



ALBERTA
EDUCATION

Office of the Minister

MAR 15 2016

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Mrs. Theresa Ng

Email: informedalbertans@gmail.com

Dear Mrs. Ng:

Thank you for your March 5, 2016 letter sharing your concerns regarding our government's efforts to ensure lesbian, gay, bisexual, transgender and queer (LGBTQ) students, staff and family members feel safe and supported within all of Alberta's schools.

I was sorry to hear that you felt bullied by some of the comments posted on Twitter in response to your #ProtectABkids campaign. I am aware of the goals of your campaign, and I am pleased to provide the following information, which I believe addresses your concerns.

All school boards in Alberta must comply with applicable legislation, including the *School Act*, the *Canadian Charter of Rights and Freedoms* and the *Alberta Human Rights Act*.

When the *Alberta Human Rights Amendment Act* became law in December 2015, it added gender identity and gender expression as prohibited grounds of discrimination under the *Alberta Human Rights Act*.

The *School Act* was also recently changed in order to ensure all students have a welcoming, caring, respectful and safe learning environment. As a result of the *Act to Amend the Alberta Bill of Rights to Protect Our Children*, formerly Bill 10, the *School Act* now requires school authorities to allow students to form groups that promote a safe and caring school. These groups may include diversity clubs, social justice clubs or gay-straight alliances/queer-straight alliances (GSAs/QSAs).

As you know, in November, I wrote to all Alberta school authorities setting out my expectations for policy and regulations or procedures that address the responsibilities of school authorities to ensure each student and staff member is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging. I asked that policies and procedures specifically address school authorities' responsibilities as they relate to the LGBTQ community, and that boards share their policies with me by March 31, 2016.

All school authorities are expected to create the necessary policies to ensure compliance with the amended *School Act* and other legislation. These policies are about supporting students, teachers and families in each and every one of our schools.

In response to requests from school authorities, Alberta Education created a set of guidelines to help school authorities develop their policies and comply with amended legislation. The goal is to support LGBTQ students in order to help ensure all students are given a safe and caring learning environment.

.../2

Mrs. Theresa Ng
Page Two

These guidelines were created as a resource to be used by educators as they work to accommodate their students and are not legally binding.

While the guidelines focus specifically on supporting LGBTQ students, Alberta Education has a wide variety of resources available to support safe and caring schools at education.alberta.ca/safe-and-caring-schools.

I realize that each school community is unique and that school authorities are in the best position to create policies that will work for their students, staff and families. In addition to consulting the guidelines, school authorities are encouraged to engage with their communities as they seek to align their policies and procedures with legislation and with their own local context.

Alberta Education is working closely with school authorities, including faith-based schools, to support and address their questions. The policies being developed by school authorities will follow the law, but should also reflect local school community needs.

Parents and families are the most important supports a student can have to help ensure that they learn and achieve. School authority policies do not impact the *Alberta Bill of Rights*, which states that parents have the right to make informed decisions respecting the education of their children.

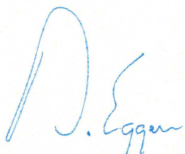
I understand that concerns have been raised about schools not providing parents with information about their child's sexual orientation, gender identity or gender expression. What the guidelines suggest is that before this information is shared with parents, the school should, where possible, have the student's permission to do so.

It is important to consider that some LGBTQ students may not have disclosed their sexual orientation, gender identity or gender expression beyond the school community for a variety of reasons, including safety. For this reason, school authorities may make decisions on a case-by-case basis about what is in the best interest of the student.

In regard to your concern about the guideline suggesting students should be able to access washrooms that correspond with their gender identity and that non-gendered washrooms be available, schools are advised to have strategies to ensure all areas of the school are safe for students and that privacy is maintained for all. There are a number of existing approaches being used in Alberta schools that put the safety of students at the forefront while also providing accommodation for those with diverse gender identities and gender expressions.

I trust this information is helpful, and I appreciate you sharing your comments and concerns. If you have additional questions regarding the legislative requirements for school authorities, I encourage you to contact Alberta Education's Field Services Sector at 780-427-6272.

Sincerely,



David Eggen
Minister