispersed to other schools, its faculty will be compelled to obtain new employment, and Cornerstone will cease to exist.

37. Cornerstone, first as an independent religious school and then as a religious alternative program school, has operated for 32 consecutive years. It is the only Christian school in the Battle River School Division. It draws students from an approximately 3,000 square KM area. Cornerstone provides a welcoming, safe, and caring learning environment to

approximately 170 students. Cornerstone is a pillar of the Christian community that it serves in Camrose County and beyond.

38. There are no other Christian schools within a reasonable driving distance of most of our students' residences. The closest Christian schools are located in Leduc and Sherwood Park. If Cornerstone closes, our students will be forced to either attend a local BRSD public school or be homeschooled. If Cornerstone closes, the disruption to students' lives caused by the closure of their school will be profound. Some of them have attended Cornerstone from an early age together. Many of them will be dispersed to the 15 BRSD public schools in the area.
39. If Cornerstone is shut down, the Cornerstone teaching staff will also be dispersed and be forced to take other teaching positions, if they can find them, in local BRSD public schools or at other schools a further distance away. They will be forced to travel long distances, or even move, if they want to continue to teach in a Christian school environment.
40. I swear this Affidavit bona fide in support of the Application for an interlocutory injunction preventing Cornerstone from being wound down pending the determination of the judicial review in this matter, and for no improper purpose.

SWORN BEFORE ME at Wetaskiwin)
 in the Province of Alberta, this 26 day of)
 April 2018.)



Commissioner for Oaths in and
 for the Province of Alberta


 DEANNA MARGEL ✓ ID

Stephanie Lyn Boeve
 A Commissioner for Oaths in and
 For the Province of Alberta
 My Commission Expires July 18, 2019

TAB A

Government of Alberta ■
Education

Alternative Programs Handbook 2010



Freedom To Create. Spirit To Achieve.

we educate
éduquer

This is Exhibit " A " referred to in the
Affidavit of

Deanna Margel

Sworn before me this 26 day

of April A.D. 2018

[Signature]
A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

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This document also is available on

Web site: <http://www.education.alberta.ca/parents/choice.aspx>

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BACKGROUND

Alberta's learning system respects the right and responsibility of parents to make decisions that best suit the needs of their children. By supporting programs of choice, the province strengthens the public school system and promotes the availability of diverse educational experiences for Alberta students. Over the last 15 years, legislation has encouraged school boards to work with parents, their community, and stakeholders to provide choices in educational programming that will meet the needs and interests of students and parents.

The 1988 *School Act* gave school boards the authority to respond to parents wanting increased choice in the education of their children by introducing the concept of alternative programs. Alternative programs were given the definition of programs that emphasize a particular language, culture, religion, subject matter or teaching philosophy.

In 1994, government made more changes to the *School Act* by opening the boundaries that existed between school boards and schools and by creating charter schools. The changes enabled parents to send their children to their choice of any public school in the province, including charter schools and alternative programs, provided there were sufficient facilities and resources available.

In 2000, government released the [*School Act - Revised Statutes of Alberta \(RSA 2000\)*](#). Alberta Education has prepared this handbook to assist school boards, school staff, school councils and other interested groups in offering, developing and implementing alternative programs under section 21 of the *School Act (RSA 2000)*.

By strongly supporting regular education programs, as well as promoting alternative programs when demand and resources are present, Alberta's diverse education system prepares students for the changing nature of the world in which we live.

OFFERING AN ALTERNATIVE PROGRAM

Definition

The wording of the current [*School Act*](#) makes it clear that a school board makes the decision about whether it will offer a section 21 alternative program and what it will offer as an alternative program. The [*School Act*](#) does not, however, explicitly require an alternative program to be established through a board motion.

[*School Act*](#), section 21 (RSA 2000 Chapter S-3)

- 21 (1) In this section, "alternative program" means an education program that
- (a) emphasizes a particular language, culture, religion or subject-matter, or
 - (b) uses a particular teaching philosophy,

but that is not a special education program, a program referred to in section 10 or a program of religious education offered by a separate school board.

- (2) If a board determines that there is sufficient demand for a particular alternative program, the board may offer that program to those students whose parents enrol them in the program.
- (3) A board that offers an alternative program shall continue to offer the regular education program to those students whose parents do not enrol them in the alternative program.
- (4) If a parent enrolls a student in an alternative program, the board may charge that parent fees for the purpose of defraying all or a portion of any non-instructional costs that
 - (a) may be incurred by the board in offering the alternative program, and
 - (b) are in addition to the costs incurred by the board in providing its regular education program.

There is a distinction between section 21 alternative programs and other ways of providing choice. Some examples of choices that are not alternative programs are Francophone programs (programs that fall under section 10 of the [School Act](#)), courses such as Japanese Language and Culture 10-20-30 and programs that involve a single classroom or specific areas of interest such as daily physical education. The uniqueness of alternative programs lies in the existence of the following defined set of elements.

- A defined and consistent set of unique features intended to be long-term and sustainable. The program usually involves the entire elementary, junior high or senior high grades or a combination of these grades.
- An educational approach that affects the entire schooling experience of a child, such as, bilingual programs or religion-based alternatives.
- A school culture or environment that reflects the uniqueness of the program.

The following checklist is designed to help a board decide whether the program it is considering qualifies as an alternative program.

Does the program have the following elements?

<input type="checkbox"/> Yes	The program is based on a particular language, culture, religion, subject matter or teaching philosophy.
<input type="checkbox"/> Yes	The program is <i>not</i> a Francophone program.
<input type="checkbox"/> Yes	The program is <i>not</i> a special needs program.
<input type="checkbox"/> Yes	The program is <i>not</i> a program of religious education offered by a separate school board.
<input type="checkbox"/> Yes	The program is a consistent set of unique features intended to be long-term and sustainable
<input type="checkbox"/> Yes	The program involves the entire elementary, junior high or senior high grades or a combination of these grades.

If the answer is yes to ALL of the above, then the program under consideration qualifies as an alternative program under section 21.

In dealing with alternative program applications, Boards must keep in mind Charter School Regulation 136/95 Amended AR 212/2002 which states, " If a board refuses to establish an alternative program as requested by a person or society under section 31(2) of the Act, the board shall, within 60 school days of receiving the request, provide a copy of its decision, with reasons, to the person or society."

Benefits and Challenges

When considering whether to offer an alternative program, school boards may wish to weigh some of the benefits and challenges that alternative programs often face.

Benefits may include the potential for:

- improved instruction and student learning
- student opportunities to participate in a variety of enriching experiences without losing the benefit of the Alberta Education core curriculum
- strong commitment from parents, who may be more strongly supportive of the school, staff and programs because they have specifically chosen the program for their children
- teachers to choose a working environment that corresponds to their particular skills, interests, expertise or beliefs
- increased compatibility between teaching and learning styles and classroom environments in alternative programs that are based on a particular teaching philosophy.

Challenges related to alternative programs may include the following.

- Space — The board needs to determine whether available school or community space is sufficient to support an alternative program, whether the program includes several grades or a whole school program.
- Enrolment — The board must determine the minimum enrolment needed to have a viable alternative program, as well as what the impact will be on regular program enrolment. The board must continue to offer the regular education program to those students whose parents do not enrol their children in the alternative program.
- Distance — Rural boards that cover large geographical areas may find distance particularly challenging.
- Transportation — Transportation funding for urban and rural school boards is different. Decisions must be made regarding what, if any, fees will be charged for transportation to alternative programs, and which students will be eligible for transportation services. Section 51 of the [School Act](#) permits boards to charge fees for transportation.
- Fees — Section 21 of the [School Act](#) permits boards to charge fees for non-instructional costs associated with the alternative program that exceed the cost of providing for the board's regular education program.
- Expertise — A board must ensure that qualified staff members who would be well suited to the particular program are available or can be attracted to the program. A board must select administrators who understand and support

the alternative program and who have the vision to further the alternative program.

A board may delegate authority for establishing alternative programs to a staff member. However, there are several advantages to boards reserving their legislative right to approve alternative programs.

- It indicates the board's commitment to the community.
- It allows the board to control the introduction and implementation of alternative programs and to control expenditures.
- It gives legitimacy and continuity to the program, which can then be modified only by the board or as designated by the board.
- It responds to parental expectations, so that parents can be guaranteed consistent program content and delivery from classroom to classroom and from year to year.
- It provides opportunity for more in-depth board involvement in governance.

Assessing Support Resources

Boards may explore alternative programs in the following ways.

- Develop an inventory of community resources and potential partnerships, explore the advantages of location and encourage community involvement in the school. For example:
 - a museum, agricultural college or research station may support a program that focuses on the sciences
 - a theatre group may support a fine arts program focus
 - a cultural centre may support a culture-based alternative program.
- Review the strengths and interests of existing staff. The expertise of staff in areas of language, culture, religion or a particular teaching philosophy may be a starting point for exploration of an alternative program.
- Consider provincial, national or international programs that have the potential to become an alternative program in the jurisdiction. Examples include the International Baccalaureate program, the Montessori program and the Science Alberta Foundation program.
- Discuss with other Alberta school boards the programs that are already being offered. Individual boards can provide more information about the alternative programs they offer. Some examples of alternative programs in Alberta are listed below by category along with some of the jurisdictions where they are being offered.

Alternative Program	School Board
All-Girls	Edmonton School District No. 7
Christian	Elk Island Public Schools Regional Division No. 14 Pembina Hills Regional Division No. 7 Red Deer Public School District No. 104
Fine Arts	Calgary Roman Catholic Separate School District No. 1 Greater St. Albert Catholic Regional Division No. 29

Alternative Program	School Board
French Immersion	Elk Island Public Schools Regional Division No. 14 Grande Prairie School District No. 2357 Grande Prairie Roman Catholic Separate School District No. 28 Greater St. Albert Catholic Regional Division No. 29 Red Deer Catholic Regional Division No. 39 Wetaskiwin Regional Division No. 11 Wolf Creek School Division No. 72
German	Calgary School District No. 19 Edmonton School District No. 7 Elk Island Public Schools Regional Division No. 14
Hockey	Calgary School District No. 19 Edmonton School District No. 7
International Baccalaureate	Calgary School District No. 19 Christ the Redeemer Catholic Separate Regional Division No. 3
Montessori	Lethbridge School District No. 51
Science	Edmonton School District No. 7

Checklist – Making a Decision

The following checklist will assist boards in deciding whether or not to offer an alternative program.

Yes	No	Action Items
		Can you define the alternative program and do you clearly understand the concept?
		Have you found books and information articles that support the alternative program?
		Do you believe that the alternative program will make a positive difference for students?
		Does your idea meet the requirements of section 21 of the School Act ?
		Do the board, central office staff, parents, school staff, community and students, where applicable, support the alternative program?
		Have you examined the impact the alternative program may have on the school system? Have you considered unintentional consequences of this change?
		Are the staff, school council, school board and Alternative Program Advisory Group, if applicable, committed to the process and involved in developing the alternative program?
		Is there a team working to implement the alternative program?
		Is there a clear statement of purpose and vision for the alternative program? Does everyone involved share an understanding of the purpose and vision?

Yes	No	Action Items
		Has the board reached an agreement with staff on how to implement alternative programs? Has this agreement been communicated to jurisdiction stakeholders?
		Have the parameters for the alternative program been established through consultation?
		Have time and money been budgeted for ongoing staff development programs for those involved in the alternative program?
		Have local decision makers been given maximum decision-making power and flexibility related to the alternative program?
		Have central decision makers reached an agreement on budget allocation for the alternative program?
		Has a fee structure for the alternative program been established through consultation?
		Are the roles and responsibilities for all partners clearly defined?
		Are any new roles clearly communicated to everyone?
		Is there an ongoing monitoring process to determine if the alternative program is working well or needs modification?
		Is there a process for evaluating and reporting the success of the alternative program?

DEVELOPMENT AND IMPLEMENTATION PROCESSES

Timeframe

The time required to develop and implement a new program will vary depending on the nature of the program and the requirements of the board's processes. It may take up to a full school year to plan and develop an alternative program. It is suggested that board approval be obtained by December of the year prior to the planned start date.

Boards are reminded that Charter School Regulation 136/95 Amended AR 212/2002 states, "If a board refuses to establish an alternative program as requested by a person or society under section 31(2) of the Act, the board shall, within 60 school days of receiving the request, provide a copy of its decision, with reasons, to the person or society."

Facilitating the Process of Change

Alternative programs are programs of parental or student choice in that, once a board has decided to offer a program, the choice to enrol is that of the parent or student. Alternative programs are about doing things differently and they involve working collaboratively within the vision and mission of a particular program. Boards and schools wishing to introduce alternatives must be prepared to help facilitate change. This section offers some strategies for doing so.

A jurisdiction can start the process of change with those individuals in the jurisdiction who are already open and ready for change. Research indicates that people often fall into one of three categories: the innovators (15%), the vast majority who are willing to wait and see if the change is workable (70%) and the resistant (15%). The innovators can be challenged to:

- decide on a small, manageable project
- decide on required stakeholder involvement
- develop results to be achieved
- develop indicators
- evaluate results
- communicate results.

No single process is guaranteed to overcome resistance to change. However, according to Wagner (2001), the following are some key elements that are common across processes of change.

- Determine who will be affected by the change.
- Involve those affected and those with expertise in discussions related to the change.
- Ensure an open process where information is used to create shared understanding of the change.
- Use a consultative, problem-solving approach.
- Allow sufficient time for concerns to be addressed.

- Respect diverse opinions and seek constructive criticism.

To ensure a feeling of ownership for the change, there must be dialogue and critical inquiry among all members of the community. Members should not attempt a one-time effort, but rather the creation of conditions that promote ongoing, focused and consultative learning. Wagner (2001) identifies the following essential conditions.

- Shared vision of the goals of learning, good teaching and assessment as they relate to the mission, mandate, goals, results, strategies, and measures that are part of planning for success.
- Shared understanding of the urgent need for change. The degree of urgency may vary from community to community depending on the academic results achieved, the desire of parents and students for choice, the economy and changing demographics.
- Relationships based on mutual respect and trust. This is essential when working with proponent groups and is related to the need to spend the time required to build a solid relationship.
- Engagement/ownership strategies that create commitment rather than mere compliance. This relates to the way staffing is done and to the professional development provided for stakeholders.

Some of the following strategies could be used to help ensure a feeling of ownership for a change.

- Create a forum or a framework for discussion. Ensure that discussions are free of blame. Focus discussions on the desired characteristics of the alternative program rather than on criticism of existing options. Use facilitative strategies that encourage participants to create their vision of the alternative program instead of trying to solve the problems that may be perceived in existing programs.
- Provide time for educators and other community members to understand and discuss different ideas. Do not rush the process. Keep in mind that it may take approximately a year to work through a process for change.
- Understand that sustained change cannot be mandated. Consider using trained facilitators who can assist groups to problem solve and seek constructive criticism.

Framework

When a board decides to support alternative programs, it should develop an alternative program framework that includes elements such as the following:

- a board vision and mission statement
- a board position on the provision of choice in student programs
- procedures that outline the process through which alternative programs can be established and closed
- accountability processes to ensure that the alternative program meets the program goals and intended student learner outcomes specific to the program
- processes to ensure that the intended outcomes of alternative programs are measured and that the results are communicated to stakeholders.

