

Deliberations of an Albertan Parent

# Bill 10 Court Challenge Synopsis

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

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Seeking  
The Best For All  
Alberta's Children



This Synopsis (29 pages) follows the structure of the full version main document (153 pages) and records in brief the salient points and conclusions of the full version. What is not included here are the extensive evidences and data analysis presented to justify the observations and substantiate the lines of argument presented. The full version is completely referenced with endnotes and key associated internet hyperlinks.

## 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.

## 2.0 PREFACE - OFFENDING ASPECTS OF BILL 10 & RELATED POLICY GUIDANCE

Proponents of [\*Bill 10 – An Act to Amend the Alberta Bill of Rights to Protect Our Children\*](#) maintain that the legislation is needed to reduce bullying and save lives among LGBTTIQQ2SA students – Lesbian, Gay, Bisexual, Transsexual, Transgender, Intersex, Queer, Questioning, 2-Spirited and Allies.<sup>1</sup> Supporters assert that Gay/Straight Alliances and/or Queer/Straight Alliances (student clubs) in schools are necessary support networks that give support to LGBTTIQQ2SA students and prevent them from being bullied. Advocates claim the clubs have been proven to reduce suicide among LGBTTIQQ2SA youth.

The title of the Act claims the principal goal is protection; however, like the proverbial Trojan Horse, the universal application of Bill 10, its implementation policy and guidance for best practices, expose the prime agenda - to instill, either voluntarily or forcibly by rule of law, indifference towards homosexuality. Building a welcoming, caring, respectful and safe learning environment is no longer about tolerance, but the goal of indifference – institutional celebration of LGBTTIQQ2S sexual diversity and lifestyle choices.

The Alberta Government publication [\*Guidelines for Best Practices: Creating Learning Environments that Respect Diverse Sexual Orientations, Gender Identities and Gender Expressions\*](#) was developed from shared content of the Nova Scotia Department of Education and Early Childhood Development *Guidelines for Supporting Transgender and Gender-nonconforming Students, 2014*, which was developed with guidance and support from the Toronto District School Board and Canadian Teacher’s Federation. School authorities are expected to develop policies, regulations and procedures that are consistent with Bill 10 and the Ministry “*guidelines for best practices*” as they relate to students who self-identify LGBTTIQQ2S, including gender-diverse, gender fluid and agender youth.<sup>2</sup> Best practices will apply from Kindergarten to Grade 12 and include:

- Self-identification is the sole measure of an individual’s sexual orientation, gender identity or gender expression;
- All individuals have the right to be addressed by their chosen name and to choose pronouns that align with their gender identity and/or gender expression. This is true whether or not the individual has obtained legal documentation of a change of name or gender designation (e.g., Birth Certificate). Verification of identity, such as medical records, is not required;
- Some individuals may not feel included in the use of the pronouns “he” or “she” and may prefer alternate pronouns, such as “ze,” “zir,” “hir,” “they” or “them,” or might wish to express themselves or self-identify in other ways (e.g., Mx. instead of Mr., Mrs., Ms., or Miss, or no prefix at all);

- All students with diverse sexual orientations, gender identities or gender expressions have the right to privacy and confidentiality;
- In keeping with the principles of self-identification, it is important to:
  - inform students of limitations regarding their chosen name and gender identity or gender expression in relation to official school records that require legal name designation; and
  - protect a student’s personal information and privacy, including, where possible, having a student’s explicit permission before disclosing information related to the student’s sexual orientation, gender identity or gender expression to peers, parents, guardians or other adults in their lives;
- Wherever possible, before contacting the parents or other adults (such as social workers or caregivers) involved in the custody of a student who is trans or gender-diverse, consult with the student to determine an appropriate way to reference the student’s gender identity, gender expression, name and related pronouns;
- When requested by the student, school staff ensure the consistent use of the students chosen (i.e., preferred) name on school-issued documents such as report cards and other school correspondence
- When creating student/staff lists, school staff ensure gender designations are not included either beside individual names or as a composite number for the group;
- Students have access to washrooms that are congruent (match) with their gender identity;
- All students have access to change-room facilities that meet their individual needs and privacy concerns. This may include a choice of options such as:
  - a private area within the common change-room area (such as a stall with a door, or an area separated by a curtain); or
  - a nearby private area (such as a nearby washroom);
- A student who objects to sharing a washroom or change-room with a student who is trans or gender-diverse is offered an alternative facility (this scenario also applies when a parent or other caregiver objects to shared washroom or change-room facilities on behalf of their child); and
- Schools and school authorities proactively review existing dress codes to ensure they are respectful and inclusive of the gender identities and gender expressions of all members of the school community (e.g., rules apply equally and fairly to all students and are not gender-exclusive, such as implying that a certain type of clothing, such as skirts, will be worn by one gender only).



***Guidelines from Bill 10 will end gender-based uniforms – skirts for girls, pants for boys. Indeed, the terms boys and girls are to be avoided.***

The Bill must be challenged for violating a broad range of rights, freedoms and rationalities:

(1) Bill 10 amendments violate long standing and continuing human rights and fundamental freedoms detailed in the very same Bill of Rights, including:

- the right of individual and parental liberty;
- freedom of religion;
- freedom of speech;
- freedom of assembly and association.

(2) Bill 10 clashes with the Alberta Family Law Act provisions, weakening and casting into chaos the powers, responsibilities and entitlements of parenting (guardianship) including:

- Power to make day-to-day decisions affecting the child, including having the day-to-day care and control of the child and supervising the child's daily activities;
- Power to make decisions about the child's education, including the nature, extent and place of education and any participation in extracurricular school activities;
- Power to decide with whom the child is to live and with whom the child is to associate;
- Power to consent to medical, dental and other health-related treatment for the child;
- Power to grant or refuse consent where consent of a parent or guardian is required by law in any application, approval, action, proceeding or other matter;
- Power to receive and respond to any notice that a parent or guardian is entitled or required by law to receive; and
- Power to receive from third parties health, education or other information that may significantly affect the child.

(3) Bill 10 is the culminating legislation sanctioning Alberta Teachers Association (ATA) strategies for Anti-bullying, School Safety, and "Diversity, Equality and Human Rights" (DEHR) education. Bill 10 unconstitutionally imposes a willfully biased homosexual agenda on all Alberta Schools and students, articulated through "[Guidelines for Best Practices: Creating Learning Environments that Respect Diverse Sexual Orientations, Gender Identities and Gender Expressions](#);" "[GSA and QSA in Alberta Schools: A Guide for Teachers](#);" and numerous other ATA publications, recommended readings, and teaching and support resources.

A key "DEHR" violation is that while espousing and indoctrinating homosexual (queer) ideology and opinion as worthy, ethical, and scientifically accurate, all contradictory views and scientific assertions are declared (tacitly or directly) as unworthy, inaccurate, to be ignored, and to be pejoratively categorized as homophobic, transphobic, biphobic, or queerphobic bigotry.

A most significant grievance is that Bill 10 amends the Alberta Human Rights Act by repealing in full the parental opt out clause, Section 11.1. Prior to its revocation, Section 11.1 read as follows:

*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,*

Bill 10 demands the creation of GSAs/QSAs in all schools – public, separate, charter, private, faith-based, and home schools, upon request of one student. There are no limitations or regulatory guidance establishing what students cannot do in these clubs. There are no guidelines on age requirements for creation of or attendance in GSAs/QSAs. Upon request of the student his/her membership in GSAs/QSAs will be kept secret from parents, including self-selected new name and self-selected gender identity and expression. Parents no longer have a choice in or control over the indoctrination of their children in sex education, human sexuality, and religious or anti-religious matters. Children will no longer be exempt from these sensitive and controversial subjects by parental request.

