

Deliberations of an Albertan Parent

Bill 10 Court Challenge Abstract and Summary

Clarifying Remedies and Boundaries to LGBTTIQQ2S
Affirmative Action Laws and Policies in Alberta Schools

By Carman Bradley

Seeking
The Best For All
Alberta's Children



1.0 ABSTRACT AND SUMMARY

Objectives:

- To empower the reader with an in-depth and holistic understanding of Bill 10, associated policies and guidelines, and the key stakeholders.
- To reveal the realized and potential impacts of the legislation and guidance from the perspectives of Education Ministry, Alberta Teachers' Association (ATA), school boards and staff, students and parents.
- To explain the collision of human rights and charter freedoms brought on by Bill 10.
- To explain from parental and faith-based perspectives where the boundary markers lie defining the agreeable, the tolerable and the intolerable legislation and guidance.
- To propose legal and administrative remedies to address clear grievances with Bill 10.

Methodologies:

- Understand the key background politics and social dynamics leading to approval of Bill 10.
- Review the legislation and associated guidance to understand intended goals.
- Assess the credibility of so-called "evidence-based best practices" and of the justifications for the Bill asserted by advocates of the legislation.
- Assess the rationality of the law to stated goals.
- Assess the rationality of the law to minimize impairment of rights and freedoms.

Results:

- Bill 10 lays down legislation needed to legitimize policies, programmes and publications developed for sexual minority students that are already in place and paves the way for a new sex- education curriculum highlighting approaches similar to Ontario's 2015 release.
- Bill 10 intolerably restricts parental authority over their children's sexual health and sex education, while leaving parents with all their traditional child rearing responsibilities.
- No justification has been given for the cancellation of the need to notify parents and allow the opt-out provision for topics on sexual orientation - S11.1 of Alberta Human Rights Act.
- Bill 10 brings about an intolerable collision of rights, freedoms and mandates involving students, parents, faith-based and secular schools, school boards, and teachers.
- Bill 10 and subsequent guidelines are anchored to flawed science; at best disputed science.
- Bill 10 mandates appointed and volunteer teachers to take-on a role as sexuality counsellors within GSAs/QSAs for which the ATA has not been adequately prepared.
- 17 remedies are recommended to address constitutional injustices with the Bill and improve guidelines to ensure the well-being of all Alberta children.

Conclusions:

- Left unchanged, Bill 10 will be revolutionary legislation for Albertans simultaneously undermining parental rights, freedom of religion, freedom of speech, freedom of association, and the democratic elected mandates of school boards.
- Left unchanged, Bill 10 puts many more children at risk than those who may experience greater security and well-being from the legislation.