Alternative Program Proposals

If a school board decides to implement alternative programs, a process should be in place for working with proponent groups and for evaluating program proposals.

Developing Proposals

Program proposals may originate either with parent and community groups or with school jurisdiction staff. Some considerations related to developing a program proposal are that:

- the proponent group must understand the school board alternative program framework and provincial legislation governing alternative programs, schools and school jurisdictions
- the school board's alternative program framework may require a formal written proposal, or it may allow for a more informal process of preliminary discussion
- the board should identify staff who would receive the proposal on behalf of the jurisdiction.

The program proposal may be written by the proponent group or the jurisdiction's administrative staff or the two groups working together. Some advantages of both groups working collaboratively are that the process:

- enables relationship building and trust
- builds understanding of roles and responsibilities
- enables the school jurisdiction to shape the program based on sound pedagogical principles
- enables staff to share the strengths and requirements of the jurisdiction with the proponent group
- allows parental involvement, which encourages student recruitment and provides the school board with proof of need and potential enrolment.

Misunderstanding of the outcomes of processes among participants or group members may lead to resentment and conflict, particularly if those being consulted are uncertain about where final decision-making authority resides. Parents and societies involved in alternative programs have a legitimate and important role to play in these programs, and the jurisdiction staff has a responsibility to work in a way that enables parents and societies to make the maximum contribution to the program. It also is critical that participants understand that, as mandated by the [*School Act*](#), the decision-making authority will remain with the local school board and its administration. School boards are accountable for the results of the alternative program.

Evaluating Proposals

Once the written proposal is received, the board may wish to use the following checklists to determine the proposal's completeness.

Checklist — Elements of the Program Proposal

Name of program.
Detailed description of the essential characteristics of the alternative program depending on its base of language, culture, subject matter, religion or teaching philosophy.
Grades involved.
Anticipated enrolment.
Location and facility needs.
Procedures to follow when more students want the program than originally anticipated or than the program can handle.
Criteria for student admission, based on a description of the alternative program and its focus so that parents understand the intent of the program.
Staffing requirements.
Program monitoring and evaluation.
Funding required, including funding for start-up and implementation costs, if applicable.
Transportation plans and transportation fees.
Parent fees, if required.

Checklist — Evaluating the Program Proposal

Consistency with the School Act and with Alberta Education's vision, policies, mission and mandate for education.
Consistency with the board's vision, mission, and administrative regulations.
Consistency with sound educational theory and practice.
Intended student benefits.
Impact on current course and program offerings.
Impact on facilities and financial and human resources.
Availability of staff and instructional resources.
Extent of demand for the program.
Indication of long-term sustainability.
Expected results.
Measures to determine whether results are being achieved.

Implementation Plan

Whether or not a program is feasible and desirable depends on the nature of the program, the board's philosophical stance, the financial viability of the program and the board's alternative program framework. If the administration is satisfied that the program is feasible and desirable, the board should then create and follow an implementation plan. The information gathered during the evaluation of the proposal forms the basis for an implementation plan.

The Appendix ([pages 29–30](#)) outlines the tasks that need to be addressed when creating an implementation plan. Following are sections on program location, funding and fees, developing public awareness and cultivating interest, student profiles, and roles and responsibilities.

Program Location

To maximize accessibility, an alternative program should be located as close as possible to the main demand or key resource.

- Placing an alternative program in an operational school with an existing regular program is an effective strategy for improving space utilization and increasing enrolment in an under-utilized school. Including an alternative program as a dual track in a regular school also builds capacity for shared instructional expertise and developing respect for diversity. It is critical that participants in the operational school (parents and staff as well as students) and proponents of the alternative program develop a shared understanding that alternative programs are different, not better.
- A board may place an alternative program in an empty school or convert an operational school entirely to the alternative program, if students are provided with the option of attending a regular program elsewhere. If there is insufficient space in a board, or if the available space does not match the location or need of the students wishing to access the alternative program, the board may consider the use of non-school space to house the program.
- Boards also may need to determine whether or not they have the space available to offer an alternative program and whether attracting new students is a viable plan for the school they are considering using.

Funding and Fees

Section 21 of the [School Act](#) permits school boards to charge parents fees “for the purpose of defraying all or a portion of any non-instructional costs that may be incurred by the board in offering the alternative program, and are in addition to the costs incurred by the board in providing its regular education program.”

When approving new programs, a board should make provision for any start-up costs as well as ongoing operational costs.

- There are no start-up grants for alternative programs available from Alberta Education.
- A determination must be made whether to operate the program on the same funding framework as the board’s regular programs, whether to charge fees for non-instructional costs in order to offset additional costs and/or whether to fund the alternative program at a different level.
- One of the important factors in making this determination is the community’s acceptability of a fee and/or a different basis for funding. If a fee is established, the board should make a point of communicating this with parents to ensure an understanding and acceptance of the fee.
- A board should provide information that clearly outlines what the non-instructional fees will be used for.

Development of Public Awareness and Cultivating Interest

If the newly approved program has a proponent group, they will likely have created some public awareness in order to demonstrate the demand for the program. The school board can then build on this work to confirm interest, increase public awareness of the alternative program and determine an estimate of student and parent interest.

Possible advertising strategies include sending individual letters to families who have expressed an interest, holding community information meetings, placing newspaper advertisements, and sending out school newsletters to families and the community. Any of these communication tools should include the following information.

- Dates, times and locations of any information sessions that are planned. Community information meetings are an excellent strategy for sharing program information that can result in acceptance and promotion leading to increased student enrolment.
- A general description of the program.
- The address and phone number of the school where the alternative program may be located.
- The registration process.
- Contacts who can provide additional information.

Student Profile

Alternative programs, as programs of choice, are established to meet the specific educational interests or needs of students and their parents. Not all alternative programs are appropriate for every student. Because alternative programs are programs of choice, a student profile should be developed so that students, parents and the board can make decisions that are in the best educational interest of a student. A student profile helps parents and the board determine if the alternative program will meet student needs, support student success and ensure that a student will not be educationally disadvantaged by being enrolled in the alternative program. The student profile should be part of all documentation that is provided to students and parents interested in the alternative program so that they can make an informed decision as to the appropriateness of the alternative program.

Some ideas that may be included in a student profile are the following.

- A language-based program might state that, after a certain grade, students who are not fluent in the language would not be admitted to the program because the student would not have the language to be successful.
- A science-based program might state that, to be successful, students should have achieved a mark of at least 75% in science in the previous year.
- A dance-based program might specify that the student must have the ability to participate in a physically active environment.

- Some alternative programs may have “audition criteria” where the student would audition to gain admittance because the level of instruction would be geared to students already skilled in the particular alternative focus.

Boards must enrol students in the alternative program of the parents’ choice if the board believes:

- the program is appropriate to meet the student’s needs and the student will be successful
- the program has sufficient resources and facilities to accommodate the student.

If parents want to register their child in an alternative program and the board determines that the program is not appropriate to meet the student’s educational needs or the board does not have sufficient resources and/or facilities to support the student in the program, after consultation with the parents, the board may refuse to enrol the student in the alternative program. In such cases, it is important to communicate clearly with parents the particular student profile criteria and how a student who does not meet the criteria may be educationally disadvantaged in the alternative program.

The board’s plan should describe how student selection will be made if there is not enough room in an alternative program for all students who apply.

Roles and Responsibilities

In order to have a successful alternative program, it is important for the board to identify staff members who understand and support the program’s vision and approach. The staff also must be qualified and competent to deliver the particular program.

- For programs based on language and culture, teachers require a high level of proficiency in the target language as well as training in second language instruction. School jurisdictions are advised to acquire or develop instruments for determining language proficiency. If jurisdiction staff members are not qualified to carry out a target language or second language proficiency screening, assistance may be available from a post-secondary institution or another jurisdiction.
- In staffing programs based on religion, interviews should be structured to focus on the applicant’s qualifications, experience and support for the program goals and the outcomes related to the program. Applicants must understand that they are being recruited to deliver a program that corresponds to the vision, mission and description of the particular alternative.
- Programs based on teaching philosophy pose some unique staffing challenges because decisions regarding teaching philosophy and methodology are considered to be a central component of a teacher’s professionalism. Again, applicants need to understand that they are being recruited to deliver a program based on a specific teaching philosophy. Many parents who choose to send their children to an alternative program will have high expectations

that the particular teaching philosophy is visible in all classrooms at all times. Therefore, interview processes and questions need to be designed so that interview panel members are able to engage the candidate in an in-depth discussion of the methodology and the teaching philosophy that define the program.

A jurisdiction also will need to make a number of decisions regarding the assignment of authority and responsibility to staff, as well as to other key players. Following are examples of possible roles for each of the staff and key players (principals, teachers, central office staff, school councils, community members, Program Advisory Groups, board of trustees and Alberta Education) in an alternative program. Some roles and responsibilities will vary from jurisdiction to jurisdiction.

Role of Principals

The role of a principal is set out in section 20 of the [*School Act*](#).

The role of the school principal who administers an alternative program is key to its successful implementation and ongoing operation and is essentially the same as the role of principals in any other school. When appointing a principal to an alternative program, it is helpful to provide candidates with a clear description of both the program and the desired characteristics of the principal.

The role may include the following characteristics.

- Understand and support the program philosophy.
- Have a clear vision of the intended results of the alternative program.
- Be able to communicate this vision to others and to turn the vision into action plans.
- In consultation with personnel services, determine appropriate staffing. Some jurisdictions include the school council, society or Program Advisory Group in various aspects of the interviewing process. Consideration may be given to hiring an assistant principal or curriculum coordinator with particular expertise in the emphasis of the alternative program.
- Leaders also must work with office and support staff to ensure they understand the program so that they too can support it as necessary.
- Ensure that the program is implemented in a manner consistent with the program definition established by the board.
- Ensure appropriate professional development for staff.
- Publicize the program.
- Facilitate interest in the program.
- Work in consultation with parents and community members.
- Liaise with parent societies and/or Program Advisory Groups, if applicable.
- Maintain a cooperative and harmonious environment in the school and among various programs in the school. Some strategies to achieve this include:
 - ensuring representation from all programs on the school council

- encouraging students from all programs to interact via assemblies, teams, intramurals, etc.
- having staff meet and work together to exchange information and ideas.
- Establish or join a network among principals of other schools with alternative programs to share ideas, strategies and resources, and to ensure program consistency across the jurisdiction in cases where an alternative is offered in multiple locations.
- Evaluate or provide for the evaluation of the program.

Role of Teachers

The role of teachers is set out in section 18 of the [School Act](#). The role of teachers in an alternative program is not substantially different from the role of teachers in any other program.

It is essential that teachers in an alternative program be philosophically aligned with the particular program, and the hiring processes should ensure that teacher candidates have a full understanding of the nature of the program and the expectations placed on its staff.

Cain (2001) highlights some teacher characteristics that may apply to an alternative program. An ideal teacher:

- is philosophically aligned with the program
- is aware that they are an integral part of the program and that the program is an integral part of the school, if it is located in a setting where both the alternative program and a traditional program are offered (dual track)
- is able to clearly articulate the alternative program vision and mission
- works well with parents and/or Alternative Program Advisory Groups
- works in consultation with staff in the program and, if it is located in a dual-track setting, with other staff in the school
- participates in the implementation and growth of the alternative program
- takes initiatives to help the program grow and succeed
- is comfortable working within the mission and vision of the program
- avoids competitive comments
- recognizes that the alternative program is not better, but is different
- is comfortable with both alternative and regular programs and acknowledges the potential of both programs to provide success for students.

Role of Central Office Staff

The role of central office staff is key to the development of new programs and, subsequently, to providing support to the school administrators.

The role of central office staff may include the following.

- Work with staff and/or community groups seeking new alternative programs. This includes attending meetings and discussions about the program definition, identifying resources, determining demand and reviewing other program development issues.

- Make a recommendation to the board regarding the approval of a new program.
- Provide support, advice and assistance to administrators, parent societies and/or Program Advisory Groups by:
 - identifying research and resources as required
 - providing program-related expertise and professional development
 - providing leadership training
 - assisting principals in identifying appropriate staff
 - organizing and coordinating transportation services where necessary
 - assisting in problem-solving and conflict resolution.
- Provide ongoing liaison, advice, assistance and problem resolution skills to parent societies on behalf of the jurisdiction.

Jurisdiction leadership staff members who work with alternative programs are, in essence, acting as change agents. Nickols (2000) identifies the following skills as important for an effective change agent.

- Environmental Scanning Skills — change agents need to understand their own organization and the community group or groups with whom they are interacting.
- Analytical skills — change agents must be able to identify essential elements and operations and how to reassemble them in novel ways to accommodate different ways of doing things; for example, recognizing where an alternative program proposal may come into conflict with jurisdiction policy, practices or values, and how to accommodate this.
- People skills — change agents must be able to interact in consultation with organization staff and proponent groups; for example, by facilitating input or working with a proponent group on an alternative program request.
- System skills — change agents need to understand the impact of change in one or many areas of the organization; for example, recognizing how a particular alternative program will impact areas such as staffing, curriculum and computer technology.
- Business skills — change agents need to understand jurisdiction and school finances; for example, determining whether or not an alternative is financially viable and/or how many students it needs in order to be financially viable.

Role of School Councils

In addition to the role ascribed to school councils in section 22 of the [School Act](#), a school council may, at its discretion, take on a variety of roles related to alternative programs. These could include the following.

- Work with a school principal and jurisdiction staff to develop an alternative program for the school in accordance with the jurisdiction's alternative program framework. The school council could provide input into a new alternative program or provide reflection on an alternative program already proposed for their school. It also may be asked to form a working committee with central office staff to develop a detailed proposal.

- Provide input into the potential use of a school as a site for a new program developed by a proponent group other than the school council.
- Create bylaws that facilitate the operation of more than one program in a school. The [School Council Resource Manual](#) contains sample bylaws and development processes.
- Assist in the promotion of the school and all of its programs.
- Help build understanding of the school program(s) within the community.

Role of Community Members

The two major roles that community members or groups might perform are:

- proposing an alternative program
- providing expertise and resources to support an alternative program.

Role of Program Advisory Groups

Parents and community members who support a particular alternative program may choose to organize themselves into either an informal Program Advisory Group or a formal society in accordance with the [Societies Act](#).

Individuals wishing to form a society can obtain information from Service Alberta at <http://www.servicealberta.gov.ab.ca/716.cfm> . A society is self-regulating and may determine its own bylaws and eligibility for membership. Effective program societies are usually structured so that all parents of students enrolled in a program are automatically made members. Other interested individuals also may be members.

It is recommended that jurisdictions establish protocols for working with such groups and defining their roles. Although a school jurisdiction cannot regulate an independent society, it can, through either regulation or protocol, define how it will interact with such societies and what role they will play in relation to the school system and the alternative program. Excerpts follow from a protocol established by Edmonton Public Schools (1999) that outlines the role of program-related societies in that jurisdiction.

"The jurisdiction recognizes the legitimacy of program-related societies as advisory bodies, and appreciates both its ability and its obligation to consult with these societies on important program issues. It also expects that program-related societies, if they wish to be seen as speaking for program parents, are able to demonstrate that they include parent representation and can indicate their basis for believing they represent the views of parents. It is recognized that only the Board of Trustees can change the nature or intent of an approved program. ... Unless specifically agreed to by parents, and formally set up in that manner, the society does not take on the role of the school council. The school council would continue to be subject to requirements of the School Act and provincial regulations."