## 3.0 KEY BACKGROUND

### 3.1 Local MLA Supports Bill 10 and Chides Court Challenge is the Only Recourse

Extract from MLA Clark, *Calgary Elbow Riding*:

*You have written to me several times regarding Bill 10 and LGBTQ issues. As I have responded previously, I am a strong supporter of Bill 10 and LGBTQ rights, including the education guidelines that ensure schools are inclusive for transgender students, and others. I appreciate that we live in a country where we are free to express our opinions and concerns and you have expressed those to me as your MLA. I hear your concerns and understand that you do not support Bill 10. **As I'm sure you are aware, as a Canadian citizen, you have the right to challenge any law in court.** I do not share your view in this matter and I will not be taking any action in the legislature to amend or repeal Bill 10. If you wish to contact me on other issues in the future, I would be happy to respond, but I will not be engaging further with you on this issue. [Bold text for emphasis]*

Mr. Clark has pitched his political tent in the “LGBTQ Movement” camp, anchored to the well organized and powerful GBLTQ lobby. Now complacent, he has turned a deaf ear to constituents who voice concerns with Bill 10. Similarly, the current Government is not interested in amendments to the Bill. Many Albertans - social conservatives, religious adherents, parents for choice in education, and parents opposed to unwarranted state intrusion into family dynamics, have been politically disenfranchised. It is now up to the courts to hear their concerns, balance constitutional rights, set legal boundaries to the LGBTTIQQ2S agenda, and redress grievances arising from Bill 10, related policies and guidance.

### 3.2 Possibility of this “Collision of Rights” was Identified in Same-Sex Marriage Ruling 2004

In the Same-Sex Marriage ruling of December 2004<sup>3</sup>, under the topic Religion, the Supreme Court of Canada (SCC) acknowledged concerns that the *Proposed Act* may violate freedom of religion. Regarding the “collision of rights,” the SCC dodged the issue stating:

*The potential for a collision of rights does not necessarily imply unconstitutionality. The collision between rights must be approached on the contextual facts of actual conflicts. The first question is whether the rights alleged to conflict can be reconciled...Charter decisions should not and must not be made in a factual vacuum. To attempt to do so would trivialize the [Charter](#) and inevitably result in ill-considered opinions. The presentation of facts is not, as stated by the respondent, a mere technicality; rather, it is essential to a proper consideration of [Charter](#) issues.*

*In summary, the potential for collision of rights raised by s. 1 of the Proposed Act has not been shown on this reference to violate the [Charter](#). It has not been shown that impermissible conflicts - conflicts incapable of resolution under [s. 2 \(a\)](#) — will arise.”*

Twelve years later, the so-called “factual vacuum” has been filled. The Preamble to the Alberta Human Rights Act captures the impracticality and the human rights balancing challenge - declaring all religious beliefs, genders, gender identities, gender expressions and family variations, equal in dignity, rights and responsibilities. With passage of Bill 10 there exist substantial collisions of rights and freedoms spanning right to liberty, freedom of religion, freedom of speech and freedom of association. The crux of these collisions is the toxic contrast in worldviews between traditional religious faiths and evolving homosexual dogma, most notable in the area of human sexuality.

Now is the time for the courts to walk the talk:

*“The right to freedom of religion enshrined in [s. 2 \(a\)](#) of the [Charter](#) encompasses the right to believe and entertain the religious beliefs of one’s choice, the right to declare one’s religious beliefs openly and the right to manifest religious belief by worship, teaching, dissemination and religious practice: *Big M Drug Mart, supra*, at pp. 336-37. The performance of religious rites is a fundamental aspect of religious practice.”<sup>4</sup>*

### 3.3 Heterosexism versus Homosexism: The Clash of Human Sexuality Dogmas

On May 3, 1993, almost a quarter century before passage of Bill 10, [The Nation](#) magazine, self-described “flagship of the left,” reported:

*All the crosscurrents of present-day liberation struggles are subsumed in the gay struggle...because sexual identity is in crisis throughout the population, and gay people – at once the most conspicuous subjects and objects of the crisis – have been forced to invent a complete cosmology to grasp it. No one says the changes will come easily. But it's just possible that a small and despised sexual minority will change America forever.<sup>5</sup>*

This new cosmology should be labeled “homosexism,” an umbrella worldview for a “sexual minority” and political movement now including people declaring Lesbian, Gay, Bisexual, Transsexual, Transgender, Intersex, Queer, Questioning, 2-Spirited, Gender-Diverse, Gender Fluid and Agender orientations, identities and/or expressions. In most doctrinal comparisons homosexuality is the converse of heterosexism, and consistently in moral and theological conflict with traditional religions like Christianity, Islam, and Judaism.

The reality that heterosexual, homosexual, and all orientations/identities/expressions in between, have constitutional protections against certain types of discrimination, and that all associated sexual acts and behaviours across this “sexuality spectrum” are legal, does not make them experientially equivalent, the same, or all desirable. As the Public Health Agency of Canada points out in our sexuality there are biological, psychological, social, economic, political, cultural, ethical, legal, historical, religious, and spiritual factors and consequences at play.<sup>6</sup> Although this cosmology – “post [Stonewall](#) (June 1969) homosexuality,” is constantly evolving and expanding in greater segmentation of the sexuality spectrum (LGBTTIQQ2S), five well defined doctrinal areas are in significant discord with the long established faith-based heterosexist worldview. The following are a synopsis of the conclusions taken from the full (156 page) Bill 10 Court Challenge document.

## **1 - The “Wavering Child,” Whom the LGBTTIQQ2SA Community Calls “Questioning Child (Q)”**

At issue is whether the State can force parents, against their will, against their faith, to have their children, regardless of age (K to Grade 12), indoctrinated with the legislative aim of convincing them to be indifferent to homosexuality. Such indoctrination, if effective, makes sexual experimentation among our youth more likely, dealing with the “Questioning” stage more complex and political, and “coming out” to a LGBTTIQQ2S lifestyle more probable. Parents losing control and influence over their children’s ethics, values and beliefs instruction to a *one-size-fits-all*, secular humanist agenda of the State, will mark the end of religious freedom in Canada. Long before the era of political correctness, Sally Gearhart, in *The Miracle of Lesbianism*, was extremely forthright in declaring a key homosexual goal, writing: *Ultimately the church as we know it cannot be reformed; it must die. So must the Trinitarian theology on which it is based.*<sup>7</sup> Surely, our Constitution does not support this outcome. Canada must maintain societal space for faith-based students and parents beyond sole confinement to the church sanctuary and personal residence.

## **2 – Marriage, Monogamy, Procreation, Parenthood, Kinship, and Family – Deconstructed**

Without the opt-out provision (the now repealed Alberta Human Rights Act, Section 11.1) faith-based parents and others holding traditional family values have to contend with State sponsored instruction aimed at instilling indifference (acceptance) to all family types and all procreative machinations. If Bill 10 stands unchanged, the Alberta Education Ministry will now have to educate

our youth starting in Kindergarten to the advent of kids with at least 24 variations of family origin and makeup, including 3 and 4 parent families, parentage only united by legal contracts, and children of inert same-sex parents created by buying \$150,000 - \$1,000,000 of IVF technology or by cloning when perfected. Feminists, interested in achieving equal political, economic, and social rights for women, must acknowledge that for procreation in inert gay relationships, their sex has been relegated to a production facility for eggs and a womb for surrogacy rental, to be procured at a price. Only people with a strong contempt for one of their heterosexual parents would conceive of the notion that a family without the mother or the father is to be celebrated with indifference by society and that the designation "Parent 1 and Parent 2" on the child's birth document in lieu of mother and father is progress!

### **3 – Sexual Morality in LGBTTIQQ2SA Ideology: Whatever You Wish Right or Wrong to Be!**

What the LGBTTIQQ2S community really wants is not toleration, but indifference, respect and equality. Not one of these goals can be achieved by legislation. They are voluntary acts by the social majority. Bill 10 is not likely to make achieving their agenda easier; indeed, the objectives become farther from reach. The community strategy of unqualified inclusiveness (now 9+ groups, not including all claimed identities), gender diversity beyond male and female, and moral relativism for all sexual practices is not tolerable to those holding to a faith-based and heterosexual worldview.

