

# Education Minister David Eggen issues order for Christian schools to accommodate LGBTQ students



[Janet French](#)

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David Eggen gives ministerial order on GSAs

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An outside adviser has urged the education minister to close a “significant gap” in law that sets different expectations for public and private schools’ accommodation of LGBTQ students and staff.

Education Minister David Eggen [issued a ministerial order Thursday](#) based on the adviser’s report, telling two defiant Edmonton-area Christian private schools they must allow students to create a gay-straight alliance if they request one.

Eggen received the report from lawyer Dan Scott in November 2016 — it was [released publicly Thursday](#).

Scott said private schools are exempt from a law that requires schools to provide a “welcoming, caring, respectful and safe learning environment” for students. He recommended the minister amend the School Act to change that inequity.

“I’m assessing it very carefully,” Eggen said Thursday. “I want to make sure that we are both applying the law in an equitable way, and that people will ... understand the importance of having this right afforded to all students regardless of where they go to school.”

## **Sending a message**

The order should also send a message to all schools that the government will “pursue the letter of the law” in how they treat LGBTQ students, Eggen said.

Scott recommended the minister order the schools to submit an updated policy spelling out students’ rights to form a gay-straight alliance, or appoint a trustee to oversee that task if the society refuses. If the society still resists, he should revoke the schools’ accreditation — but only after the end of the school year, Scott said.



Pastor Brian Coldwell, chairman of the Independent Baptist Christian Education Society, has said two independent schools will not follow the law allowing students to form a gay-straight alliance. The law conflicts with their religious beliefs, he said. CODIE MCLACHLAN / Postmedia

The issue goes back to March 2015 when all parties in the legislature approved Bill 10 — a Progressive Conservative initiative that requires schools to allow students to form a gay- or queer-straight alliance if they request one. The law also requires school boards — but not private schools — to create an inclusive environment for students and staff, and adopt a code of conduct that forbids discrimination based on sexual orientation and gender identity.

The different standard for private and public schools “poses an obvious problem,” Scott said.

In November 2015, [Eggen issued a ministerial order](#) telling all schools and boards to write or update policies to reflect those legal changes by March 31, 2016.

Brian Coldwell, chairman of the Independent Baptist Christian Education Society, [said the two private schools run by that society would not abide by the law](#), calling it an attack on their faith.

They stood their ground, and Eggen [appointed Scott to conduct an inquiry](#) into the two schools and the society in September.

**‘Hostile’ to LGBTQ people**

The society's bylaws are "hostile" to LGBTQ people, Scott found in his report. In letters to government, the society said the "homosexual lifestyle" is "sinful, unwise, unnatural, unholy and unhealthy," and said it will tell any students who identify as LGBTQ the "lifestyle" is dangerous. The society also said transgender people have a "mental illness" that can be "overcome" with biblical counselling, said the report.

Both schools said they would tell a child's parents if a student requested a gay-straight alliance, which Scott said the School Act does not prevent.

Eggen said these statements create a "chill factor" that deters students from asking for support.

Scott said most students at Harvest Baptist Academy near Spruce Grove and Meadows Academy appeared happy and healthy during surprise school visits, and that frontline staff were sincere about acting swiftly to stop any bullying.

The schools told Scott they aren't violating the law because they've never had a LGBTQ student, and no one has ever asked for a gay-straight alliance. Scott said it is "statistically likely" LGBTQ students have been enrolled in the schools since they opened in 1997.

Independent Baptist and the society's lawyer could not be reached for comment Thursday.

Alberta Education's review of all schools' LGBTQ policies continues. Eggen has no estimate for when that work will be complete.

"Hopefully, (the report) will ... sharpen some of the parties who need to do remedial work on their guidelines," Eggen said.