The role of Program Advisory Groups is key in identifying new alternatives and working with school administration to support current options. The role may include:

- partnering with the school and school jurisdiction to ensure the integrity of the program
- providing advice and input to school administrators, the central office and the board on matters related to the program as a whole
- assisting in the recruitment of students to the program.

Role of the Board of Trustees

The role of the board of trustees is to:

- provide a philosophical stance and articulate this through the use of mission statements, and board policies and administrative regulations
- approve alternative programs, if this is part of the board's policy framework.

Role of Alberta Education

The role of Alberta Education involves:

- the provision of alternative program legislation in the [School Act](#)
- the provision of advice and assistance to jurisdictions through FNMI & Field Services.

Several documents are available to assist in the development of new and changing roles and responsibilities such as Alberta Education's [School Council Resource Manual](#) (2007).

Communication Plan

The jurisdiction should have a plan to communicate the introduction of any new alternative program to parents, community members and other schools in the jurisdiction.

- The communication process should begin with the introduction of the possibility of the program.
- A plan should be drawn up to provide for weekly, bi-weekly or monthly reports of initial progress toward the start-up date and to continue with reports of progress toward full implementation.
- School newsletters, news releases, reports to various groups in the community and cross-jurisdiction staff bulletins are possible mechanisms for communicating with all those who may be influenced by the establishment of an alternative program in the jurisdiction.

Accountability Plan

Alberta Education requires that every school jurisdiction annually prepare and make available to the public a *Three-year Education Plan* and an *Annual Education Results Report*. This requirement, along with the mandated provincial achievement testing

program, provides the provincial framework with respect to accountability. The framework applies equally to the regular education program and to alternative programs. Therefore, the method used to assess the effectiveness of an alternative program should be similar to the method used to assess the effectiveness of a regular education program.

Parents who enrol their children in alternative programs expect that their children will not be in any way disadvantaged with respect to their achievement on Alberta Education's regular *Programs of Study*. Therefore, students' achievement on Alberta's grade 3, 6 and 9 Provincial Achievement Tests and the grade 12 Diploma Exams are important elements of an alternative program assessment.

In addition to reporting on student achievement, Alberta Education also requires school jurisdictions to report on student and parent satisfaction in their *Annual Education Results Report*. It is appropriate for school jurisdictions to use the same instrument to measure satisfaction with alternative and regular programs.

A board may decide to conduct an evaluation to determine if the alternative program is achieving the intended results. This enables a school and jurisdiction to effectively communicate the results achieved in the school year and the direction for the future. Reporting on program goals and results achieved as well as student achievement, student need and student, teacher and parent satisfaction strengthens the commitment of the community and ensures continued support for the alternative program.

Section 20 of the *School Act* requires principals to evaluate or provide for the evaluation of programs offered at the school. In addition to assessing an alternative program through the tools that are common to all programs, a jurisdiction may choose to require that the principal arrange to assess the elements of the program that make it an alternative.

Following are some suggestions for developing assessment tools for alternative programs.

- In initial planning for the alternative program, goals, objectives and intended results are established. Critical elements of the program are identified. Strategies such as focus groups with parents, students, staff and program support groups help identify how well these groups believe the intended results and critical elements of the program are being achieved. These focus groups also can work together to develop indicators and measures that can be used to monitor the progress made by students in the alternative program.
- Program-specific satisfaction surveys can be developed to collect data on perceptions of the alternative program within the broader school community.
- In language programs, tests of oral and written proficiency can be developed.
- Depending on the nature of the alternative program, it may be possible to invite outside professionals or experts to help monitor and evaluate student work related to the focus of the program. For example:

- in an arts program, professional artists can provide feedback on student artwork
- in a science program, arrangements can be made to submit experiments for critique by a university, an agricultural station or an organization such as the Association of Professional Engineers, Geologists and Geophysicists of Alberta (APEGGA)
- in music and dance programs, students can receive external feedback through music/dance festivals and examinations.

If the assessment process indicates that the program is not successful in achieving the intended results, the school and jurisdiction can develop plans to address these deficiencies. If difficulties persist, it may become necessary to consider closure of the program.

Caution must be exercised in making program comparisons based on the data gathered from an alternative program. Some parents and school jurisdictions want to prove that an alternative program is better than the regular education program by citing achievement test results. Unless a formal research study has been structured to ensure that the students in the two programs are comparable, such conclusions are not valid. It is impossible to say how well students in an alternative program would have performed had they been in a different program.

QUESTIONS AND ANSWERS

Standards

1. Is there a provincial policy on alternative programs?

No, the [Guide to Education](#) and section 21 of the [School Act](#) provide boards with directions on alternative programs.

2. If I enrol my child in an alternative program, will my child be taught from the same curriculum as students in the regular program?

Yes. It is the responsibility of the board to ensure that the instruction provided by the teachers employed in the alternative program is consistent with the [Programs of Study](#) and education programs/courses prescribed, approved and/or authorized by Alberta Education. Students in alternative programs are required to meet the same standards as those in regular education programs.

3. Will my child be as well prepared for Provincial Achievement Tests and Diploma Exams as students in the regular program?

Yes. All schools must teach the prescribed Alberta [Programs of Study](#). All students have equal opportunity to learn the material necessary to be successful in Provincial Achievement Tests and Diploma Exams.

4. Are alternative programs only available to students who meet certain criteria?

Alternative programs, as programs of choice, are established to meet the specific educational interests or needs of students and their parents. In order to support student success, it is critical that students, their parents and the board look for a match between the specific educational interests or needs of the student and the focus of the alternative program. Not all alternative programs are appropriate for every student.

Boards must enrol students in the alternative program of the parents' choice if the board believes:

- the program is appropriate to meet the student's needs and the student will be successful
- the program has sufficient resources and facilities to accommodate the student.

If a parent wants to register their child in an alternative program and the board determines that the program is not appropriate to meet the student's educational needs or the board does not have sufficient resources and/or facilities to support the student in the program, after consultation with the parent, the board may refuse to enrol the student in the alternative program. In such cases, it is important to communicate clearly with parents the particular student profile criteria and how a student who does not meet the criteria may be educationally disadvantaged in the alternative program.

- 5. Can parents be assured that teachers in the alternative program are subject to the same standards of professional conduct and competence as those in the schools offering regular programs?**

Yes. Teachers in alternative programs must hold a valid Alberta teaching certificate, so they are held to the standards of professional conduct and competence for all teachers set out by the [Alberta Teachers' Association](#) and also to the [Teaching Quality Standard](#) established by Alberta Education.

- 6. What if I want an alternative program for my child and the board will not provide the alternative program?**

Alternative programs are offered at the discretion of the board.

- 7. If our jurisdiction does not provide the alternative program we want for our child, may we send our child to an alternative school in another jurisdiction?**

Yes, it is possible. A board can enrol a student who is a resident of another board under section 44 of the [School Act](#) if, in the opinion of the board enrolling the student, there are sufficient resources and facilities available to accommodate the student.

- 8. Do Alberta school jurisdictions have common rules regarding the establishment of alternative programs?**

No. There is no requirement for common rules at the school jurisdiction level. Provincial legislation provides common ground. Section 21 of the [School Act](#) provides parameters within which an alternative program can be established by a board. Boards are, however, encouraged to have an alternative program framework ([see page 8](#)) that aligns with the [School Act](#).

- 9. Should we expect our alternative program to meet measurable outcomes specific to the program?**

No. Alternative programs are held to the same standard as regular programs. A board may choose to require further measurable outcomes from any or all of its programs. Boards should establish processes to ensure that all stakeholders know the outcomes of alternative programs.

- a. Should our jurisdiction/school have a plan for program evaluation?**

In the process of establishing an alternative program, the board, its administration and stakeholders will develop goals and determine if it is desirable to identify specific measurable outcomes. Section 20 of the [School Act](#) states that the principal must evaluate or provide for the evaluation of programs offered in the school.

- b. Who should be involved in program evaluation?**

Boards should determine the processes and involvement of stakeholders in a program evaluation.

- 10. Can an alternative program group demand a stand-alone facility for an alternative program?**

No. Alternative programs are offered at the discretion of the board. The board determines where the program is to be offered.

11. What kind of timeline should we expect for a board decision about our alternative program proposal?

Boards should specify a timeframe within which an alternative program proposal must be submitted to and considered by a board in order for the proposal to be approved for operation in the subsequent school year. For further information, see [page 7](#) – Timeframe.

12. As parents of children in the alternative program, do we have any say in staff selection or program decision-making? Do we have a specific voice?

You may join the school council. Or you may join a Program Advisory Group, which is a group of stakeholders with a particular interest in the alternative program who may provide advice and input on the alternative program to school administrators, the school council or the board. A Program Advisory Group is established at the discretion of the board.

13. If the board decides to establish a Program Advisory Group, what might its role be?

Boards should define the role that any Program Advisory Group will have, if one is established, including any delegated powers and the relationship of the Program Advisory Group to the principal of the school administering the alternative program. For further information see [pages 17 and 18](#) – Role of Program Advisory Groups.

14. What is the role of the school council in relation to the establishment and operation of an alternative program in a school?

Provincial legislation states that a school council may, at its discretion, advise the principal and the board on any matter relating to the school. That includes the establishment and operation of an alternative program. For further information, see [page 16](#) – Role of School Councils.

15. What is the relationship between the school council and the Program Advisory Group, if one is established?

The school council may make and implement procedures and bylaws governing the conduct of its affairs. This includes the possibility of creating a role for a Program Advisory Group representative on the school council. The council establishes the role of the school council and its relationship to any Program Advisory Group, within the parameters of provincial regulation and guidelines.

16. Our group is planning to form a society.

a. Is a society the same as a Program Advisory Group?

No. A society is organized under the [Societies Act](#) and acts as an independent body.

b. What is the relationship of a society to the board?

If a board chooses to involve a society to act as a Program Advisory Group, the board determines the society's role in relation to the alternative program administered by the board.

17. In a school with multiple programs, how can we ensure that the voice of parents in all programs gets adequate representation?

All parents of students in a school may be members of the school council. A school council may choose to provide input and advice to the principal and school staff. In a school with multiple programs, the school council may create bylaws to provide for formal representation on the council by members of the parent community representing different programs.

18. Does my child have a right to attend an alternative program even though we are not on the bus route to the school where the program is housed?

Yes. However, transportation to the alternative program might not be provided by the school jurisdiction. Provincial legislation states that a board shall provide for the transportation of a student to and from the site of a school in which the board has enrolled the student, if the student resides within the attendance area established by the board.

If you choose to have your child attend an alternative program that is not within the attendance area established by the board, then as the parent you may be responsible for transportation or transportation costs.

19. If I register my child in an alternative program, must my child stay in that program even if circumstances change or the program is not providing what I expect for my child's needs?

No. The parent makes the decision to enrol a student in an alternative program. If the parent determines that the program is not meeting the needs of the student, the parent may transfer the student to a regular program in the school or another school. Section 45 of the [School Act](#) states that a parent of a student enrolled in a school shall not request that the student be transferred to another school during a school year unless the board operating the other school agrees.

20. Is there a minimum number of students required before a board can approve an alternative program?

There is no provincial legislation governing the minimum number of students required to establish an alternative program. However, in order to ensure that the program will have long-term sustainability and that the necessary resources are available for a program, a board will need to determine the minimum number of students required to establish a program.

21. Can a board close an alternative program?

Yes. Alternative programs are created and closed at the discretion of the board. The board must act in accordance with the [Closure of Schools](#)

[Regulation](#) and section 58 of the [School Act](#) if the alternative program is any of the following:

- three or more consecutive grades in an elementary school
- an entire junior or senior high school program
- a whole school.

22. When boards offer alternative programs, what expectations are there for meeting the needs of students with special needs?

Boards that offer alternative programs must continue to provide regular education programs and provide for special education programs. An alternative program, as described under section 21 of the [School Act](#), cannot be a special education program. See [pages 1-2](#) for the wording of section 21 (see also [question 4](#)).

23. Can an alternative program be a special education program?

No. The [School Act](#) states that alternative programs are based on language, religion, culture, subject matter or teaching philosophy.

24. How can I ensure that there are plans in place for program extension into higher grades if the alternative program is successful?

During the initial planning for an alternative program, it is important that the jurisdiction study the feasibility of program sustainability and extension to higher grade levels. Parents who are concerned about the long-term sustainability of a program should check that such plans are in place. There is no way to ensure that a program is extended to higher grades; however, it is in the best interest of the jurisdiction, the school and the students that such plans be put in place, where appropriate.

25. I do not support the concept of alternative programs. If my school jurisdiction approves an alternative program in the school where I teach, must I teach in that program?

Technically, yes. A board has the right to assign duties to its employees. However, the [Code of Professional Conduct](#) states that a teacher may protest the assignment of duties for which the teacher is not qualified or conditions which make it difficult to render professional service. If the teacher believes it will be more difficult to provide professional service in a particular alternative program, the teacher may submit a request to the board to transfer to another school or to another teaching position in the school.

26. What if our parent group does not support the proposed alternative program in our local school or in our jurisdiction?

A board seeking to establish an alternative program in its jurisdiction may seek input from parents in the school where the program is to be operated. Parents can provide input to a board on any issue in a jurisdiction. However, the [School Act](#) clearly states that alternative programs are established at the discretion of a school board.

27. What can our school staff learn from the alternative program in our jurisdiction?

School jurisdictions may choose to ask school staff members in alternative programs to share new knowledge and skills learned through instruction in a particular alternative. For example, a Fine Arts alternative program could be an excellent source of expertise for other school staff wishing to deepen their learning about the role of Fine Arts in student development and to incorporate new planning, instruction and assessment strategies into their own professional practice.

Equity

28. Who is responsible for travel costs for my child to attend an alternative program?

Section 51 of the [School Act](#) permits boards to charge fees for transportation, but a board may decide not to charge fees. Before making the decision to enrol your child in an alternative program, you will want to check with the school jurisdiction to find out if there is a fee for transportation.

29. Are alternative programs only available to families that can afford the extra costs for supplies, uniforms and/or transportation?

Many alternative programs do not have extra costs for parents. For those that do, it is the parent who chooses an alternative program and in making this choice must determine whether the program is affordable for the family. A board must provide all students in both regular and alternative programs with access to a quality education that meets the standards set by Alberta Education.

30. What funding does Alberta Education provide to assist in start-up costs such as meeting extra administration costs, providing a facility and meeting capital resource needs for start-up?

Alberta Education provides funding for basic instruction to boards. Boards determine the funding allocation to programs and to cover start-up costs.

31. What fees can be charged for an alternative program? What level of accountability is required for these funds?

Section 21(4) of the [School Act](#) states "if a parent enrolls a student in an alternative program, the board may charge that parent fees for the purpose of defraying all or a portion of any non-instructional costs that (a) may be incurred by the board in offering the alternative program, and (b) are in addition to the costs incurred by the board in providing its regular education program." In addition, section 124(1)(e) states that a parent may request in writing that the Minister review "the amount and payment of fees or costs".

In accordance with the [School Act](#), boards are accountable to the Minister for all funds expended in a jurisdiction. Budgets and financial statements of a board are public documents that may be viewed by anyone.