In response to gay activism, Kristi Hamrick, Press Secretary for Family Research Council, makes an astute point:

*This is why lines must be drawn, standards discussed, and battles fought. Because when people push the envelope of morality and get away with it, they don't sit back to enjoy the sensation. They reach further – touching the lives of the people around them – touching the lives of your children, and someday, mine.<sup>8</sup>*

### **4 – Ecological Consequences of Gay Sex: Risk Reduction and Codependence on Technology**

Secular (i.e. public school) human sexuality programmes are not neutral in messaging. Even if they were, they would still be offensive to faith-based education. God is neither neutral nor indifferent to oral and anal sex. Semen was never designed/intended for deposit in the mouth or anus, end of debate. CATIE, Canada's source for HIV and Hepatitis C information describe the epidemiology of HIV in Canada:

- 75,000 Canadians are living with HIV at the end of 2014;
- 16,020 people with HIV remain undiagnosed in 2014 - 21% of all infections;
- 26,400 people with HIV have died due to HIV-related illness by the end of 2014;
- The total infections breakdown as follows:
  - 39,630 gay men and other men who have sex with men (MSM) – 53% of total;
  - 13,960 people who used injection drugs – 19% of total;
  - 23,700 people whose HIV status was attributed to heterosexual sex – 31% of total.  
Note of these 11,360 people (15% of total) were from a country where HIV is endemic.
- Four out of five infected people were male.<sup>9</sup>

Note that according to the Stats Canada (referring to The Daily, 15 June, 2004) approximately 211,200 gay men lived in Canada at that time, increasing this figure by Canada's population growth to 2014 yields 233,296 gay men.<sup>10</sup> In effect 17% of all gay men in Canada in 2014 were infected with HIV. Put another way 1.3% of the male population (gay men) make up 53% of the HIV infections.<sup>11</sup>

**James Wilton**, coordinator of the Biomedical Science of HIV Prevention Project at CATIE, reports a re-emergence of STIs among males having sex with males. He wrote in the Fall 2015<sup>12</sup>:

*Rates of many sexually transmitted infections (STIs) are either high or on the rise among gay men and other men who have sex with men (MSM)...According to the Public Health Agency of Canada, after a decline in STIs among MSM beginning in the 1980s, there has been an increase in syphilis, gonorrhea, chlamydia, genital herpes, hepatitis A virus (HAV), hepatitis B virus (HBV) and HIV among MSM in Canada and internationally since the mid-1990s.*

*Syphilis infections are increasing in Canada and, between 2003 and 2012, rates increased by about 100%. Data from some provinces in Canada and other high-income countries suggest the majority of syphilis infections are occurring among MSM. For example, in 2013, 85% of syphilis cases in British Columbia were MSM.*

*Gonorrhea is the second most commonly reported STI in Canada (after chlamydia) and, between 2003 and 2012, rates increased by 39%. Data from some Canadian provinces and other high-income countries suggest MSM have high rates of gonorrhea. For example, in 2014, 41% of males diagnosed with gonorrhea in Ontario were MSM. A survey of over 4,000 MSM recruited from a variety of different venues (including gay bars) across Canada between 2005 and 2007 found that 21% reported being diagnosed with gonorrhea in the past.*

*Human papilloma virus (HPV) is a sexually transmitted infection that can lead to genital/anal warts and cancer. In a sexual health survey of MSM in Vancouver, 18% of men had been diagnosed with genital warts, 62% were infected with a strain of HPV, and screening for anal cancer detected abnormalities in 64% of HIV-positive men and 34% of HIV-negative men (suggesting anal cancer may be present). In North America, rates of anal cancer are higher among people living with HIV (compared to HIV-negative people) and HIV-positive MSM (compared to other HIV-positive men and women). Indeed, anal cancer is now one of the most common non-AIDS-defining cancers among people living with HIV.*

The Ontario and Alberta curriculums, promote the value system of the LGBTTIQQ2S social group and disparage the views of Christian, Muslim and Jewish faiths to mention only a few. Moreover, this is done while distorting science and leaving out critical facts (see next section - American College of Pediatricians: Gender Ideology Harms Children). The aim is sadly not education but indoctrination, crossing into propaganda. Faith-based parents must be given constitutional protection to ensure the ability to withdraw their children from harmful secular sexuality programs.

## 5 – American College of Pediatricians Declares: “Gender Ideology Harms Children”

The American College of Pediatricians (ACPeds) posted a statement with references under the title “[Gender Ideology Harms Children](#),” March 2016.<sup>13</sup> The ACPeds urges educators and legislators to reject all policies that condition children to accept as normal a life of chemical and surgical impersonation of the opposite sex. Declaring that *Facts* [correct science] - *not ideology* – *determine reality*, they wrote:

- *Rates of suicide are twenty times greater among adults who use cross-sex hormones and undergo sex reassignment surgery, even in Sweden which is among the most LGBTQ – affirming countries.*
- *Conditioning children into believing that a lifetime of chemical and surgical impersonation of the opposite sex is normal and healthful is child abuse.*

The human sexuality education, which Bill 10 forces upon all parents and students, is ideology-based propaganda aimed at promoting the LGBTTIQQ2S agenda in schools. Curriculum resulting from this agenda is not based upon sound medical science nor unbiased evidentiary data. Moreover, the curriculum deliberately leaves absent facts that contradict agenda goals. Alberta parents (faith-based or secular) should not be coerced into enduring the intolerable in their children’s education and sexuality counselling. Our children, our children’s children, and their children are not guinea pigs to be unwilling participants in an unprecedented human political and ideological sexuality experiment.

### 3.4 “Homophobe!” - Labeling and Name-Calling from a Cognitive Dissonance Perspective

The definition of “homophobia” in the Alberta Teachers Association publication, [GSAs and QSAs in Alberta Schools: A Guide For Teachers](#), reads:

*Fear and/or hatred of homosexuality in others, often exhibited by prejudice, discrimination, intimidation, bullying or acts of violence.*

Given this definition, the strategy of stereotyping all disagreement with homosexist ideology as “homophobic bigotry” and the typecasting of all people challenging the dogma as “hateful homophobes” is suggestive of a form of denial within the Movement and of a hypocritical attempt at bullying. The name-calling is also used to elicit sympathy for the LGBTTIQQ2S community as undeserving victims of irrational, fearful, hateful criticism. Presumably under homosexist dogma, the American College of Pediatricians (ACPeds) is an association full of homophobes, rampant in homophobia for their declaration against “gender ideology.”

Principled disagreement is not fear and should not be labelled "homophobia." The restrictively pejorative use of the term "homophobia" reflects upon the intent of the LGBTTIQQ2S community to skew perceptions of themselves (versus their detractors) by manipulating the language used to describe them. Recently the Associated Press has dropped the term "homophobia" from its Style Book and will no longer use that term in its news reports, noting that the use of the suffix "-phobia" (referring to an "irrational or uncontrollable fear") should not be used in political or social contexts in AP reports, including "homophobia" (and its derivative "homophobe").<sup>14</sup>

Bill 10 strips parents of the ability to have their children opt out of a grossly unscientific, cognitively flawed, homophobic-inspired human sexual orientation agenda. A programme instigated by the political left and fostered by the ATA. Socially conservative and faith-based Albertans have been abandoned by the political right and thrown under the bus. A bus headed on a route to make all students indifferent to all so-called “sexual orientations, identities and expressions.” A bus driven by liberal activists bent on rolling over as many religious and/or conservative “homophobes” as possible along the way!

