



**Alberta Human Rights Act Section 11.1  
Notice to Parent or Guardian**

**BACKGROUND**

The Alberta Human Rights Act protects the rights of all Albertans, a fundamental component of society in Alberta. Section 11.1 addresses the rights of individuals within education as it pertains to religion and sexuality, stressing notification to parents of sensitive topics of discussion stemming from curricula, and the fundamental right of each parent to exempt a student from participation.

“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.”

*Alberta Human Rights Act Section 11.1 September 1, 2010*

**POLICY STATEMENT**

1. The CAPE Charter Board supports the involvement and factual education of students in studies involving controversial issues (Policy 7.05) as an important means of preparing students to participate responsibly in a democratic and pluralistic society. The CAPE Charter Board recognizes that at times sensitive issues may arise in the classroom and in discussions. The CAPE Charter Board also supports the involvement of students in studies involving Human Sexuality, therefore sexual orientations (Policy 7.6), and in Locally Developed Courses (Policy 7.01) such as Comparative Religions and Comparative Political Systems.
2. The CAPE Charter Board respects the rights of all Albertans, the Medicine Hat community, and the CAPE school community in particular, and adheres to the *Alberta Human Rights Act and Section 11.1*.

**DEFINITIONS**

3. **Pluralistic society** - a diverse society, where the people in it believe all kinds of different things and tolerate each other's beliefs even when they don't match their own.
4. **Democratic society** - a form of society which favours equal rights, freedom of speech and a fair trial and tolerates the views of minorities.

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Policy Manual**

**Policy 7.07**

**Category: Curriculum and Instruction**

**GUIDELINES**

5. It is the responsibility of teachers to exercise sound professional judgement in their approach to sensitive issues, discussions, and activities within the delivery of programs. Teachers may consult others, including parents and other professional colleagues where deemed appropriate.
6. It is the responsibility of teachers to exercise sound professional judgment in the use of supplementary learning resources and to enhance prescribed curricula to meet the educational needs of students. Teachers may consult others, including parents and other professional colleagues where deemed appropriate.
7. It is the responsibility of teachers to provide notice to parents or guardians of students where courses of study, educational programs, instructional materials, instruction or exercises include subject matter that deals primarily and explicitly with religion, human sexuality, or sexual orientation.
8. It is the responsibility of teachers to provide parents or guardians of students where courses of study, educational programs, instructional materials, instruction or exercises include subject matter that deals primarily and explicitly with religion, human sexuality, or sexual orientation, with an intent form so that parents or guardians may inform the teacher as to their wish to exercise the right to exempt or not to exempt the student from the described component of the course of studies. School receipt of the signed parental intent form:
  - 8.1 makes sure that each parent or guardian is fully informed of the content of that portion of the course of studies;
  - 8.2 provides parents or guardians with a feedback mechanism through which clearly, and in a timely manner inform the school and the teacher of his/her wishes; and
  - 8.3 ensures that no student's human rights are inadvertently violated.
9. 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 (3) 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 shall in accordance with the request of the parent or guardian and without academic penalty exempt the student from participation.
10. The teacher will provide alternate learning experiences for those students who have been exempted.

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11. 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 does not require parental notification.
12. It is the responsibility of the Superintendent to develop, or cause to be developed, an appeal/complaints process and all forms pertaining to Section 11.1 of the Alberta Human Rights Act or the appeal process.

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**References:**

*CAPE charter*

*Alberta Human Rights Act*

*Alberta Human Rights Act*

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Adopted: October 25, 2010

Motion: #2010-10-25-07

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Reviewed: August 2013

Reviewed: September 2018