32. Is there any restriction on the amount of non-instructional fees that a board can set for an alternative program?

Yes. A board may charge fees to defray all or part of any non-instructional costs incurred by the board in offering the alternative program that are in addition to the costs incurred by the board in providing its regular education program. Therefore, the board is restricted to establishing fees only to recover any expenditure in excess of the cost of a regular program.

Process

33. What process can we use to initiate an alternative program proposal?

Individuals or groups interested in initiating an alternative program proposal should check with their jurisdiction to determine the process set out by the board.

34. What process should be used to respond to a request for an alternative program?

A board and its central office staff determine the process for responding to an alternative program request.

35. What criteria should be incorporated into a feasibility study of an alternative program proposal?

See page 10 – [Checklist – Elements of the Program Proposal](#) and [Checklist – Evaluating the Program Proposal](#).

36. How much input do parents have into the selection of a facility to house the alternative program?

The board makes the decision about the location of an alternative program; however, parents may provide input to the board about the choice of location.

37. What kinds of alternative programs exist in Alberta?

A wide variety of programs are available to Alberta students and school jurisdictions. See [page 4](#) for a list of examples of alternative programs in Alberta.

38. Will the creation of new alternative programs erode the viability of our small rural school?

An alternative program may, in fact, increase viability of small schools. Some jurisdictions have established alternative programs as a mechanism to increase enrolment in schools that are in danger of closing due to low enrolment. In some cases, some of the resident students of a board may be attending other schools due to a perception that they have insufficient choice of courses in their small school. A board may find that an alternative program can better meet the needs of its resident students.

39. What evidence is there that alternative programs are desirable? Do students learn more?

Alternative programs are different, not better, than regular education programs. Boards establish alternative programs to provide choice for parents and students who may be interested in an education program that emphasizes a particular language, culture, religion, subject matter or teaching philosophy.

40. What if the board doesn't support alternative programs?

Alternative programs are established at the discretion of the board. If a board believes that the implementation of a particular alternative program will have a negative impact on the community, such as the creation of divisiveness, it has the right not to establish a program.

41. I am concerned that opening an alternative program in our neighbourhood school will increase problems such as traffic, parking and student loitering. How can we get our voice heard during the board decision-making process about offering and choosing locations for alternative programs?

A board seeking to establish an alternative program in its jurisdiction may seek input from the community where the program is to operate. A community may provide input to a board on any issue in a jurisdiction. However, the [*School Act*](#) states that alternative programs are established at the discretion of a school board.

APPENDIX: CHECKLIST — DEVELOPING A PROGRAM

Task	Most Responsible Person	Timeline	Budget
Review the board vision, mission, and mandate to determine if it supports alternative programs.			
Develop a board alternative program framework.			
Determine the need for a requirement to have a formal written program proposal for board consideration.			
A request for an alternative program is received - 60 school day timeline begins.			
Determine whether the request meets the requirements of section 21.			
Evaluate the program proposal.			
Determine the level of support for the program from the board, school, parents, community and students.			
Examine research to determine support for the proposed program, if it is based on language, subject matter or teaching philosophy.			
Build understanding, support and commitment at all levels.			
Develop criteria to assess the impact and feasibility of the program.			
Determine the probable impact of the program on the jurisdiction.			
Do a cost analysis of initial program implementation and ongoing program cost.			
Determine the role of any Program Advisory Group that may be established.			
Establish a Program Advisory Group with representatives from all stakeholders.			
Plan school, community and parent consultation processes.			
Clarify the roles and responsibilities of those involved.			

Task	Most Responsible Person	Timeline	Budget
Use the Program Advisory Group and consultation processes to: <ul style="list-style-type: none"> • establish a common, shared definition of the program • establish a vision and purpose for the program • set program goals • develop intended student learning outcomes • establish criteria for program evaluation • set anticipated student enrolment, grade distribution and building requirements • determine a student profile • determine the program start-up date • determine whether fees will be charged and, if so, the amount. 			
Develop a communication plan.			
Develop a professional development plan.			
Develop a staff recruitment plan.			
Determine the general implementation guidelines for: <ul style="list-style-type: none"> • facility • staff • registration • program resources • timetable • communication • staff development program. 			
Develop an assessment plan, results and measures.			

BIBLIOGRAPHY

- Alberta Education. 1995. *School Council Resource Manual*. Edmonton, AB: Alberta Learning (formerly Alberta Education).
- Cain, M. S. 2001. "Ten Qualities of the Renewed Teacher." *Phi Delta Kappan*, 82(9), pp. 702-705.
- Dosdall, E. 2001. "Edmonton's Enterprise." *The School Administrator*, 58(5), pp. 6-11.
- DuFour, R. P. 1991. *The Principal as Staff Developer*. Bloomington, IN: National Educational Service.
- DuFour, R. P. and R. Eaker. 1998. *Professional Learning Communities at Work: Best Practices for Enhancing Student Achievement*. Bloomington, IN: National Educational Service.
- Edmonton Public Schools. 1999. *Role of Program-Related Societies in Edmonton Public Schools*. Edmonton, AB: Edmonton Public Schools. (approved February 4, 1999).
- Fawcett, G., D. Brobeck, S. Andrews and L. Walker. 2001. "Principals and Beliefs-Driven Change." *Phi Delta Kappan*, 82(5), pp. 405-410.
- Fink, D. 1999. "The Attrition of Change: A Study of Change and Continuity." *School Effectiveness and School Improvement*, 10(3), pp. 269-295.
- Fullan, M. 1999. *Change Forces: The Sequel*. Philadelphia, PA: Palmer Press.
- Glanz, J. 1998. *Action Research: An Educational Leader's Guide to School Improvement*. Norwood, MASS: Christopher-Gordon Publishers.
- Horsley, D. and J. Kaser. 1999. "How to Keep a Change Initiative on Track." *Journal of Staff Development*, 20(4), pp. 40-45.
- Miles, M. B. and K. S. Louis. 1990. "Mustering the Will and Skill for Change." *Educational Leadership*, 47(8), pp. 57-61.

Mohr, N. and A. Dichter. 2001. "Building a Learning Organization." *Phi Delta Kappan*, 82(10), pp. 744-747.

Nickols, F. 2000. "Change Management 101: A Primer." Web site: <http://home.att.net/~nickols/change.htm>.

Schein, E. H. 1969. *Process Consultation*. Reading, MASS: Addison-Wesley Publishing Company.

Vickery, T. R. 1990. "ODDN: A Workable Model for Total School Improvement." *Educational Leadership*, 47(7), pp. 67-70.

Wagner, T. 2001. "Leadership for Learning: An Action Theory of School Change." *Phi Delta Kappan*, 82(5), pp. 378-383.

Williams, R. B. 1993. *More Than 50 Ways to Build Team Consensus*. Palantine, IL: IRI/SkyLight Publishing.

TAB B

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Vision Statement: Our students will have a good working knowledge of the Bible as a foundation to their education. They will also experience diversity and variety in courses in order to experience more fully God's creation. An expression of faith in Jesus Christ will be evident in the overall school atmosphere in order to create a positive learning environment where academic achievement is evidenced by meeting or exceeding provincial achievement test averages. No one is excluded from attending Cornerstone, for financial reasons or otherwise, provided that families agree to abide by school policies.

Mission Statement: To equip students spiritually, academically, socially and physically in order to be a positive Christian influence serving society.

Program: Cornerstone Christian Academy (CCA) offers an Evangelical Christian program of education that integrates faith, life and learning. At its foundation is the Christian Bible, the belief that God is central to our humanity, that Jesus Christ is our personal Saviour and Lord, and God's Holy Spirit is present and at work in the world today. The program is interdenominational and embraces students and staff from a variety of backgrounds and heritages. It is our goal to fulfil the greatest commandments:

"Love the Lord your God with all your heart, with all your soul and with all your mind. Love your neighbour as yourself"

Matthew 22:37-39 (paraphrased)


As an Alternative Program within Battle River School Division (BRSD) CCA offers ~~quality~~ educational programming that utilizes the Alberta Education Curriculum taught from a Christian perspective. CCA seeks to:

- Challenge students through Christ-centred education to know Jesus Christ as Saviour and Lord in order to pursue a life of godly character, personal and academic excellence and service to others
- Integrate knowledge of God, the Bible and its relevance into the approved Alberta curriculum. In the classroom, purposeful discussion of Christian morals, beliefs and world views are incorporated into each subject
- Have staff focus on God's abundance and the task of Christian Education through regular staff Bible study and prayer
- Focus the student's attention on God by starting each day with brief Bible study and prayer
- Provide opportunities for students to grow in their relation to God and one another through involvement in regularly scheduled bible classes, chapel times, spiritual emphasis retreats and field trips.

All CCA policies and activities are based directly on the CCA "Statement of Belief."

This is Exhibit " B " referred to in the
Affidavit of

Page | 1

Sworn before me this 26 day
of April, A.D. 2018

A Commissioner for Oaths in and for the Province of Alberta

Adopted 31/01/2009

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Student Development

CCA seeks to equip students spiritually, academically, socially and physically in order to be a positive Christian influence serving society:

Spiritually

- Have student's confess Christ as Saviour and Lord and express their faith in a relationship with Jesus Christ
- Encourage and teach a passion for prayer, Bible study, and applying Biblical truth in their lives
- Impart an understanding of the Great Commission¹ witness, evangelism and discipleship
- Encourage self-discipline and responsibility in the students based on respect for, and submission to, God and God-ordained authority
- Respect denominational and theological differences, while celebrating the unity we have in Christ
- Encourage each student to actively participate and contribute in a local church and support the work of missions
- Actively engaging in community service activities.

Academically

- Promote high academic standards within the potential of each student as uniquely created by God and help each student realize his/her academic potential
- Meet or exceed the academic requirements of the Alberta curriculum
- Teach and encourage the use of good study habits and help students assume responsibility for their own academic progress
- Motivate students to pursue independent study in areas of personal interest
- Integrate Biblical perspectives into all academic and intellectual pursuits
- Promote the use of critical thinking, creativity, logic, and common sense to effectively make decisions and solve problems
- Develop students understanding and appreciation of God's world, an awareness of our role in the environment and our God-given responsibilities to use and preserve it properly
- Create an appreciation of the visual and performing arts
- Help students to communicate effectively in both written and oral form
- Develop competency in the use of modern technology
- Ensure students have the tools necessary to succeed in higher education.

¹ "Therefore, go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you. And surely I am with you always, to the very end of the age." Matthew 28: 19 & 20

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Socially

- Encourage students to exhibit appropriate emotional maturity and self-confidence
- Prepare students to be contributing members of society who are aware of their dependence on God and on other people
- Develop Biblical understandings of marriage, family and God-honouring relationships
- Model respect honouring for students, parents, teachers and others in authority
- Promote the choice of friends who will encourage student's Christian faith
- Teach students to assume responsibility for their attitudes, actions and goals and develop a work ethic that honours God
- Promote good citizenship through the understanding and appreciation of Christian and Canadian heritage
- Provide opportunities for students to engage in community service activities

Physically

- Teach students to regard their bodies as God's temple and to use their bodies to glorify Him
- Promote healthy lifestyles
- Teach and demonstrate a healthy approach to food choices and eating
- Provide opportunities to participate in a variety of physical activities to encourage lifelong physical fitness.

Staff

CCA teachers and administrators are professional, knowledgeable Christian educators who hold a valid Alberta Teaching Certificate and that they are familiar with this CCA Vision and Purpose document. They will clearly exhibit their enthusiasm, competence and commitment to personal excellence in education at CCA, upholding the philosophy of the school and supporting the Christian objectives contained therein.

- All staff, teachers, support staff and administrators will have a strong Christian testimony and a meaningful relationship with Christ
- Staff will demonstrate Christian values in the classroom by living with integrity and will uphold high standards of charity, kindness, courtesy and fairness
- Teachers will strive to challenge students to achieve personal excellence and to integrate the Christian faith in life and learning
- Teachers will be purposeful in their discussion of Christian morals and beliefs and integrate these into the learning of different subjects. Lesson plans will show this integration of faith and learning

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

- Teachers, administrators and school support staff are strongly encouraged and supported to will participate in an annual Christian School Teacher's Convention.
- Teachers will evaluate student progress using methods appropriate to the goals of CCA and within the framework of the BRSD guidelines
- Staff will demonstrate Christian values in the classroom by living with integrity and will uphold high standards of charity, kindness, courtesy and fairness
- Staff are expected to be Christian leaders and models for our students, upholding Biblical standards in words and actions. *"Let everything you say be good and helpful so that your words will be an encouragement to those that hear them"* (Ephesians 4:29)

School Community

CCA seeks to promote a school culture of acceptance, edification, respect and support for one another. No one is excluded from attending Cornerstone, for financial reasons or otherwise, provided that families agree to abide by school policies.:

- CCA students and staff will develop appropriate, meaningful relationships with one another
- Student participation and interaction is actively supported and valued
- Teachers will counsel students when called for and provide extra academic help as needed
- Students will grow in friendships with one another and will be challenged to develop strong interpersonal communication and positive conflict resolution skills
- Student success will be acknowledged and celebrated
- Students will speak and behave in a respectful manner that supports Christian values
- Parents, staff and students will pray regularly for one another and for the needs of the school.
- Parents will be encouraged to participate and contribute to the school through volunteering, fundraising, school council, the CCA Board and attendance of school events.

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

APPENDIX I

Statement of Belief

1. That the Bible, consisting of the Old and New Testaments, is the inspired and inerrant Word of God and is the final authority for Christian faith and life.
2. That there is but one true and living God who exists in the past, the present, and forever throughout eternity in the Trinity of the Father, the Son and the Holy Spirit.
3. That God is the creator, sustainer and governor of all creation.
4. That Jesus Christ, the only begotten eternal Son of God, is given to people as the only salvation. He was conceived by the Holy Spirit and born of the Virgin Mary. In Him perfect humanity and deity is found in one person. He is the mediator between God and people. He was crucified on the cross for the sins of all people and His blood was shed to fulfil the requirements of God's righteousness. He rose again bodily from the dead, and ascended to Heaven. In the last day, Christ will return personally to earth as He has promised, to judge the living and the dead. There will be a bodily resurrection of the dead, with the believers inheriting eternal life and blessedness, and the non-believers eternal punishment and condemnation.
5. That the Holy Spirit convicts men, women and children of their sins², leads them into salvation in Christ, and as their counsellor, He continues to transform their lives by comforting, helping, teaching, enlightening, and equipping them with gifts.
6. That people were created in the image of God. Since the first man Adam sinned against God, all people have come short of the glory of God, have lived in sin, and cannot, by their own effort, attain righteousness in the presence of God. We are all in need of God's grace. Salvation of people depends solely on the finished work of Christ who once and for all, poured out His blood on the cross as a vicarious atonement for the sins of all people. Those who confess and repent of their sins and receive Jesus Christ as Lord and Saviour shall be saved.
7. That education should include instruction about the statements of faith listed above.

² e.g. 1 Corinthians 6: 9 – 11, Galatians 5: 19 – 24

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

APPENDIX II

Cornerstone Christian Academy Student Covenant

According to the Bible, parents are responsible for the training of their children (Deut. 6: 1-7; Prov. 22:6; Eph. 6: 1-4). Cornerstone Christian Academy serves as partners in providing an excellent education consistent with biblical truth. Harmony between home and school provides the best environment for godly training to take place. We seek to nurture development of the following essential character traits in the lives of our students.