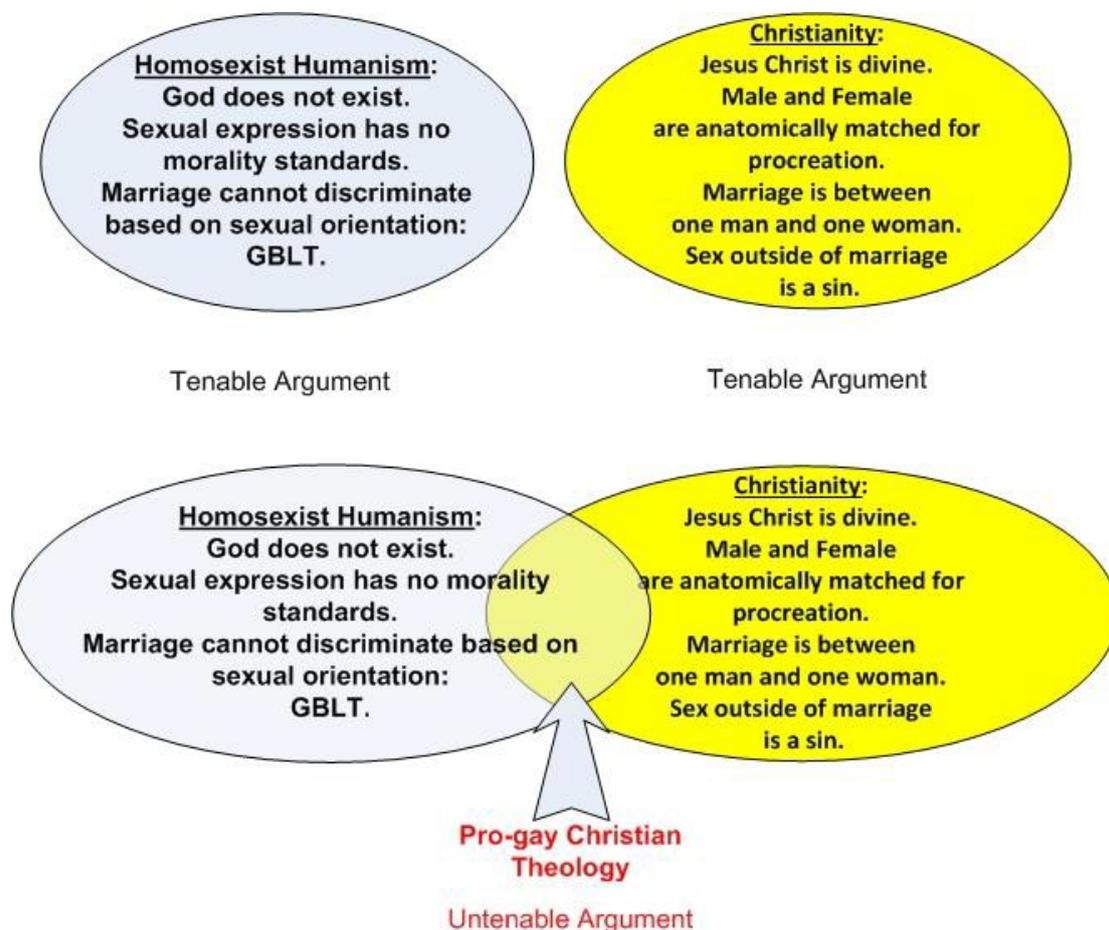


### 3.5 Debugging So-called “Pro-Gay Christianity”

The ATA, in their publication [Safe and Caring Schools for Lesbian and Gay Youth – A Teacher’s Guide](#), note under the title “A dozen misconceptions – #6 All religious groups oppose homosexuality”:

*There are a variety of religious opinions on homosexuality. Some groups consider homosexuality to be a sin, others consider it to be a gift from God, and still others do not even consider it.* <sup>15</sup>

The untenable position of pro-gay Christian theology is graphically summarized below in the overlap of two incompatible, hostile and clashing worldviews.



At stake for traditional (Bible-trusting) Christian believers - parents and children, and for their schools and colleges, are the constitutional rights of freedom of religion, speech and assembly. Christian beliefs are not compatible or reconcilable with homosexuality. To the extent that Bill 10 and all associated guidance succeeds, the Christian worldview will be undermined, and children deceived and put at risk of either being blocked from or led away from the faith.

### 3.6 Conferring Individual Dignity and Respect Versus Celebrating Transexuality

On the ATA website is a list of [Frequently Asked Questions for Teachers](#) along with recommended responses. One question and response reads:

*What if people say that I am advocating a homosexual agenda?*

*Schools and teachers who address LGBTtransgender educational issues are not advocating or promoting a homosexual agenda; they are creating a safe, caring and inclusive environment in which all students and their families can expect to be treated with dignity and respect.<sup>16</sup>*

The [PRISM Tool Kit](#) is one of the 22 resource documents listed at **Appendix E** to the full Bill 10 Court Challenge document, which are either published or endorsed by ATA for the purpose of promoting “safe and supportive, classroom discussions about sexual minorities and gender variance” and reducing homophobia. In the PRISM Tool Kit, under the title “Research Trends,”<sup>17</sup> [Ritch Savin-Williams](#) is referenced describing the future stage of progress in the “LGBTQ agenda”:

***Fourth stage: Future response***—*With increasing gains in the legal recognition and protection of LGBTQ individuals, Savin-Williams argues that “banality” [“indifference”] may be the next wave of the future. He posits that youth are increasingly adopting a “post-gay” identity where sexuality is no longer considered the defining characteristic of their personhood. Savin-Williams maintains that the everyday ordinariness of same-sex attractions, as increasingly witnessed on television, film, and other media, may well become the defining feature for the future of LGBTQ youth. Because of these controversial claims, this fourth stage, banality, is currently one of the most contested issues in the field of LGBTQ educational studies. [My insert in bold.]*

Regardless of whether one is an atheist or religious, questions must be asked as parents. “Do we really want a society in which mothers and fathers are indifferent about the gender identities and expressions of their children?” “Do we want a society characterized by ‘banality,’ in which our children have total apathy about where they might perceive their sexual identity lies along the so-called ‘Heterosexual- LGBTTIQ2S (etc.) Identity Spectrum?’” “Do we want a society in which school staff and fellow students cheer at the self-profession (coming-out) of a 10 year-old proclaiming that he is transgender, wants to become transsexual, is pansexual, is two-spirit, queer, or is bi-sexual?” Bill 10 is a key legislative agenda item for the LGBTTIQ2S Community in their desire to move towards social banality!

Transgender and transsexual people are and should be protected by the Constitution against discrimination on the basis of their minority sexual identity (i.e. 3-6 in 1,000 people). All persons deserve to be treated with dignity and respect and bullying transgender/transsexual people is

wrong. However, to indoctrinate our children that Transgenderism is something to be celebrated; if not encouraged, is a movement gone too far, evidence of cognitive dissonance at senior activist white-collar level. If the education system is going to address Transgenderism, the goal should be to minimize the number of students wavering over or pondering these identities. Bill 10 puts all children at risk from indoctrination to a non-scientific, politically biased, medically dangerous, minority agenda. Furthermore, Bill 10 permits school staff on an unregulated, unqualified basis to secretly interpose themselves between child and his/her parents, upon the student's request, regardless of the child's age. The child will be allowed to live a double life – secret name, secret sexual expression, and secret use of opposite gender wash and change rooms, all without the parents' knowledge. In **Section 5**, the constitutionality of this unprecedented state-sponsored intrusion into the legal responsibilities of the child's parents will be challenged.

### 3.7 The Road to Bill 10: A Brief History of Political Travesty



The debate over Bill 10 - *Act to Amend the Alberta Bill of Rights to Protect our Children*, became stuck on finding a balance between the rights of LGBTTIQQ2S students and the rights of parents that are enshrined in Alberta's Human Rights Act, unique to the prairie province. In 2010, the Tories amended Section 11.1 of the Alberta Human Rights Act to allow parents to pull children out of class when religion, sexuality, or sexual

orientation is taught. Political opponents said that provision unfairly limits ATA teachers and stigmatizes sexual orientation.

In November 2014, Premier Prentice stated he planned to introduce legislation to “strike a balance” between students who want to start a gay-straight alliance (GSA), parents who want to choose what their child learns at school and a school board's ability to make decisions. The draft would require school boards to approve creation of a GSA/QSA club. Prentice said:

*This is too important an issue to be reduced to a political game. When faced with such an unfair and unbalanced approach, I believe that it is the job of a Premier and the job of a government to show leadership and to build consensus because rights need to be advanced, because children need to be protected, because parents need to be reassured and because school boards need to be respected.<sup>18</sup>*

In the end a “balance” was not struck and Alberta parents were thrown under the bus. Once there was need for “*balancing of three important rights in our society: sexual orientation, parental rights, and the important responsibilities of schools boards.*” After 10 March 2015, the need apparently went away. With all political parties now on the proverbial Bill 10 bus, the only option for those invested in keeping protected parental rights, in keeping protected religious rights, in keeping freedom of speech in schools, in protecting freedom of assembly, and in keeping a democratic effective mandate for school boards, is a constitutional court challenge.

