

DATE: December 13, 2011

TO: Board of Trustees

FROM: Trustee Heather MacKenzie

SUBJECT: Motion re Section 11.1 of the *Alberta Human Rights Act*

ORIGINATOR: N/A

RESOURCE STAFF: N/A

REFERENCE: [Alberta Human Rights Act](#) Section 11.1

ISSUE – N/A

RECOMMENDATION

That the Board write a letter to the Government of Alberta requesting that Section 11.1 Notice to Parent or Guardian of the *Alberta Human Rights Act* be repealed.

BACKGROUND

Notice of motion was served at the November 29, 2011 board meeting.

RELATED FACTS – N/A

OPTIONS CONSIDERED – N/A

CONSIDERATIONS & ANALYSIS – N/A

NEXT STEPS – N/A

ATTACHMENTS & APPENDICES

APPENDIX I *Alberta Human Rights Act* – Section 11.1

HMacK:mmf

ALBERTA HUMAN RIGHTS ACT
Chapter A-25.5

Notice to parent or guardian

11.1(1) A board as defined in the *School Act* shall provide notice to a parent or guardian of a student where courses of study, educational programs or instructional materials, or instruction or exercises, prescribed under that Act include subject-matter that deals primarily and explicitly with religion, human sexuality or sexual orientation.

(2) Where a teacher or other person providing instruction, teaching a course of study or educational program or using the instructional materials referred to in subsection (1) receives a written request signed by a parent or guardian of a student that the student be excluded from the instruction, course of study, educational program or use of instructional materials, the teacher or other person shall in accordance with the request of the parent or guardian and without academic penalty permit the student

- (a) to leave the classroom or place where the instruction, course of study or educational program is taking place or the instructional materials are being used for the duration of the part of the instruction, course of study or educational program, or the use of the instructional materials, that includes the subject-matter referred to in subsection (1), or
- (b) to remain in the classroom or place without taking part in the instruction, course of study or educational program or using the instructional materials.

(3) This section does not apply to incidental or indirect references to religion, religious themes, human sexuality or sexual orientation in a course of study, educational program, instruction or exercises or in the use of instructional materials.

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