INTEGRITY: Maintaining a lifestyle that is above reproach.

A person should be honest, moral and trustworthy in all dealings (Titus 1:8; Job 27:5; Prov. 11:3; 1 Kings 9:4; Ps. 15).

RESPECT: An attitude that highly esteems those in properly placed authority.

Parents, teachers, employers, governmental authority and church leaders have been placed in our lives by God. God gave a biblical command to honour them for our own good. (Rom. 13:1-7; Heb. 13:7; 1 Peter 2:13-21; 1 Thess. 5:12-13).

OBEDIENCE: The outworking of the attitude of respect.

We are to obey God and all those He has placed over us in our lives. When we obey we show love and respect for God and the authorities He has ordained. Our lives then will be long and fruitful as He has promised (John 14:21; Eph. 6:1-4; Rom. 13: 1-7; Prov. 6:23).

SELF-DISCIPLINE: The ability to control one's thoughts and actions.

The goal is to have a life under control --- self disciplined by the Spirit of God (Gal. 5:22-26; Job 5:1 7, Prov. 16:53, 25:28; 1 Tim. 4:7&8).

GODLY LIVING: A lifestyle that exhibit's the fruit of the Spirit and flees from the acts of our sinful nature.

Our standards are found in God's Word and our desire must be one with God and His holiness (Gal. 5:16-26; 2 Tim. 2:22; 1 Peter 1 :13-16, 2:9-10; 1 Cor. 6:20; Prov. 23:29-35; Phil. 4:4; Rom. 8:6-8).

WISDOM: Understanding what is true from God's perspective, and doing what is right.

Wisdom comes from God and our respect for Him. It is developed in our lives by our proper response to correction. If we do not respond to correction with a teachable spirit, the Bible calls us fools and unable to attain wisdom (Prov. 1 :7, 20-33; Prov. 2:1-22; Prov. 4:7).

RESPONSIBILITY: Being dependable and accountable in all relationships and tasks.

We are accountable to each other to love, encourage confront comfort and forgive. Furthermore, initiative, intellectual integrity and excellence should be the marks of all tasks we attempt (1 Cor. 13; Matt. 1 8:15-17; Gal. 1 -5; Eph. 5:29-32; Eccl. 9:10).

THANKFULNESS: Developing an attitude of gratefulness.

We are thankful for everything God brings into our lives. Knowing that God's dealings in our lives are intended for our "good" we will help create an attitude of gratefulness for the things others do for us (Phil 4: 6.7: 1 Thess. 5:1 8, Col. 2:7; Eph. 5:20).

SERVICE: A spirit of humility in focusing on the needs of others.

Christ is our example of living a life that is not self-centred but rather seeking ways to serve not rule (Eph. 5:2 1 ; Phil. 2:3- 1 1 ; James 4:6,10).

ETERNAL VALUES: A focus that is upward.

The key is to live each day with the realization that only what is done for eternity counts (James 4: 14; Matt. 6:33. Matt. 6:19- 21).

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Covenant Response Form Cornerstone Christian Academy

For all Parents

We are in support of the School Vision and Purpose, objectives, standards of conduct and the principles of this covenant and agree to have our child(ren) taught at CCA according to these principles.

If at any time we can no longer work together in a spirit of unity and under the guidelines of the School Vision and Purpose document, and all reasonable avenues of communication are exhausted, we will withdraw our child(ren) from Cornerstone Christian Academy.

We understand that wilful disobedience by our child(ren) to these principles and the guidelines outlined in the school handbook may result in dismissal from Cornerstone Christian Academy.

Father's Signature (or Legal Guardian)

Date

Mother's Signature (or Legal Guardian)

Date

For grade 7-12 Students

I desire to attend Cornerstone Christian Academy and am willing to be under the authority of my parents in submitting and deferring to their wishes concerning enrolment at Cornerstone Christian Academy.

I understand that Christian teachers are in partnership with my parents. I will strive to obey them also as they seek to train me according to God's Word.

I will seek to live a godly life in and out of school in order that Jesus Christ will be glorified.

I understand that wilful disobedience to these principles and the guidelines outlined in the school handbook may result in my dismissal from Cornerstone Christian Academy.

Student's Signature

Date

For the school

The faculty and staff of Cornerstone Christian Academy pledge by God's grace to uphold the principles of this covenant and CCA guidelines as we together train your children.

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Appendix III

Cornerstone Christian School Board

The Cornerstone Christian Academy School Board (the CCA Board) exists to foundationally support all operational aspects of the Cornerstone Christian Academy of Camrose

The CCA Board:

- promotes the CCA Vision and Purpose Document
- provides leadership and business management expertise
- facilitates effective communication and co-operation between CCA and BRSD
- actively participates in the selection process for the principal of the school
- ensures the quality and integrity of the Christian portion of the education program
- provides funding for the Christian portion of the education program
- oversees student transportation
- owns the school buildings and school property
- encourages parents and other community members to support Cornerstone Christian Academy

Cornerstone Christian School Council

The Cornerstone Christian School Council will abide by the Battle River School Division Administrative Procedure 110.

TAB C

MASTER AGREEMENT MADE THE 26th DAY OF AUGUST, 2009.
Amended this 24th day of June, 2010.

BETWEEN

**THE BOARD OF TRUSTEES OF
BATTLE RIVER REGIONAL DIVISION #31
(the "Board")**

and

**CORNERSTONE CHRISTIAN ACADEMY OF CAMROSE
(THE "SOCIETY")**

Whereas:

The Society operated a faith based Christian school called Cornerstone Christian Academy of Camrose at the hamlet of Kingman in the Province of Alberta for kindergarten to grade 12 students;

The Society requested that the Board establish and maintain an alternative program based on Christian values for kindergarten to grade 12 in accordance with school board policy and the *School Act* to be known as Cornerstone Christian Academy Program (hereinafter referred to as the "CCA Program");

The Society ceased to operate Cornerstone Christian Academy of Camrose at the end of the 2008-2009 school year and the Board assumed operations of the CCA Program on August 26, 2009;

The Society acts in a consultative capacity to the Board as described in Appendix III of Schedule "A" hereto, respecting the alternative program to be provided as contemplated by this Agreement;

The Society recognizes and supports the commitment of the Board to provide a system of public education that offers a wide range of educational opportunities for all students with the involvement of parents and the community;

The Board recognizes and supports the commitment of the Society in ensuring the availability of a program of studies for students whose parents desire an educational setting which operates in accordance with the religious beliefs, core values, and educational philosophy of Cornerstone Christian Academy of Camrose and the Society;

This is Exhibit "C" referred to in the
Affidavit of

Deanna Margel
Sworn before me this 26 day
of April A.D. 2018
A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

The educational tenets of the CCA Program are described and defined in Schedule "A" (hereinafter referred to as "Educational Vision") hereto and form a part of this Agreement and are the basis upon which the alternative program is offered to the public (Schedule "A" is comprised of the following: School Vision and Purpose, Appendix I Statement of Faith, Appendix II Student Covenant, Appendix III Cornerstone Christian Academy Program Advisory Roles);

NOW THEREFORE in consideration of the premises and of the mutual covenants and conditions herein contained and for other good and valuable consideration (the receipt and sufficiency of which the parties hereto mutually acknowledge) the parties hereto covenant and agree as follows:

Alternative Program

1. Creation

- 1.1 In accordance with and subject to the terms of this Agreement, the Board shall maintain a kindergarten to grade 12 alternative program of studies, pursuant to Section 21 of the *School Act*, R.S.A. 2000 c. S-3. The Board will provide a program of studies in an educational setting which operates in accordance with the Educational Vision. The program will be under the governance of the Board. All Board Policies and Administrative Procedures will apply to the CCA Program.
 - 1.1.1 The Principal of the CCA Program will work with the Society / School council and the Board to implement and maintain the Educational Vision.
 - 1.1.2 The Society hereby grants to the Board and the Board accepts the right, privilege and nonexclusive license to use the name Cornerstone Christian Academy Program in connection with the operation or promotion of the CCA Program and for no other purposes. The Society represents and warrants that it owns the rights to the name Cornerstone Christian Academy of Camrose.
- 1.2 Enrolment to the CCA Program will be consistent with Board Policies and legal obligations and will be accessible to all resident students, if in the opinion of the Board there are sufficient resources and facilities available to accommodate the student, and to the extent permitted by law subject to sections 1.3 and 1.4 of this Agreement.
- 1.3 While it is not an enrolment requirement that students or their families be of a specific faith background, parents who seek enrolment for their child

will be requested to sign an agreement indicating their support for the Education Vision of the CCA Program.

- 1.4 Subject to the *School Act*, non-resident students of the Board are welcome in the CCA program if in the opinion of the Board asked to enroll the student, there are sufficient resources and facilities available to accommodate the student. If the CCA program is over-subscribed, current students and their siblings will have the first priority. Remaining places will be filled by random selection, with first priority being to resident students of the Board.

2. Disclosure of Liabilities and Indemnity

- 2.1 The Society covenants, represents and warrants as follows and acknowledges that the Board is relying upon such covenants, representations and warranties in connection with the making of this Agreement:
 - 2.1.1 There are no actions, suits or proceedings pending or threatened against or affecting the Society at law or in equity, or before or by any federal, provincial, municipal or other governmental department, commission, board, bureau, agency or instrumentality, domestic or foreign which action, suit or proceeding involves the possibility of any judgment against or liability of the Society; the Society is not aware of any existing ground on which any such action, suit or proceeding might be commenced with any reasonable likelihood of success;
 - 2.1.2 The Society has been duly incorporated and organized and is validly subsisting in all respects and in good standing under the laws of the Province of Alberta;
 - 2.1.3 All necessary corporate action and proceedings have been taken by the Society to allow it to enter into this Agreement and the Lease Agreement;
 - 2.1.4 The execution and delivery of this Agreement by the Society and the performance of its obligations thereunder do not conflict with or constitute a breach of the constating documents, by-laws or resolutions of the Society or the provisions of any applicable law, statute, rule or regulation in the Province of Alberta or of Canada that governs the Society's activities;
 - 2.1.5 No approval, authorization, consent, permit or other action by, or filing with, any governmental body or authority of any regulatory agency, body or tribunal having its jurisdiction is required in

connection with the execution and delivery by the Society of the Agreement and the performance of its obligations thereunder.

- 2.2 The Society shall indemnify the Board for the full amount paid or payable by the Board in respect of any claims, actions, proceedings, damages and costs (including solicitor's fees on a solicitor-client basis) which may arise or be incurred by the Board as a consequence or in relation to the suspension, termination or severance from employment of any Society staff members arising from matters, incidents or behaviours which occurred within the Cornerstone Christian Academy of Camrose or as a result of student/teacher/staff relationships which occurred prior to August 26, 2009.
- 2.3 In addition to the foregoing, the Society shall indemnify the Board for the full amount paid or payable by the Board in respect of any claims, actions, proceedings, damages and costs (including solicitor's fees on a solicitor-client basis) which may arise or be incurred by the Board as a consequence or in relation to any misrepresentation or any failure to complete actions required of the Society respecting the covenants, representations and warranties contained in article 3.1.
- 2.4 The Board shall indemnify the Society for the full amount paid or payable by the Society in respect of any claims, actions, proceedings, damages and costs (including solicitor fees on a solicitor client basis) which may arise or be incurred by the Society as a consequence or in relation to any employment-related matter (including but not limited to suspension, termination, or severance of employment, and any teacher/student matter) of any individuals who were employed by the Society prior to August 26, 2009 and who were hired by the Board effective August 26, 2009.

3. Employment of CCA Program Staff

- 3.1 The Board shall staff the CCA Program in accordance with established Board staffing allocations, subject to the terms of any applicable collective agreements and Board policy, practice and procedures.

All current and future certificated staff of the CCA Program shall support the Educational Vision and demonstrate a continuing commitment to implement and carry out the goals and strategies of the Educational Vision. Each certificated staff member shall be required to provide a written commitment to the Educational Vision and demonstrate a continuing commitment to implement and carry out the vision and mission of the CCA Program.

3.3 When required, the appointment of the CCA Program administrators shall be carried in a manner consistent with Board policy, practice and procedures. The interview team shall consult with those individuals designated by the Society to obtain input into the selection process by assisting with the profiling of overarching knowledge, skills and attitudes required for the position. Individuals designated by Society may be present for the interview process and provide guidance related to candidates adherence to the Educational Vision. The Board agrees that it will hire a principal committed to the Educational Vision outlined in Schedule "A" hereto.

3.4 The Board shall not be liable for any payment whatsoever to any Society staff who did not qualify or accept employment with the Board and the Society shall be liable for and indemnify and save harmless the Board in respect of any claim against the Board by any such Society employee.

4. Employment of Support Staff

4.1 Support staff will be offered positions in accordance with Board practices and procedures. Support staff includes all non-certificated staff members such as librarian, school secretary and educational assistants.

5. School Council

5.1 A school council for the CCA Program shall be established in accordance with board policy, practice and procedures and section 22 of the *School Act* and related regulations.

6. Program Quality

6.1 The important and legitimate consultative role of the Society, as outlined in Schedule A, Appendix III, in helping ensure that the integrity and intent of the Educational Vision is maintained is recognized and supported by the Board. The Board agrees to consult with the individuals appointed by the Society from time to time to ensure the relevance of the religious content and curriculum provided by through the CCA Program and to ensure that it meets with Alberta Education curriculum.

6.2 The Board will not attempt to change the essential nature of the CCA program, as set out in the agreed upon Educational Vision as outlined in Schedule A. If a change involves material alteration to the fundamental principles of the CCA program, such changes require the mutual consent of both parties.

- 6.3 The Society shall inform the Board in writing, prior to the effective date and thereafter as required from time to time, as to the identity of the Society's representatives, including relevant contact information and area of responsibility, for any purposes as contemplated herein and for the ongoing administration of this Agreement.

7. Funding

- 7.1 Funds received from Alberta Education will be allocated for the CCA Program as determined by the Board which will be on the same basis as for other schools and programs.
- 7.2 The Board shall collect such fees as may be collected of students or their parents as permitted in accordance with the *School Act* or board policy, practice and procedures to operate the CCA Program.
- 7.3 Funding received from Alberta Education for transportation grants less applicable administration fee (4%) shall be forwarded to Cornerstone Christian Academy of Camrose.

8. Buildings

- 8.1 The Society will continue to own the land, buildings and personal property that it owned at the date of the contract. The Board will lease the building for an agreed upon amount. Details of this Agreement will be specified in a lease agreement, which shall be effective for the same time period as this Agreement.

9. Transportation

- 9.1 Transportation to students attending the CCA Program shall be in accordance with statutory obligations and board policy, practice and procedures.
- 9.2 The Board will provide the use of a bus for extra-curricular and co-curricular activities on a cost recovery basis consistent with current practices for other Board schools and programs.

10. Technology

- 10.1 Selection, purchase, installation, maintaining, upgrading and servicing of administrative and instructional technological equipment shall be the exclusive and sole responsibility of the Board.

11. Term, Amendment, Termination, Assignment

11.1 This Agreement shall be effective from July 1, 2010 until June 30, 2015 unless amended, terminated or extended in accordance with this article.