### 4.0 THE OVERARCHING OBJECTIVE OF A BILL 10 COURT CHALLENGE

A Bill 10 court challenge will detail the poor connectivity between the goals of the legislation and the substance of the Law. Furthermore, the court challenge will expose the wanton disregard for basic rights across virtually every constitutional protection possible. The collision of rights and the

confrontation of discriminations have reached an apex in this legislation. The fight over Bill 10 is significantly a struggle of who in future has key influence over our children's up-bring – parents or state. The political left has staked-out its position in favour of the state. The political right has incredibly abandoned its base. Moreover, the struggle is about when (age appropriate timing) and how (sexuality education guidelines and topics) influence will be exercised. There is no doubt that Bill 10 severely weakens the authority of parents or guardians; the term “influence de-capitation” comes to mind. Others have used terms like “totalitarianism”<sup>19</sup> and “one-size-fits-all education.”<sup>20</sup> What is needed in this court challenge is constitutional clarification of how collisions of these diverse social spaces and confrontations of opposing protected rights are to be managed in the education realm. Much good can come from a court ruling with remedies to establish the balance of rights that Premier Prentice once declared so very important.

## 5.0 THE EVIDENT AND VEILED GOALS OF BILL 10

Bill 10 is officially titled “[Act to Amend the Alberta Bill of Rights to Protect Our Children](#).”<sup>21</sup> In the media, the Bill has been referred to as the [Transgender Rights Bill](#),<sup>22</sup> [Legislation for LGBTQ Students](#)<sup>23</sup> and [Bill Allowing Gay-Straight Alliances in Schools](#).<sup>24</sup> What becomes evident in study of this Bill is the absence of reasons or lack of clarity as to why all the amendments are needed. There are no explanatory notes with the Bill. At least [Bill 202](#) initiated by Liberal MLA Laurie Blakeman was forthright in intended rational, if not very persuading:

*WHEREAS other Canadian jurisdictions have recognized the need to enact similar legislation to protect the human rights and dignity of young persons in schools.*<sup>25</sup>

Since when has Alberta modelled its societal course on what Ontario or Manitoba has done? No other province had the opt-out provisions of Section 11.1 in the Alberta Human Rights Act.

### 5.1 Stated Goals Found in Bill 10 Legislation Text

Based on the text added to the Alberta School Act, the GSA strategy is to FORCE “*equality and non-discrimination with respect to, without limitation, gender identity, gender expression, family status or sexual orientation” under the assumption that this will make schools safer for LGBTTIQ2S students. The paradox in the legislation - a Bill that cancels the parental opt-out provision for sexual orientation indoctrination, and declares all schools - faith-based, private, home-school associations, and public, subject to GSAs/QSAs, is that it is not interested in *non-discrimination and respect* for “religious belief;” indeed, has violated Charter rights.*

### 5.2 Policy Goals Evident from Bill 10 Implementation Guidance

Whether one views “*equality and non-discrimination*” as achieving some level of tolerance, indifference or societal banality, all should agree that our children need to understand that tolerance, with respect, is needed for good public order and safety in a democratic and pluralistic society. The irony and unfairness in this Bill is that tolerance, respect, individual recognition and dignity are not seen as two-way streets. Bill 10 guidance is unilateral, my-way or the highway, all-inclusive (no avoidance) and does not treat all Alberta children as equal:

- Male and femaleness are to be de-emphasized in all facets of school life, i.e. reduction of sex-segregated activities including:
  - Boys-only and girls-only clubs [clubs intended to promote male role modeling or female role modeling are out];
  - Sports teams;
  - Uniforms;
  - Use of language – mother, father becomes guardian or Parent 1 and Parent 2;
- A neutral washroom for use by self-identifying transgender students is not appropriate, access to the self-identified need of a girls or boys washroom must be assured; and
- Students uncomfortable with the presence of pre-operative transgenders in their washroom or change room must seek alternate remedies.

### 5.3 Collateral Goals in ATA Diversity, Equity and Human Rights (DEHR) Programme

Based upon the Public Health Agency of Canada definition, one would say that the promoters of DEHR- *Sexual Orientation and Gender Identity* have the cart before the horse.” The *Canadian Guidelines for Sexual Health Education*, 2008 defines “sexuality” as follows:

*Sexuality is influenced by the interaction of biological, psychological, social, economic, political, cultural, ethical, legal, historical, religious, and spiritual factors.*<sup>26</sup>

Human sexuality should not be classified and conflated with the value gained from ethnic or cultural diversity; should not be equated with the equity of benefit to Canada from African, Chinese, European, Middle Eastern, etc. immigration. The brainchild of the homosexual activists that leads one to advocate or imply that Canadian society would be better if there were just more transsexuals, more queers, more single sex parents (two gay Dads or two lesbian Mothers), or more three parent families to diversify the population is evidence of acute cognitive dissonance. The DEHR Sexual Orientation and Gender Identity programme is a back door means of getting around the Alberta Education curriculum to promote the left political and the homosexual agendas under the pretext of celebrating and supporting Canada’s “*vibrant kaleidoscope of cultural diversity.*” Sexuality is influenced by culture, it is not equal to or the same as culture.

## 6.0 RATIONALITY OF THE LAW TO THE STATED AND INTENDED GOALS

Surely the rational for Bill 10 cannot rest on keeping up with the proverbial Jones - Ontario:

*WHEREAS other Canadian jurisdictions have recognized the need to enact similar legislation to protect the human rights and dignity of young persons in schools.*

Who says Ontario’s approach is the best, or accepted by most Ontarians, or is constitutionally correct? In this section the Bill 10 goal - “*protection of our children,*” by creating a “*welcoming, caring, respectful and safe learning*



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*environment that respects diversity and fosters a sense of belonging*” will be parsed into sub-objectives for study: school safety and suicide mitigation, caring and inclusive environment, impartial guidance and sexual health counseling, and tolerance success.

### 6.1 What Measures for Safety - Suicide Mitigation, Anti-Bullying Success, GSAs Created?

The 2006 ATA publication [Gay-Straight Alliances in Alberta Schools: A Guide for Teachers](#), authored by [Kristopher Wells](#) lists the risk factors for LGBTQ youth - negative self-esteem, drug and alcohol abuse, feelings of depression and isolation, disruptive school behaviour, increased sexual activity and decreased academic performance. He also notes:

*In correlation to these risk factors, LGBTQ youth have been found to have suicide rates that are two to three times higher than their heterosexual peers (Fenaughty and Harré 2003).<sup>27</sup>*

There is a considerable rise in the suicide rates for the high school age group 15-19, particularly among males when compared to ages 10-14. It is evident that suicide prevention should be a major concern in high school relative to elementary grades. Moreover, for those truly interested in reducing teen deaths, student suicide should be seen as an issue for all high school students regardless of sexual orientation or gender identity, along with acknowledgement that the male suicide rate in high school students is four times that of females. Whether one accepts the *Egale* estimate that 28% of suicides are LGBT students or a significantly lesser percentage the issue needs to be addressed. Fundamental questions to ask and answer: Is the Bill 10 approach of universally applied GSA/QSA mandates on the basis of one student’s request, removal of all gender specific terminology and activities in schools, and elimination of parental controls over their children’s sexuality education an effective strategy to reduce perceived suicides among LGBTTIQQ2S students? Is the Bill 10 approach of facilitation of a student’s secret name, sexual orientation, or gender expression at school, different from that lived at home, an effective strategy to reduce suicides among LGBTTIQQ2S students? How many Albertan LGBTTIQQ2S students commit suicide because of “homophobia” among peers at school.

Suicide is a very complicated matter. No full analysis of the issues related to youth suicide has been attempted in the full version document. However, before losing sight of the big picture and launching a potentially low effect suicide prevention programme under the titles mandatory GSA/QSA clubs and DEHR indoctrination, all sides on this subject must endeavor to get the facts straight. It seems fair to say, based on the research of [Moskos, Achilles, and Gray](#) alone, that there are many more factors at play in the suicides and attempted suicides of straight and LGBT students than the environment at school. Suicide “is caused” by an interplay of biological, psychological, environmental, and social factors. Moreover, mental illness is the leading risk factor for suicide. Suicide risk-factors vary with age, gender, ethnic group, family dynamics and stressful life events. Since mental illness is the leading risk factor and plays no favorites between straight and gay, future efforts in our educational system must use evidence-based screening tools to identify youth at risk, and link screening responses to appropriate professional treatment referrals. Certainly, GSAs aimed primarily at promoting LGB pride and social events combined with Bill 10 guidance isolating GBLT youth from their parents’ childrearing authorities and medical health responsibilities is not a likely path to significant reduction in youth suicides.