11.2 No amendment or modification to any of the terms of this Agreement shall be valid unless in writing and signed by both parties.

11.2.1 A waiver of any breach of this Agreement shall not be binding upon either party unless the waiver is in writing and signed by both parties. The waiver shall not affect either party's rights with respect to any future breach.

11.2.2 This Agreement may be terminated at any time by mutual consent. If there is not mutual consent, the party wishing to terminate shall provide 365 days' written notice, provided that such notice is effective on June 30 of the following school year. Both parties agree that decisions and actions surrounding termination will be based on what is in the best interests of students and will be carried out with a focus on student well-being. Both parties will do their best not to terminate the Agreement in mid school year.

11.2.3 The Board may terminate this Agreement without notice if the Society becomes insolvent, is assigned into or petitioned into bankruptcy, voluntarily declares bankruptcy or is struck from the corporate register or otherwise fails to exist as a corporate entity.

11.2.4 Each party shall advise the other of its intention to extend this Agreement beyond the initial term on or before May 1, 2015.

12. Assignment

12.1 This Agreement may not be assigned by the Society without the prior written consent of the Board.

12.2 This Agreement may not be assigned by the Board without the prior written consent of the Society.

13. General

13.1 Any notices to be given hereunder shall be in writing to the other party and shall be delivered personally or by pre-paid registered mail or facsimile in any case shall be deemed to be given only when received. The addresses shall be:

For the Board:

c/o Superintendent of Schools
Battle River Regional Division No. 31
5402-48A Avenue,
Camrose, AB T4V 0L3
Facsimile (780) 672-6137

For the Society:

c/o Board Chair
Cornerstone Christian Academy of Camrose
Box 99 Kingman, AB T0B 2M0

- 14.2 There are no representations, warranties, agreements or understandings between the two parties hereto other than as expressly contained herein and in the schedules attached hereto, and this Agreement contains all the terms and conditions agreed upon by the parties hereto.
- 14.3 Time shall be of the essence in this Agreement.
- 14.4 This Agreement shall be construed and the relations between the parties determined in accordance with the laws of Alberta and the courts of the Province of Alberta shall have exclusive jurisdiction with respect to all matters relating to or arising out of this Agreement.
- 14.5 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed these presents on the day and year first above written.

THE BOARD OF TRUSTEES OF BATTLE RIVER REGIONAL DIVISION
NO. 31

Per: Chey B. D.

Per: Patricia Zennick

CORNERSTONE CHRISTIAN ACADEMY OF CAMROSE

Per: Danna Mergel

Per: Bruce Brad

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Vision Statement: Our students will have a good working knowledge of the Bible as a foundation to their education. They will also experience diversity and variety in courses in order to experience more fully God's creation. An expression of faith in Jesus Christ will be evident in the overall school atmosphere in order to create a positive learning environment where academic achievement is evidenced by meeting or exceeding provincial achievement test averages. No one is excluded from attending Cornerstone, for financial reasons or otherwise, provided that families agree to abide by school policies.

Mission Statement: To equip students spiritually, academically, socially and physically in order to be a positive Christian influence serving society.

Cornerstone Christian Academy (CCA) offers a program that integrates faith, life and learning. At its foundation is the Christian Bible, the belief that God is central to our humanity, that Jesus Christ is our personal Saviour and Lord, and God's Holy Spirit is present and at work in the world today. The program is interdenominational and embraces students and staff from a variety of backgrounds and heritages. It is our goal to fulfil the greatest commandments:

**“Love the Lord your God with all your heart, with all your soul and with
all your mind. Love your neighbour as yourself”**

Matthew 22:37-39 (paraphrased)

As an Alternative Christian Program within Battle River School Division (BRSD) CCA offers quality educational programming utilizing Alberta Education Curriculum taught from a Christian perspective. CCA seeks to:

- Challenge students through Christ-centred education to know Jesus Christ as Saviour and Lord in order to pursue a life of godly character, personal and academic excellence and service to others
- Integrate knowledge of God, the Bible and its relevance into the approved Alberta curriculum. In the classroom, the incidental and purposeful discussion of Christian morals, beliefs and world views are incorporated into each subject
- Assist staff to stay focussed on God's abundance and the task of Christian Education through regular staff Bible study and prayer
- Focus the student's attention on God by starting each day with brief Bible study and prayer
- Provide opportunities for students to grow in their relation to God and one another through involvement in regularly scheduled bible classes, chapel times, spiritual emphasis retreats and field trips.

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Student Development

CCA seeks to be a caring community committed to developing excellence in all areas of student's lives by:

Spiritually

- Seeking to have student's confess Christ as Saviour and Lord and express their faith in a relationship with Jesus Christ
- Encouraging and teaching a passion for prayer, Bible study, and applying Biblical truth in their lives
- Striving to fulfil the Great Commission¹ by imparting an understanding of each Christian's place in the church and community and his or her opportunity for witnessing, evangelism and discipling
- Encouraging the development of self-discipline and responsibility in the student based on respect for, and submission to, God and God-ordained authority
- Respecting denominational and theological differences, while celebrating the unity we have in Christ
- Encouraging each student to actively participate and contribute in a local church and support the work of missions
- Actively engaging in community service activities.

Intellectually

- Promoting high academic standards within the potential of the individual as uniquely created by God and helping each student realize his/her academic potential
- Meeting or exceeding the academic requirements of the Alberta curriculum
- Teaching and encouraging the use of good study habits and helping students to assume responsibility for their own academic progress
- Motivating students to pursue independent study in areas of personal interest
- Integrating Biblical perspectives into all academic and intellectual pursuits
- Promoting the use of critical thinking, creativity, logic, and common sense to effectively make decisions and solve problems
- Developing students understanding and appreciation of God's world, an awareness of our role in the environment and our God-given responsibilities to use and preserve it properly
- Creating an appreciation of the visual and performing arts
- Helping students articulate a reasoned defence of the Christian faith
- Helping students to communicate effectively in both written and oral form
- Developing competency in the use of modern technology
- Ensuring students have the tools necessary to succeed in higher education.

¹ "Therefore, go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you. And surely I am with you always, to the very end of the age." Matthew 28: 19 & 20

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Socially

- Encouraging students to exhibit appropriate emotional maturity and self-confidence
- Preparing students to be contributing members of society who are aware of their dependence on God and on other people
- Developing proper attitudes toward marriage, family and teaching how to establish God-honouring relationships and homes
- Respecting and honouring students, parents, teachers and others in authority
- Promoting the choice of friends who will encourage student's Christian faith
- Teaching students to assume responsibility for their attitudes, actions and goals
- Promoting good citizenship through the understanding and appreciation of our Christian and Canadian heritage of responsible freedom, human dignity, and acceptance of authority
- Demonstrating a work ethic that honours God
- Teaching students how to communicate effectively.

Physically

- Teaching students to regard their bodies as God's temple and to use their bodies to glorify Him
- Promoting healthy lifestyles
- Teaching and demonstrating a healthy approach to food choices and eating
- Providing opportunities to participate in a variety of physical activities to encourage lifelong physical fitness.

Staff

CCA teachers and administrators are professional, knowledgeable Christian educators holding a valid Alberta Teaching Certificate. They affirm the philosophy of the school and agree to support the Christian objectives contained therein. It is expected that all staff will clearly exhibit their enthusiasm, competence and commitment to personal excellence in education at CCA.

- All staff, teachers, support staff and administration will have a strong Christian testimony and show evidence of a meaningful relationship with Christ
- Staff will demonstrate Christian values in the classroom by living with integrity and will uphold high standards of charity, kindness, courtesy and fairness at all times
- Teachers will strive to challenge students to achieve personal excellence and to integrate the Christian faith in life and learning

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

- Teachers will be purposeful in their discussion of Christian morals and beliefs and integrate these into the learning of different subjects. Lesson plans will show this integration of faith and learning
- Staff will participate in an annual Christian School Teacher's Convention.
- Teachers will evaluate student progress using methods appropriate to the goals of CCA and within the framework of the BRSD guidelines
- All staff members are expected to uphold Biblical standards regarding moral and sexual behaviour, marriage and family values. They must avoid the use of coarse, questionable language, avoid the use of ridicule and sarcasm, and not engage in gossip or slander
- All staff members are expected to be leaders and models for our students in both conduct and example. Therefore, they are expected to abstain from the following potentially addictive substances and practices: alcohol, tobacco, non-medical drugs, gambling and pornography.

Families

CCA will seek to support parents of students by:

- Cooperating closely with parents in every phase of the student's development, especially as it relates to the school program
- Helping parents to understand the school's purpose and programs
- Aiding families in Christian growth and helping them to develop Christ-centred homes
- Assisting parents in keeping up with the changing culture and its effects on the home and the implications for children
- Encouraging regular attendance and involvement in a local church.

Community

CCA seeks to promote a school culture of acceptance, edification, respect and support for one another. In an environment where each person feels safe and encouraged, students and staff will develop a focus on service to the school community and to the external community.

School Community

- CCA students and staff will develop appropriate, meaningful relationships with one another
- Student participation and interaction is actively supported and valued
- Teachers will be willing and able to counsel students when called for and provide extra academic help as needed
- Students will grow in friendships with one another and will be challenged to develop strong interpersonal communication and positive conflict resolution skills
- Student success will be acknowledged and celebrated

**Schedule A –
Cornerstone Christian Academy
School Vision and Purpose Document**

- Discipline policies will require teachers to impose consequences for inappropriate behaviour that are fair, consistent and immediate
- Conflict resolution will be demonstrated and taught using an effective Biblical model, which encourages open communication, quick settlement and the discretion of the parties involved
- All students will be required to speak and behave in a manner that supports Christian expectations and be taught to respect and care for each other
- Parents and teachers will work together to reinforce Christian values taught at home and school
- Parents, staff and students will pray regularly for one another and for the needs of the school.

External Community

- CCA will work in partnership with the local community and encourage students to participate in their local communities
- Students will be challenged to be good citizens
- CCA will provide students with growth opportunities through community service and mission projects
- CCA and the CCA Society will promote Christian education within the community and create opportunities for the public to experience Christian education through events such as an annual open house.

**Schedule A –
Cornerstone Christian Academy
School Vision and Purpose Document**

APPENDIX I

Cornerstone Christian Academy Statement of Faith

We believe:

1. There is one God, who is infinitely perfect, existing in three persons: Father, Son and Holy Spirit.
2. Jesus Christ is true God and true man. He was conceived by the Holy Spirit and was born of the Virgin Mary. He died upon the cross, the Just for unjust, as a substitutionary sacrifice, and all who believe in Him are justified on the ground of the Scriptures. He is now at the right hand of the Father as our great High Priest. He will come again to establish His Kingdom of righteousness and peace.
3. The Holy Spirit is a divine person, sent to indwell, guide, teach, empower the believer and convince the world of sin, of righteousness and of judgement.
4. The Old and New Testaments, inerrant as originally given, were verbally inspired by God and are a complete revelation of His will for the salvation of men. They constitute the divine and only rule of Christian faith and practice.
5. Man was originally created in the image and likeness of God; he fell through disobedience, incurring thereby both physical and spiritual death. All men are born with a sinful nature, are separated from the life of God and can be saved only through the atoning work of the Lord Jesus Christ. The portion of the impenitent and unbelieving is existence forever in conscious torment; and that of the believer, in everlasting joy and bliss.
6. Salvation has been provided through Jesus Christ for all men; and those who repent and believe in Him are born again of the Holy Spirit, receive the gift of eternal life and become the children of God.
7. It is the will of God that each believer should be filled with the Holy Spirit and be sanctified wholly, being separated from sin and the world and fully dedicated to the will of God, thereby receiving power for holy living and effective service. This is both a crisis and a progressive experience wrought in the life of the believer subsequent to conversion.
8. Provision is made in the redemptive work of the Lord Jesus Christ for the healing of the mortal body. Prayer for the sick and anointing with oil are taught in the Scriptures and are privileges for the Church in this present age.
9. The Church consists of all those who believe on the Lord Jesus Christ, are redeemed through His blood, and are born again of the Holy Spirit. Christ is the Head of the Body, the Church, which has been commissioned by Him to go into all the world as a witness, preaching the Gospel to all nations.
10. The local church is a body of believers in Christ who are joined together for the worship of God, the edification through the Word of God, for prayer, fellowship, the proclamation of the Gospel, and observances of baptism and the Lord's Supper.
11. Christ shall return in the last days for His bride; the body of Christ in order to establish the kingdom of God.

**Schedule A –
Cornerstone Christian Academy
School Vision and Purpose Document**

12. There shall be a bodily resurrection of the just and the unjust; for the former, a resurrection unto life; for the latter, a resurrection unto judgement.

**Schedule A –
Cornerstone Christian Academy
School Vision and Purpose Document**

APPENDIX II

Cornerstone Christian Academy Student Covenant

According to the Bible, parents are responsible for the training of their children (Deut. 6: 1 -7. Prov. 22:6; Eph. 6: 1-4). Cornerstone Christian Academy serves as partners in providing an excellent education consistent with biblical truth. Harmony between home and school provides the best environment for godly training to take place. We seek to nurture development of the following essential character traits in the lives of our students.

INTEGRITY: Maintaining a lifestyle that is above reproach.

A person should be honest, moral and trustworthy in all dealings (Titus 1:8; Job 27:5; Prov. 11:3; 1 Kings 9:4; Ps. 15).

RESPECT: An attitude that highly esteems those in properly placed authority.

Parents, teachers, employers, governmental authority and church leaders have been placed in our lives by God. God gave a biblical command to honour them for our own good. (Rom. 13:1-7; Heb. 13:7; 1 Peter 2:13-21; 1 Thess. 5:12-13).

OBEDIENCE: The outworking of the attitude of respect.

We are to obey God and all those He has placed over us in our lives. When we obey we show love and respect for God and the authorities He has ordained. Our lives then will be long and fruitful as He has promised (John 14:21; Eph. 6:1-4; Rom. 13: 1-7; Prov. 6:23).

SELF-DISCIPLINE: The ability to control one's thoughts and actions.

The goal is to have a life under control --- self disciplined by the Spirit of God (Gal. 5:22-26; Job 5:1 7, Prov. 16:53, 25:28; 1 Tim. 4:7&8).

GODLY LIVING: A lifestyle that exhibit's the fruit of the Spirit and flees from the acts of our sinful nature.

Our standards are found in God's Word and our desire must be one with God and His holiness (Gal. 5:16-26; 2 Tim. 2:22; 1 Peter 1 :13-16, 2:9-10; 1 Cor. 6:12-20; Prov. 23:29-35; Phil. 4:4; Rom. 8:6-8).

WISDOM: Understanding what is true from God's perspective, and doing what is right.

Wisdom comes from God and our respect for Him. It is developed in our lives by our proper response to correction. If we do not respond to correction with a teachable spirit, the Bible calls us fools and unable to attain wisdom (Prov. 1 :7, 20-33; Prov. 2:1-22; Prov. 4:7).

RESPONSIBILITY: Being dependable and accountable in all relationships and tasks.

We are accountable to each other to love, encourage confront comfort and forgive. Furthermore, initiative, intellectual integrity and excellence should be the marks of all tasks we attempt (1 Cor. 13; Matt. 1 8:15-17; Gal. 1 -5; Eph. 5:29-32; Eccl. 9:10).

THANKFULNESS: Developing an attitude of gratefulness.

We are thankful for everything God brings into our lives. Knowing that God's dealings in our lives are intended for our "good" we will help create an attitude of gratefulness for the things others do for us (Phil 4: 6.7: 1 Thess. 5:1 8, Col. 2:7; Eph. 5:20).

SERVICE: A spirit of humility in focusing on the needs of others.

Christ is our example of living a life that is not self-centred but rather seeking ways to serve not rule (Eph. 5:2 1 ; Phil. 2:3- 1 1 ; James 4:6,10).

ETERNAL VALUES: A focus that is upward.

The key is to live each day with the realization that only what is done for eternity counts (James 4: 14; Matt. 6:33. Matt. 6:19- 21).

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Covenant Response Form Cornerstone Christian Academy

For all Parents

We are in support of the School Vision and Purpose, objectives, standards of conduct and the principles of this covenant and agree to have our child(ren) taught at CCA according to these principles.

If at any time we can no longer work together in a spirit of unity and under the guidelines of the School Vision and Purpose document, and all reasonable avenues of communication are exhausted, we will withdraw our child(ren) from Cornerstone Christian Academy.

We understand that wilful disobedience by our child(ren) to these principles and the guidelines outlined in the school handbook may result in dismissal from Cornerstone Christian Academy.

Father's Signature (or Legal Guardian) Date

Mother's Signature (or Legal Guardian) Date

For grade 7-12 Students

I desire to attend Cornerstone Christian Academy and am willing to be under the authority of my parents in submitting and deferring to their wishes concerning enrolment at Cornerstone Christian Academy.

I understand that Christian teachers are in partnership with my parents. I will strive to obey them also as they seek to train me according to God's Word.

I will seek to live a godly life in and out of school in order that Jesus Christ will be glorified.

I understand that wilful disobedience to these principles and the guidelines outlined in the school handbook may result in my dismissal from Cornerstone Christian Academy.

Student's Signature Date

For the school

The faculty and staff of Cornerstone Christian Academy pledge by God's grace to uphold the principles of this covenant and CCA guidelines as we together train your children.

Schedule A – Cornerstone Christian Academy School Vision and Purpose Document

Appendix III

Cornerstone Christian Academy Society Council

The Cornerstone Christian Academy School Advisory Council exists to foundationally support all operational aspects of the Cornerstone Christian Academy Educational Program. The Advisory Council will provide visionary leadership, business management expertise; facilitate effective communication and model enthusiastic co-operation between CCA and the BRSD.

- The CCA Society will promote the mission of the CCA Educational Program
- The CCA Society will encourage parents and other community members to understand and support the mission and values of the CCA Education Program
- Open communication, integrity and co-operation will characterize the CCA Society's relations with the BRSD
- The CCA Society will actively participate in the selection process for the principal of the school
- The CCA Society will provide a sound financial basis to maintain the school buildings and property, and the quality of the program in accordance with its mission.

Cornerstone Christian School Council

The Cornerstone Christian School Council will abide by the Battle River School Division Administrative Procedure 110.

TAB D

Subject: Schedule A

From: Imogene Walsh <iwalsh@brsd.ab.ca>

Date: 30/01/2017 8:27 AM

To: D Margel <dmargel@syban.net>

CC: Alan Welde <awelde@brsd.ab.ca>, Mark Chanasyk <mchanasyk@brsd.ab.ca>, Rita Marler <rmarler@brsd.ab.ca>

Hi Deanna,

Attached is the revised Schedule A based on the proposed revisions from the Society and our last meeting. We have reviewed the schedule and only have one concern.

On page 5 - Corinthians 6: 9-11 is referenced. Based on the position of the Minister of Education and Alberta Education, we do not support leaving this reference in the document. I have highlighted the reference that we would like to be removed.

Imogene Walsh CPA, CGA, CSBO
Assistant Superintendent - Business
Battle River School Division #31
(780) 672-6131 ext. 5235

— Attachments: —

Cornerstone School Vision Schdule A - Revised.pdf

55.1 kB

This is Exhibit " D " referred to in the
Affidavit of

Deanna Margel

Sworn before me this 26 day
of April A.D. 2018

[Signature]
A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

TAB E

Subject: Re: CCA
From: Laurie Skori <lskori@brsd.ab.ca>
Date: 27/05/2017 2:38 PM
To: Deanna Margel <dmargel@syban.net>
CC: Rita Marler

<rmarler@brsd.ab.ca> Hi

Deanna,

The original request from BRSD requested that you remove the word "quality" and the Corinthians scripture citation from your vision document.

In addition to this, our lawyer indicated that any scripture that could be considered offensive to particular individuals should not be read or studied in school.

The above mentioned items are what is required by the CCA Board to be considered in compliance with with the School Act and Human Rights Legislation as a member of a public school board.

We have had a great working relationship with the school and the CCA board in the past, and want that to continue. In order for that to continue though, CCA must be in compliance and not risk possible violations of legislation.

I hope this answers all of your questions. An answer from the CCA Society Board must be received by the BRSD Board of Trustees by June 9, 2017 at the latest.

Sincerely,

Laurie

Skori

This is Exhibit " E " referred to in the
Affidavit of

Deanna Margel

Sworn before me this 26 day

of April A.D. 2018


A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

TAB F



Justice Centre for Constitutional Freedoms

June 8, 2017

Board of Trustees
Battle River School Division
5402 – 48A Avenue
Camrose AB T4V 0L3

Dear Board Members,

RE: Legal obligations of Battle River School Division ("BRSD") concerning the use of the Bible at Cornerstone Christian Academy ("CCA")

We have been retained by the Cornerstone Christian Academy of Camrose (the "Society")¹ to provide advice concerning the above-captioned issue.

BRSD has stated that "any scripture that could be considered offensive to particular individuals should not be read or studied in school."² This statement was purportedly based on the *School Act* and the *Alberta Human Rights Act*.

The Society provides this letter to BRSD to promote further collaboration based on a correct understanding of the relevant legal obligations and rights, including rights under the *Canadian Charter of Rights and Freedoms*.

Background Information

In 2009, BRSD and the Society agreed to include CCA as an "alternative program" pursuant to section 21 of the *School Act* RSA 2000 c. S-3 and section 19 of the *Education Act*, S.A. 2012 c. E.-0.3. This legislation expressly provides for the establishment of an alternative program emphasizing a particular religion.

As stated by Alberta Education in its *Alternative School Handbook*, "[a]lternative programs are about doing things differently and they involve working collaboratively within the vision and mission of a particular program."³ From the outset, BRSD agreed that CCA would be based upon, and teach from, the Bible, as shown from the following statements from the *Cornerstone Christian Academy School Vision and Purpose Document*⁴, attached as Schedule A to the Master Agreement between BRSD and the Society:

¹ CCA was originally started and operated by Cornerstone Christian Academy of Camrose, which is referred to in the Master Agreement as the "Society". CCA refers to the Christian school in Kingman.

² Email from Board Chair, Laurie Skori, May 27, 2017 (enclosed).

³ https://education.alberta.ca/media/1626689/alternative_programs_handbook.pdf at p. 7.

⁴ References are taken from *School Vision and Purpose Document* attached to the 2010 Master Agreement (enclosed).

This is Exhibit " F " referred to in the
Affidavit of

Deanna Margel
Sworn before me this 26 day
of April A.D. 2018

A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

Vision Statement: Our students will have a good working knowledge of the Bible as a foundation to their education.

* * *

Cornerstone Christian Academy (CCA) offers a program that integrates faith, life and learning. At its foundation is the Christian Bible, the belief that God is central to our humanity, that Jesus Christ is our personal Saviour and Lord, and God's Holy Spirit is present and at work in the world today. The program is interdenominational and embraces students and staff from a variety of backgrounds and heritages.

* * *

CCA seeks to:

- Integrate knowledge of God, the Bible and its relevance into the approved Alberta curriculum. In the classroom, the incidental and purposeful discussion of Christian morals, beliefs and world views are incorporated into each subject
- Assist staff to stay focussed on God's abundance and the task of Christian Education through regular staff Bible study and prayer
- Focus the student's attention on God by starting each day with brief Bible study and prayer
- Provide opportunities for students to grow in their relation to God and one another through involvement in regularly scheduled bible classes, chapel times, spiritual emphasis retreats and field trips.

* * *

Student Development

CCA seeks to be a caring community committed to developing excellence in all areas of student's lives by:

- Encouraging and teaching a passion for prayer, Bible study, and applying Biblical truth in their lives

* * *

Cornerstone Christian Academy Statement of Faith

We believe:

4. The Old and New Testaments, inerrant as originally given were verbally inspired by God and are a complete revelation of His will for the salvation of men. They constitute the divine and only rule of Christian faith and practice.

* * *

Cornerstone Christian Academy Study Covenant

According to the Bible, parents are responsible for the training of their children (Deut. 6: 1 -7. Prov. 22:6; Eph. 6: 1-4). Cornerstone Christian Academy serves as partners in providing an excellent education consistent with biblical truth.

* * *

Covenant Response Form

* * *

For grade 7-12 Students

...

"I understand that Christian teachers are in partnership with my parents. I will strive to obey them also as they seek to train me according to God's Word."

The Master Agreement between the Society and BRSD, most recently reaffirmed in August 2015 (enclosed), commits BRSD to respecting the implementation of the above principles through the Principal of CCA:

Whereas

...

The Board recognizes and supports the commitment of the Society in ensuring the availability of a program of studies for students whose parents desire an educational setting which operates in accordance with the religious beliefs, core values, and educational philosophy of Cornerstone Christian Academy of Camrose and the Society;

* * *

1.1. ... The Board will provide a program of studies in an educational setting which operates in accordance with the School Vision and Purpose.

...

1.1.1 The Principal of the CCA Program will work with the school council and the Board to implement and maintain the School Vision and Purpose.

* * *

6.1 The important and legitimate consultative role of the Society, as outlined in Schedule A, Appendix III, in helping ensure that the integrity and intent of the School Vision and Purpose is maintained is recognized and supported by the Board.

...

6.2. The Board will not attempt to change the essential nature of the CCA program, as set out in the agreed upon School Vision and Purpose as outlined in Schedule A.

On April 24, 2017, the Society and BRSD met to discuss a couple proposed changes to the School Vision and Purpose Document. As described by BRSD Board Chair Laurie Skori in an email to the Society Chair Deanna Margel:

The original request from BRSD requested that you remove the word "quality" and the Corinthians scripture citation from your vision document.⁵

In addition to this, our lawyer indicated that any scripture that could be considered offensive to particular individuals should not be read or studied in school.

The above mentioned items are what is required by the CCA Board to be considered in compliance with with [sic] the School Act and Human Rights Legislation as a member of a public school board.

We have had a great working relationship with the school and the CCA board in the past, and want that to continue. In order for that to continue though, CCA must be in compliance and not risk possible violations of legislation.

With respect, the above statements evidence a misapprehension of the relevant legal obligations and rights. The following is provided in the interests of promoting collaborative discussions in operating CCA pursuant to the Master Agreement and the *CCA School Vision and Purpose Document*.

Relevant Legal Obligations and Rights

The supreme law in Canada is our Constitution, including the *Canadian Charter of Rights and Freedoms*. Relevant to a religious alternative program, the *Charter* both protects the choices of parents for a religious education and requires that government bodies such as the BRSD be neutral concerning religion.

Parental Rights to Choose a Religious Education for the Children

The Supreme Court of Canada recently reaffirmed the right of parents, through entities such as the Society, to choose a religious education provided for their children, quoting Article 18(4) of the *International Covenant on Civil and Political Rights* which requires governments to "undertake to have respect for the liberty of parents . . . to ensure the religious and moral education of their children in conformity with their own convictions."⁶ Justice Abella noted "the fact that an essential ingredient of the vitality of a religious community is the ability of its

⁵ The Society has decided to remove the word "quality" from the School Vision and Purpose Document to be attached and incorporated into the Master Agreement. The Society has also decided to remove the footnote scripture references from the Statement of Belief (School Vision and Purpose Document, Appendix I) attached and incorporated into the Master Agreement. Note that the Statement of Belief sets out the CCA's commitment to the entire Bible as "the final authority for Christian faith and life."

⁶ *Loyola High School v. Quebec (Attorney General)*, 2015 SCC 12 [Loyola] at para 65.

members to pass on their beliefs to their children, whether through instruction in the home or participation in communal institutions.” She further stated:

Ultimately, measures which undermine the character of lawful religious institutions and disrupt the vitality of religious communities represent a profound interference with religious freedom.⁷

The parents who have chosen to send their children to CCA and who have formed the Society to guide their children’s education in accordance with their beliefs are exercising their *Charter*-protected rights. The provision for Alternative Programs within the *School Act* and *Education Act* gives statutory recognition to this right.⁸

Duty of Religious Neutrality

In another recent and relevant decision, the Supreme Court of Canada outlined the state duty of neutrality.⁹ BRSD must adhere to this duty in regard to CCA as it is implementing a specific government program under section 19 of the *Education Act* and section 21 of the *School Act*.¹⁰

The Supreme Court has defined state neutrality as neither favouring nor hindering any particular belief. In practice, the decisions and actions of institutions implementing government programs “must not interfere in religion and beliefs”.¹¹ Further, state actors cannot be hostile to any particular religious groups or have a preference for any particular religious belief.¹² The duty of neutrality is meant to produce a “neutral public space free from coercion, pressure and judgment on the part of public authorities in matters of spirituality”.¹³ However, neutrality does not mean the “homogenization of private players” in the neutral public space. Neutrality is meant to preserve and promote multiculturalism and true diversity, not to force every private entity to conform.¹⁴

BRSD complies with its duty of religious neutrality by permitting alternative programs responsive to the various choices, including religious choices, of parents and private entities.

What BRSD is not permitted to do is to “interfere in religion and beliefs”, including those taught or expressed at CCA pursuant to the choices of parents and the Society. Expressing which beliefs or Biblical texts can be taught is a direct violation of BRSD’s duty of neutrality, contravening the Supreme Court’s specific admonition against “coercion, pressure and judgment on the part of public authorities in matters of spirituality”.

⁷ *Loyola* at para 67.

⁸ See *Alternative Program Handbook* at p. 21: “Alternative programs, as programs of choice, are established to meet the specific educational interests or needs of students and their parents.”

⁹ *Mouvement laïque québécois v. Saguenay (City)*, 2015 SCC 16 [*Saguenay*]

¹⁰ *Eldridge v. British Columbia (Attorney General)*, [1997] 3 S.C.R. 624 [*Eldridge*] at para 38; *Godbout v. Longueuil (Ville)*, [1997] 3 S.C.R. 844 [*Godbout*] at para 47.

¹¹ *Saguenay* at para 72.

¹² *Saguenay* at paras 75, 80.

¹³ *Saguenay* at para 74.

¹⁴ *Saguenay* at para 74.

As stated by Justice Abella in *Loyola*:

A secular state does not – and cannot – interfere with the beliefs or practices of a religious group unless they conflict with or harm overriding public interests The pursuit of secular values means respecting the right to hold and manifest different religious beliefs. A secular state respects religious differences, it does not seek to extinguish them.¹⁵

Does the *School Act* or the *Alberta Human Rights Act* prohibit the expression of beliefs that “could be considered offensive to particular individuals”?