There is evident need for effective municipal and school health policies and practices to help reduce the prevalence of health-risk behaviors and improve health outcomes among all students, but sexual minority youths in particular. School staff members and others who work with sexual minority youths must have adequate qualifications based on specialized training to help them understand the needs of sexual minority youths and shape behavioral health messages appropriately. A quote “safe place” in which to share or deliberate and to question qualified school staff in a confidential supportive manner is an essential element in reaching these minority youth. This said, the ability to have these focused, intimate private conversations is not in a classroom where 97% of the student population is heterosexual. Given the demographic data (see Bill 10 Court Challenge full text Sections 6.1 and 6.2) indicating that sexual minority numbers may be very low in many if not most schools, would it not be better all around where a school board has established the need, to conduct sexual minority health education within the GSA/QSA context. This approach would go a long way towards reducing the conflict over indoctrinating the vast majority of students (95%) in the usual sexual practices of the sexual minority students (5%). Instead of a one-size-fits-all sex education approach this focused pedagogy would create less controversy with parents and allow sexual minority students to receive appropriate instruction from teachers qualified and comfortable to engage LGBTTIQQ2S pupils. As will be explained next there are two types of GSAs/QSAs: (internally focused clubs) that may promote better health and well-being and two types (externally focused, activist clubs) that will in all likelihood increase friction between the sexual minority and majority, eroding not improving the environment in public and faith-based schools. Unfortunately, Bill 10 and Education Ministry guidance make no attempt at prescribing the club constitution for GSAs/QSAs.

[GSAs and QSAs in Alberta Schools: A Guide for Teachers](#) identifies four major categories of GSAs/QSAs:

**1) GSAs or QSAs for Counselling and Support**

**2) GSAs or QSAs that Provide Safe Spaces<sup>28</sup>**

The need for either of these categories of GSAs/QSAs is strong and comes with little downside regarding potential for homophobic propaganda, if the club is properly regulated. These two types, with well defined rules and limitations set at school board level, should be automatically supported upon student request.

It is the 3<sup>rd</sup> and 4<sup>th</sup> types in the ATA guidance that present intolerable opportunities for proliferating propaganda:

**3) GSAs or QSAs to Raise Visibility and Awareness**

**4) GSAs or QSAs to Effect Educational and Social Change<sup>29</sup>**

The premises of GSA type 3 and 4 are that society is out of touch, in need of change, social banality has yet to be reached, and GSAs/QSAs have an “*anti-oppression educational mandate across intersections of difference (race, gender, class, ability, sexual orientation, gender identity)*.”<sup>30</sup> Where in the Alberta curriculum is this mandate?

## 6.2 What Measures for a Caring and Inclusive Environment?

Do Ministry and ATA guidelines for GSAs/QSAs demonstrate care for and respect for diversity? To the extent that the answer for specific guidelines is no, the rules need to be changed or clarified.

Those who make rallying calls to allies and questioning kids to come and join and/or CELEBRATE with the school LGBTTIQQ2S community need to face up to the question: **“Have they done all they can to prevent kids from choosing a transgender, queer or intersex identity?”** Leading the child along or standing by and doing nothing are unacceptable “best practices.” The following policy by the Calgary Board of Education (CBE) is not acceptable to the vast majority of parents:

*Evidence-based best practice tells us that allowing children to take the lead with their gender identity and supporting them with this exploration is helpful. We help children when we give them room and freedom to explore free of judgement. In short, it is best to give children room to express their gender in ways that feel natural to them and to not “box” them in and hold them to any particular gender rules. It is also important to honour the gender identities that adolescents share with us as they are very likely to reflect their true and longstanding identity – [Creating Conditions to Thrive: Guidelines for Attending to Gender Identity, Gender Expression and Sexual Orientation in Schools](#).*

Those who support Bill 10 and the ATA are not applying evidence-based medical science; rather they have swallowed an ideological party line. Does anyone really believe these identities happen in some innate unchangeable biological vacuum? Obviously not, or the homosexist movement would not speak of fluidity and change between untold possible identities. The Public Health Agency of Canada lists influences on “sexuality” in *Canadian Guidelines for Sexual Health Education*, 2008 as follows:

*Sexuality is influenced by the interaction of biological, psychological, social, economic, political, cultural, ethical, legal, historical, religious, and spiritual factors.<sup>31</sup>*

The American College of Pediatricians reject the gender “ideology” espoused by CBE. The medical experts assert:

*Children who use puberty blockers to impersonate the opposite sex will require cross-sex hormones in late adolescence. Cross-sex hormones (testosterone and estrogen) are associated with dangerous health risks including but not limited to high blood pressure, blood clots, stroke and cancer. Rates of suicide are twenty times greater among adults who use cross-sex hormones and undergo sex reassignment surgery.<sup>32</sup>*

Real evidence suggests the actions triggered by implementation of Bill 10 will mean more children who could have lived normal heterosexual lives will instead join the LGBTTIQQ2S community. Bill 10 changes the psychological, social, political, ethical, legal and educational factors all in favour of promoting more youth to experiment and choose a lifestyle in the LGBTTIQQ2S community. Worse the Bill denies parents the right to have their children opt out of sexual orientation indoctrination and denies parents the right to know whether their children (regardless of age) are leading a secret sexual identity or attending a GSA/QSA that they don’t wish their mother and father to know about. Faith-based schools have no exemption.

Bill 10 mandates unqualified teachers and staff to meddle into the medically, psychologically and spiritually complex sexuality of our children. This is a fundamental new incursion of the state into parental responsibilities. The Ministry makes bold assertions that crucial staff training will occur to

prepare staff for these new responsibilities. However, based upon the guidelines set out in Ministry, ATA, school board and school level publications currently in place this training, when it occurs, will only further indoctrinate the homosexual agenda without applying balanced, truly evidence-based practices. Many more children will be put at risk than those who may potentially be better off under the programme. The programme will result in more children not following a heterosexual life path while not appreciably reducing the so-called “adversity” faced within the LGBTTIQQ2S community. For faith-based families (Christian, Muslim, Jewish ...) children will be at risk because God has designed sons and daughters to be heterosexual and restricts sexual relations to the sanctity of marriage.

Imposing unregulated, independent, LGBTTIQQ2S student-led, GSAs or QSAs (Types 1 to 4) into faith-based schools presents an intolerable clash of beliefs and purposes and opens each school to uncontrollable controversies over maintaining institution aims. With two important changes to how clubs are administered the general limitations and objectives previously expressed in the Type 1 and Type 2 GSAs/QSAs are compatible with faith-based values and school goals. First, the confrontational title “Gay Straight Alliance” in a religious institution defeats the goal of trying to create an inclusive caring environment. A more suitable club title should be worked-out with the club members and school board. Second, the club should not be empowered to operate independent of school board approval, regulation and authority. If the club and the faith-based school authorities cannot become “allies” in this endeavor the club will not function well.

## 7.0 RATIONALITY OF THE LAW TO MINIMIZE IMPAIRMENT OF INDIVIDUAL RIGHTS & FREEDOMS

The concept behind measuring the rationality of Bill 10 to minimize impairment of Charter freedoms is rooted in three judicial values:

- Duty to Accommodate – this is a measure of the suitability to balance the diverse interests of individuals, parents, groups, institutions and organizations in society.
- Proportional Gain ≥ Burden – this is a measure of likely benefit from the law versus the problems and burdens it creates
- Reasonable Limits Can be Demonstrably Justified – this measures the fairness and justification of the limitations imposed.

### 7.1 One Size Fits All Students, All Schools, All School Boards, All Parents – No Exceptions!

#### **Duty to Accommodate**

The intent of Bill 10 is to improve the level of protection for “our” Alberta children. Given the importance of parents, school boards and school staff, how this goal might be achieved while making no accommodation to the interests, authorities and responsibilities of parents and their elected school board representatives is unclear.

#### **Proportional Gain ≥ Burden**

The Bill itself and the debate around the legislation did not establish why Section 11.1 of the Alberta Human Rights Act needed to be repealed. Absent is any credible analysis of youth suicides among

Alberta sexual minority students that can be attributed to their school environment. Absent is any analysis (credible or otherwise) of the environments for students at faith-based and private schools, in rural areas, and at home-school associations.