BRSD has apparently received legal advice from its lawyer that reading or studying “any scripture that could be considered offensive to particular individuals” would violate the *School Act* and the *Alberta Human Rights Act*. With respect, this advice is not accurate.

Initially, it must be noted that the *Charter* rights and obligations discussed above are binding on BRSD, and would trump anything in the *School Act* or the *Alberta Human Rights Act* to the contrary.¹⁶

Rights under the *Charter* are not absolute but are “subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.”¹⁷ The Supreme Court of Canada has held that offensiveness is not sufficient to justify a restriction on expression.¹⁸

In fact, neither the *School Act* nor the *Alberta Human Rights Act* prohibit expression that “could be considered offensive to particular individuals”.

In a separate email on May 16, 2017, Laurie Skori cited sections 16.1 and 45.1 of the *School Act* as grounding BRSD’s requirement. Section 16.1 is irrelevant, pertaining to the establishment of a voluntary student organization, including a GSA.

¹⁵ *Loyola* at para 43.

¹⁶ Constitution Act 1982, section 52(1): “The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency of no force or effect.”

¹⁷ *Charter* section 1.

¹⁸ *Saskatchewan (Human Rights Commission) v. Whatcott*, 2013 SCC 11 at paras 50, 90: “As explained in *Irwin Toy Ltd. v. Quebec (Attorney General)*, [1989] 1 S.C.R. 927, at p. 968, freedom of expression was guaranteed in the *Charter* “so as to ensure that everyone can manifest their thoughts, opinions, beliefs, indeed all expressions of the heart and mind, however unpopular, distasteful or contrary to the mainstream”. If the repugnancy or offensiveness of an idea does not exclude it from *Charter* protection under s. 2 (b), it cannot, in itself, be sufficient to justify a limitation on expression under a s. 1 analysis. A blanket prohibition on the communication of repugnant ideas would offend the core of freedom of expression and could not be viewed as a minimal impairment of that right offensive ideas are not sufficient to ground a justification for infringing on freedom of expression.”

In regard to section 45.1, the Society is committed to maintaining CCA as a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging. The Society is committed to a zero tolerance policy for bullying regardless of a student's personal characteristics.

However, it is incorrect to assert that section 45.1 requires the prohibition of expression that "could be considered offensive to particular individuals". It is one matter to seek to welcome, care for, respect and protect students; it is an entirely different matter altogether to not express any views that a student could consider offensive. Such a prohibition is entirely unrealistic. Nearly anything, and almost everything, could be considered offensive by someone.

In reality, students in every school regularly encounter facts and ideas they may consider offensive, in topics from health class to history class. This is no different than the reality each person experiences on a daily basis.

Ms. Skori also cited section 4 of the *Alberta Human Rights Act*, which prohibits discrimination "because of the race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person or class of persons or of any other person or class of persons." Superficially, one may argue that CCA "discriminates" because it is an alternative program designed to promote a particular religion, Christianity.

However, the *Alberta Human Rights Act* specifically includes a clause that recognizes that the prohibition of "discrimination" is not applicable in all circumstances.¹⁹ Rather, in the context of religious schools, the Supreme Court of Canada has upheld not merely the expression, but the enforcement of religious tenets that apply to personal and intimate matters.²⁰

The fact is that public education in Alberta respects diversity. The government of Alberta has specifically provided for the establishment of alternative programs under public school boards. As a result numerous schools operate across Alberta with a particular focus on various religious beliefs, sports, academics, learning philosophies or languages. Each of these schools addresses specific interests and desires that students and parents have.

CCA is a Christian alternative program. The Biblical teachings of Christianity "could be considered offensive to particular individuals" for a variety of reasons. For example, the belief that Jesus is God²¹ could be considered offensive to followers of Judaism or Islam. Biblical prohibitions on drunkenness, pornography and sexual promiscuity could likewise be considered offensive by some people.

Alberta Education recognizes that alternative programs will not be appropriate for all students:

¹⁹ *Alberta Human Rights Act* section 11: "A contravention of this Act shall be deemed not to have occurred if the person who is alleged to have contravened the Act shows that the alleged contravention was reasonable and justifiable in the circumstances."

²⁰ See *Caldwell et al. v. Stuart et al.*, [1984] 2 SCR 603.

²¹ See *Cornerstone Statement of Faith* paras 1 and 2.

Alternative programs, as programs of choice, are established to meet the specific educational interests or needs of students and their parents. In order to support student success, it is critical that students, their parents and the board look for a match between the specific educational interests or needs of the student and the focus of the alternative program. Not all alternative programs are appropriate for every student.²²

The educational choice provided by alternative programs is not prohibited discrimination. The CCA program is no different.

Conclusion

BRSD must recognize these principles. Its attempt to prohibit the reading or studying of any scripture that "could be considered offensive to particular individuals" is not only unwarranted and unrealistic, it is contrary to the Master Agreement between BRSD and the Society, where BRSD agreed not to "attempt to change the essential nature of the CCA program" set out in the School Vision and Purpose Document.

BRSD has directly violated the warning of the Supreme Court of Canada not to interfere in religion or beliefs. BRSD is legally obligated to respect the parental choices expressed through the Society, concerning the religious education of their children at CCA.

The operation of CCA as an alternative program emphasizing a particular religion requires collaboration between BRSD and the Society, principally because only the Society can determine the religious nature of the program and BRSD is constitutionally prohibited from doing so. A clear understanding of these principles is essential for continued and effective collaboration to serve the students attending CCA.

Sincerely,



Marty Moore, J.D.

Justice Centre for Constitutional Freedoms
Counsel for the Cornerstone Christian Academy of Camrose

Enclosures

cc: Cornerstone Christian Academy of Camrose

²² See *Alternative Program Handbook* p. 21.

TAB G

Subject: Re: CCA

From: Laurie Skori <lskori@brsd.ab.ca>

Date: 08/06/2017 9:40 PM

To: Deanna Margel <dmargel@syban.net>

CC: Rita Marler <rmarler@brsd.ab.ca>, Lorrie Sitler <LSitler@brsd.ab.ca>, Rebecca Heiberg <rheiberg@brsd.ab.ca>, Alan Welde <AWelde@brsd.ab.ca>, CCA

Society

<ccasociety@gmail.com> Hi

Deanna,


We have received your legal counsel's email. Although we appreciate their

thoughts, our position remains unchanged. Sincerely,

Laurie Skori

Sent from my iPhone

This is Exhibit " G " referred to in the
Affidavit of

Deanna Margel
Sworn before me this 26 day
of April A.D. 2018

A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

TAB H

Subject: Re: CCA
From: Laurie Skori <lskori@brsd.ab.ca>
Date: 09/06/2017 12:59 PM
To: Deanna Margel <dmargel@syban.net>
CC: Rita Marler <rmarler@brsd.ab.ca>,

Lorrie Sitler <LSitler@brsd.ab.ca> Hi

Deanna,

All trustees were included on the email from your legal counsel and have received your letter.

As for the board's position it remains the same. I will not comment on individual trustees and their thoughts. Based upon the response we receive today from the CCA board, the BRSD Board of Trustees will make a final decision.

I hope this


answers your

questions.

Laurie Skori

Sent from my iPhone

This is Exhibit " H " referred to in the
Affidavit of

Deanna Margel
Sworn before me this 26 day
of April A.D. 2018

A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

TAB I

ADDENDUM TO MASTER AGREEMENT
RE: COMMUNICATIONS AND MEDIA PROTOCOL

BETWEEN:

**THE BOARD OF TRUSTEES OF
BATTLE RIVER SCHOOL DIVISION NO. 31**
(the "School Division")

and

CORNERSTONE CHRISTIAN ACADEMY SOCIETY
(the "Society")

This is Exhibit "I" referred to in the
Affidavit of

Deanna Mangel
Sworn before me this 26 day
of April A.D. 2018

A Commissioner for Oaths in and for the Province of Alberta

WHEREAS the School Division and the Society have entered into a master agreement dated August 26, 2009 and amended July 1, 2015 (the "Master Agreement");

AND WHEREAS the parties have agreed to negotiate a communications protocol to ensure that all public disseminations of information or concerns only be done in accordance with an established and agreed communications protocol or in accordance with board policy and procedure;

AND WHEREAS the Society and the School Division confirm a mutual understanding that both, on behalf of our respective organizations, undertake to refrain from making any public comments of a personal nature or any public comments undermining the integrity or competence of the School Board or Society representatives; confirm our agreement to follow this communications and media protocol; the parties confirm our agreement that even in the event of disagreement that the parties need to discuss concerns in an atmosphere of fairness and mutual respect, so that when the issues are discussed and hopefully resolved, the two sides can put their differences aside and work together effectively for the good of students and of public education; and finally confirm our agreement that a civility protocol is in the best interests of the students of Cornerstone Christian Academy School, the Society, and the Board of Trustees of the School Division;

NOW THEREFORE in consideration of the mutual covenants set out herein, the parties hereby agree as follows:

1. The parties acknowledge and agree that the Master Agreement is hereby amended as follows:
 - 1.1. Neither party shall disclose a communication from the other party without the express written permission of the party that authored the communication.
 - 1.2. All communications that are not otherwise publicly disseminated, shall be deemed to be confidential and will be held in confidence and shall not be released in any public forum nor in any form, unless the party planning to release its own communication, without

reference to the other party's communication, provides written notice to the other party of their intention to release a communication no less than 96 hours prior to the planned release of the information.

1.2.1. The written notice shall include to whom the communication is to be released and the date of such release

1.3. The receiving party shall have 48 hours to provide a written response to the proposed communication approving, confirming or denying the content of the information to be released.

2. The Society members shall refrain from any direct contact with school staff of Cornerstone Christian Academy School in any official capacity as a Society member unless invited to do so by the School Division in writing;

2.1. Society members acting as parents may contact staff members of Cornerstone Christian Academy School in accordance with the practices and procedures implemented by Cornerstone Christian Academy School for all parent access to the school.

3. Both parties shall refrain from making any public comments of a personal nature or any public comments undermining the integrity or competence of the School Division, the Society, or elected officials, employees, representatives, or members of either.

4. Forthwith upon the signature of this protocol, the Society shall direct legal counsel to remove all website postings regarding Battle River School Division No. 31 and the Cornerstone Christian Academy School from their website.

5. The parties agree that, wherever possible, communication about Cornerstone Christian Academy School will be done jointly by the parties in accordance with the communication protocol contained herein.

6. Both parties shall limit the release of information to the general public or the media, or the posting of information on their respective websites. The parties agree that any information that is released must accurately reflect the substance of discussions held between the parties. The parties agree that the information will be provided in a way that enables common understanding, effective problem resolution and enhancement of a respectful collaborative working relationship. Information shall not be posted that is disrespectful towards either party nor shall any of the posted information contain personal attacks directed at members or employees of either party.

7. All the other terms and conditions of the Master Agreement as amended from time to time remain in force.

8. This Agreement shall remain in effect for the same term as the Master Agreement.

THIS AGREEMENT MADE THE ____ DAY OF _____, 2017.

**THE BOARD OF TRUSTEES OF BATTLE
RIVER SCHOOL DIVISION NO. 31**

Per: _____

Per: _____

**CONERSTONE CHRISTIAN ACADEMY
SOCIETY**

Per: _____

Per: _____

TAB J

Battle River School Division #31

Growing to Greatness

5402-48A Avenue, Camrose, Alberta, Canada T4V 0L3 Phone (780)672-6131 Fax (780)672-6137 www.brsd.ab.ca

Hand Delivered

June 29, 2017

Deanna Margel, Chair
Cornerstone Christian Academy Society

Re: Notice of Termination – Master Agreement and Lease Agreement, Cornerstone Christian Academy Society

Dear Madam:

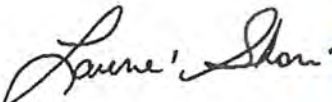
Please accept this notice of termination in accordance with clause 11.2.2 of the master agreement that, effective June 30, 2018, Battle River School Division (legal name Battle River Regional Division No. 31) will no longer operate Cornerstone Christian Academy School. This notice of termination also addresses the lease agreement, which is hereby terminated effective the same date, June 30, 2018.

BRSD regrets this action, but until the parties can agree as to appropriate roles and involvement at the school level, we cannot continue on the current basis. As a public school board we must ensure that any educational programming provided complies with Board policy and procedure, provincial legislation including the Alberta Human Rights Act and the School Act. Unless those concerns can be resolved, we are unable to maintain the current relationship.

The Board felt it was necessary that the notice of termination be issued now, to ensure proper processes are put in place for staff, students and parents over the next 12 months. If the parties are unable to mutually agree on how to carry on on a go-forward basis, the relationship must be terminated.

Hopefully a mutually acceptable resolution to our respective concerns can occur over the next weeks or months.

Yours truly,



Laurie Skori, Chair
Board of Trustees

This is Exhibit "J" referred to in the
Affidavit of

Deanna Margel

Sworn before me this 26 day
of April A.D. 2018


A Commissioner for Oaths in and for the Province of Alberta

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019

TAB K

Deanna Margel
Sworn before me this 26 day
of April A.D. 2018

Stephanie Lyn Boeve
A Commissioner for Oaths in and
For the Province of Alberta
My Commission Expires July 18, 2019



Battle River School Division #31

5402-48A Avenue, Camrose, Alberta, Canada T4V 0L3 Phone (780)672-6131 Fax (780)672-6137 www.brsd.ab.ca

June 29, 2017

BRSD Board hopes to "reset" relationship with Cornerstone Christian Academy Society

At a special meeting of the Battle River School Division Board held on June 29, Trustees voted in favor of bringing their current relationship with the Cornerstone Christian Academy Society to an end.

All Trustees expressed regret that the educational partnership had reached the point of needing to be severed. At the same time, they expressed their genuine hope this action will make it possible to "start fresh" in developing a new working relationship.

In explaining their rationale for making this motion, Trustees spoke to the increasingly difficult dynamics between themselves and the Cornerstone Society Board. They acknowledged that both parties must take responsibility for the current state of affairs.

The BRSD Trustees agreed that this situation is not in the best interests of the students and staff, the school or the school division. Therefore, they passed a motion "to terminate the agreement between BRSD and Cornerstone Christian Academy Society, with the stipulation that the committee remain in place to work towards establishing a new agreement if the Cornerstone Society is willing to work together to develop an agreement that incorporates the content of the draft addendum related to working relationships and communication protocols."

The master agreement in place between the two organizations provides for a 365 day transition period if the agreement comes to an end. For that reason, Trustees felt that this was the right time to take a definitive position.

"This is not a decision we have reached lightly," says Trustee Kendall Severson. "As a Board, we were very pleased to welcome Cornerstone to our school family back in 2009. We thought the addition of a Christian program was allowing us to respect the diversity of our communities and the specific wishes of a group of parents. I believe that BRSD and CCA can work together to reach an agreement that is acceptable to both parties."

"The most important thing is to keep talking," says Trustee Rebecca Heiberg. "We hope this will lead to a fresh start."

BRSD Trustees are adamant that if there is to be a mutually agreeable working relationship, it has to be developed by sitting at the table together with representatives of the Cornerstone Society. They are looking forward to seeing what the next steps will be.

--

For more information please contact Diane Hutchinson, Community Relations Advisor
780-672-6131; dhutchinson@brsd.ab.ca