### **Reasonable Limits Can be Demonstrably Justified**

The Bill enforces a blanket law on 2,388 schools to erase male and female gender terminology from use. Gender-segregated sports and other activities must be minimized. Transgender pre-operative students may refuse to use a non-gendered washroom and must be given access to the gendered washroom of choice. Uncomfortable students in the presence of transgender students must move and find accommodation elsewhere. The lack of an age limit on who can initiate a GSA/QSA (Grade K – 12) and the threshold of only one student needed to initiate a club is careless policy. One or two sexual minority activist students forming an unregulated, independent, student led Type 3 or 4 GSA/QSA at a school in a rural predominantly religious town will make the environment worse for students who are Closeted, Out, Mistaken or Questioning. Only locally elected school boards can bring sense to their school environments. A rural school or small school of 100 to 200 students likely has 5 to 10 students considering non-heterosexual identification. These students may be spread over 12 grade levels. Are we really suggesting that a confused Grade 2 student should be empowered to join a club started by a sole sexual minority Grade 6 student? Taking control of GSA/QSA formation out of the authority of the school boards is putting our children at risk and the general environment at schools at risk.

## **7.2 Parent, Child, State Custody Rights and Relationships**

What are evident from Family and Child Law are the fundamental roles of parents and the sanctity of family from the state's intervention perspective. When intervention is necessary the *Child and Youth Advocate or Child Intervention Worker* is to maintain the integrity of the family if at all possible. The state declares "*a child's familial, cultural, social and religious heritage is to be recognized and respected.*" The state has established a service which includes due legal process and an appeal process before the state inserts itself into the area of recognised rights and responsibilities of parents. Bill 10 totally thwarts the wisdom, protections and intents of the Family Law Act and other child welfare-related acts.

### **Duty to Accommodate**

Bill 10 empowers the child to secretly adopt any self-identified sexual orientation, identity or expression without advising the parents. Bill 10 mandates teachers, likely on a volunteer basis, to do what Child Welfare Services trained and qualified staff can only attempt after due legal process. The Bill makes no provision for a dispute mechanism when parent, child and school are in disagreement over the best interest of the child.

### **Proportional Gain ≥ Burden**

The child is empowered to pull away from the influence of parents and siblings and encouraged to take membership in a GSA/QSA club which may use the child as a means to *effect educational and social change, strive to move beyond tolerance, have a visible schoolwide presence characterized by social, educational and political activities.*<sup>33</sup> In the end the parents are left holding responsibility for the child and may see all this empowerment as victimizing their child for use in a social transformation agenda which is not part of Alberta curriculum.

## Reasonable limits can be demonstrably justified

The Family Law Act requires more respect and communication from joint guardians than Bill 10 offers: *“Except where otherwise limited by a parenting order, each guardian is entitled to be informed of and consulted about and to make all significant decisions affecting the child in the exercise of the powers and responsibilities of guardianship.”* What can be more important to parents than the sexual identity of the children and their children’s behaviour at school? The Children First Act states a child must be 12 or older to have a major say (consent) in a guardianship agreement. Bill 10 sets no age parameters to a child declaring a minority sexual identity and acting on the decision through the clothes worn, washrooms used, name adopted, GSA/QSA clubs attended, while also empowering the child to keep knowledge of these actions secret from parents.

## 7.3 Parental Rights & Powers for the Child’s Medical Well-being

The Alberta Law Act states the following regarding parental entitlements, powers and responsibilities for the child’s medical well-being:

- (4)(a) to make day-to-day decisions affecting the child, including having the day-to-day care and control of the child and supervising the child’s daily activities;*
- (5)(a) to nurture the child’s physical, psychological and emotional development and to guide the child towards independent adulthood;*
- (g) to consent to medical, dental and other health-related treatment for the child;*
- (l) to receive from third parties health, education or other information that may significantly affect the child.*

### Duty to Accommodate

Bill 10 contradicts the wisdom underlying family law and child welfare prudence by setting up guidance that claims children, regardless of age, are capable of making decisions about their self-identification, upon which the school system will abide by in spite of parental non-knowledge or disagreement. Alberta Education [Guidelines for Best Practices: Creating Learning Environments that Respect Diverse Sexual Orientations, Gender Identities and Gender Expressions](#) offers no explanation of who certifies that a child has Gender Disphoria in accordance with DSM 5. Will it be a volunteer teacher, the school nurse or a counsellor, the parents, a mother, a father, a guardian, a lawyer paid for by Egale Canada, or the insistent 7 year-old student? Evidence points to a quagmire of litigation with outcomes highly influenced by age of the child, parental unanimity, and expert advice.

### Proportional Gain ≥ Burden

A hypothesis of Bill 10 is that safety gains from potential environmental change in schools – i.e. less bullying and significant eradication of “homophobia,” and a much improved lifestyle resiliency through membership in the LGBTTIQQ2S community will:

- (1) prove healthier for more kids than the potential risks through loss of parental influence on the child’s medical and psychological conditions; and
- (2) be more beneficial than the additional number of children who will experiment and choose the LGBTTIQQ2S lifestyle over remaining on a development path toward heterosexual identity.

The authors of Bill 10 and subsequent guidance (Ministry, ATA, school boards and schools) assert that homophobia is the root cause of LGBTTIQQ2S health problems. Fix homophobia; achieve social banality and the manifest sexual behaviour health risks of the sexual minority will all but go away. The perceived impact of Bill 10 on lowering LGBTTIQQ2S adversity is conjecture at best. The prevalence of propaganda (inaccurate science, errors of omission and commission) embedded in the Ministry and ATA assumptions and guidance on managing diverse sexuality orientations, identities and expressions ignore the following:

- Rates of suicide are twenty times greater among adults who use cross-sex hormones and undergo sex reassignment surgery, even in Sweden which is among the most LGBTQ – affirming countries.<sup>34</sup>
- Advocates for GSAs know there is no proof that these clubs reduce suicides among LGBTTIQQ2S students although GSAs have been in existence for 10 years.
- Homophobia has not been proven to be the major cause of high health risk data:
  - HIV infection rates can't be correlated to homophobia;
  - STI rates can't be correlated to homophobia;

**Reasonable limits can be demonstrably justified**

An equally risky presumption in the Bill is that school staff (appointed or volunteer) will be sufficiently qualified and unbiased in dealings with the children regardless of the self-identity of the child or the orientation of the teacher or staff person. A volunteer may have a bias in favour of his or her sexual identity. Neutrality and fairness is essential. Specific training to achieve this must be part of any programme.

The behavioural health risks to joining the LGBTTIQQ2S sexual minority are disproportionately high in comparison to heterosexual lifestyle. The risks play out in youth and in adulthood. Parents have the right to be informed by the child's school of all health concerns and situations. Parents cannot properly execute their role and medical responsibilities if a school secretly keeps them in the dark regarding their child's sexual orientation, identity or expression. There is no age at which it is appropriate for school staff to keep a child's sexual identity secret from parents.

**7.4 Parental Rights & Powers for the Child's Education**

The variety of schools in Alberta, including home schools and faith-based schools demonstrates the desire by parents to choose the type of education that conforms to their religious and philosophical convictions.

**Duty to Accommodate**

Bill 10 makes no provision for the curriculum sensitivities across the spectrum of authority types in education. During debate leading up to the vote, opposition Liberals argued that none of the existing GSAs were in faith-based schools, private schools or in rural areas. The Bill was not intended to accommodate predominant interests of those schools. Again, the Bill could have left the local school boards with authority to decide on the

Authority Type	Quantity of Schools <sup>35</sup>
Public	1498
Separate	391
Francophone	40
Charter	22
ECS Private Operator	130
Private School	182
Provincial	56
Federal - First Nations	62
Federal	7
Total	2388

need and type of GSA.

### **Proportional Gain $\geq$ Burden**

Bill 10 denies parents the right to exempt their children from sex education in order to make all children aware of the diversity of family models. The Bill enforces one approach to sex education across all school authorities. Parents choose the schools they want for their children to reinforce their values and to control indoctrination from biased, unscientific views linked to a social agenda. The curriculum aim in introducing K-1 students to two moms or two dads was intended to instil tolerance. In effect this social experiment has opened the door to some 24 family permutations, which can only create confusion and/or convince the child that anything goes under the terms parenting and family.

In *Chamberlain v. Surrey School District No. 36*, [2002] 4 S.C.R. 710, Chief Justice Beverley McLachlin dismissed the board's concerns that children would be confused or misled by classroom information about same-sex parents. She pointed out that the children of same-sex parents are rubbing shoulders with children from more traditional families and wrote:

*Tolerance is always age-appropriate, children cannot learn unless they are exposed to views that differ from those they are taught at home.*<sup>36</sup>

Fourteen years later and this path of tolerance has now arrived at three parents, synthetic babies, placing a dad's name in the box for birth mother and issuing birth certificates with up to four parents listed. The agenda bias in a curriculum that wishes to place books like [Princess Boy](#) in early grade libraries is one of errors of omission – no explanation as to how or why a boy would want to wear a dress or how terms like synthetic baby, three parents, male birth mother etc. came about. The lack of the complete picture demonstrates propaganda. The curriculum goal should be to offer balanced facts at an age appropriate time and let the student decide what to tolerate.

### **Reasonable limits can be demonstrably justified**

Bill 10 ends the parent's right to make decisions about the child's education, including the nature, extent and place of education and any participation in extracurricular school activities (like GSAs/QSAs). The extent of family variations by the sexual minority has gone beyond a child's ability to reasonably integrate in the early grades. To expose children only to the less complicated or most easily tolerated models amounts to selective propaganda. The conditions that Bill 10 forces on faith-based institutions and religious parents; indeed, on many non-religious parents, go beyond toleration.

## **7.5 Role of Parents in Directing Alberta Education**

### **Duty to Accommodate**

Bill 10 universally overrides the elected school boards effectively ending the value of democratically elected trustees to connect parents' voices in their children's education.

### **Proportional Gain $\geq$ Burden**

The goal of teaching tolerance in Alberta schools is hardly achieved by a totalitarian Bill that universally forces a single sex education solution and single school safety strategy on all schools.

### **Reasonable limits can be demonstrably justified**

Trustees (parental representatives) are generally not elected for their positions on math, science or athletics. For decades the controversial issues in education have centered on curriculum approaches to sex education, school safety, anti-bullying, religious teaching and LGBTTIQQ2S student rights. By the enforcement of one solution for essentially all these social issues, Bill 10 takes these matters out of trustee election debate and vote, which is a giant step away from democracy towards totalitarianism.

### **7.6 Parental Rights & Powers to Decide With Whom the Child Associates**

The Alberta Law Act states the following regarding parental entitlements, powers and responsibilities:

*(e) to decide with whom the child is to live and with whom the child is to associate;*

#### **Duty to Accommodate**

Bill 10 violates the parents' ability to decide with whom their children associate. Parental entitlement, power and responsibility are central to executing nurturing authority in the best interests of the child. To empower a child, regardless of age to join a GSA/QSA in secret or against the parent's direction severely undermines parental authority and cohesion of the family.

#### **Proportional Gain ≥ Burden**

How does one separate the politics of LGBTTIQQ2S issues and not make children victims of labels and sufferers as tools in *Raising Visibility and Awareness and Effecting Educational and Social Change*? Bill 10 isolates self-labelled gay children (for example) from their parents and family in the name of building "resiliency" by uniting them with transgender, queer, lesbian, and bisexual youth. The notion of a cohesive "community" of some 56 plus possible sexuality expressions is really only an association in the context of shared homosexist politics. The concept that one volunteer teacher can supervise and counsel children across this broad spectrum of orientations, genders and identities in a GSA/QSA or that one club can integrate and serve the needs of all sexual minority students reduces the association in effect to one mostly of minority rights politics.

### **Reasonable limits can be demonstrably justified**

Bill 10 overrides parental authority to decide with whom the child is to associate. Again, the goal of a caring inclusive environment for the maximum number of students cannot be anchored to legislation intent on isolating the child from parental authority and immersing the child in the doctrine of a multi-identity community, which the College of Pediatricians claims in the case of transgenders is harmful, if not child abuse.

### **7.7 Collision of Rights – Freedom of Religion versus Homosexism**

There are Albertans who profoundly believe, as a matter of faith and of conscience, that homosexual acts are immoral. They believe that homosexuality is an indication of a disorder from God's intent for the sexes. They believe that teaching kids to celebrate a disordered identity or that homosexual acts are equal and as dignified as heterosexual intercourse is morally wrong. In a country that respects freedom of religion and freedom of conscience, these Albertans are entitled, legally and

morally, to their beliefs. Paula Simons of the *Edmonton Journal* spoke of religious freedom as follows:

*Civil liberties are the right to all Canadians. The state doesn't have the right to send in thought police to tell parents – be they Catholic, or evangelical Protestant or Muslim or what have you – that their beliefs are wrong. The state doesn't have the right to impose the political correctness of the day by legal fiat, nor to educate or indoctrinate children in ways their parents don't accept. That's why I support the rights of parents to home school, or to send their kids to private religious schools, if they so desire.<sup>37</sup>*

Homosexism is incompatible with Christianity, full stop.

### **Duty to Accommodate**

Upholding the Christian faith does not make one homophobic – i.e. holding an irrational fear or hatred of homosexuals. Christians have the right to uphold their beliefs in public. Bill 10 is either an unconstitutional direct assault targeting Christian, Muslim and other religious believers under the banner of eradicating homophobia or the Bill wrongly perpetuates the bullying tactic of name-calling all who disagree with homosexualist dogma as bigots. Bill 10 faultily does both.

### **Proportional Gain ≥ Burden**

The GSA/QSA program (Types 3 and 4) of *raising visibility and awareness and effecting educational and social change through outreach activities (e.g., diversity days, staff training, inclusive curriculum) and executing an anti-oppression educational mandate across intersections of difference (race, gender, class, ability, sexual orientation, gender identity)* is explicit homosexualist proselytization in our schools.

### **Reasonable limits can be demonstrably justified**

The attack on religious values and the portrayal of students holding to their faith as bigots, out of step with the course of social history, outside of designated “Safe-Space” zones, is unjustifiable in a free, democratic and pluralistic society.

## **7.8 Collision of Rights – Free Speech versus Homophobia**

### **Duty to Accommodate**

Bill 10 undermines the rights of religious students to voice their beliefs and values at school in a respectful and safe environment.

### **Proportional Gain ≥ Burden**

Bill 10 attempts to create a caring and inclusive environment for sexual minority students by doing the exact opposite – treating religious students and their beliefs with little care, respect or allowing an environment in which to voice their values without harassment.

### **Reasonable limits can be demonstrably justified**

Again, the universal name-calling of “homophobe” to all who disagree with the multiple identities, expressions and sexual practices subsumed in the so-called “sexual minority” is a form of hate speech. School authorities need to deconstruct the conceptual union of anti-bullying and anti-

homophobia. Bullying at all times is wrong. Opposition to the LGBTTIQQ2S movement or disagreement with homosexuality is not bullying; is a constitutional right.

## 7.9 Collision of Rights – Freedom of Assembly and Association versus Homosexist Space

*GSA and QSA are highly politicized ideological clubs which seek to cure society of “homophobia” and “heterosexism,” and which accept the idea that all forms of consensual sexual expression are legitimate. The view of sexuality that they espouse is not Catholic.*<sup>38</sup> – Bishop Henry

There is a certain incongruity between faith-based and sexual minority “spaces” desired for freedom of assembly and association.

### **Duty to Accommodate**

The assertion that LGBTTIQQ2S students should have GSAs/QSAs for the purpose of creating safe spaces for sexual and gender minority students and their allies in which to respect sexual diversity, foster a sense of belonging, and rally to the cause of *raising visibility and awareness and effecting educational and social change* collides directly with the vision and values held by faith-based schools. Bill 10 makes creation of GSAs/QSAs mandatory in all schools upon the request of one student who self-identifies as LGBTTIQQ2S or ally.

### **Proportional Gain ≥ Burden**

Types 1 and 2 GSAs/QSAs<sup>39</sup> (see page 17 for explanation) are not political, ideological, externally attempting to challenge the doctrines and beliefs of faith-based schools.

### **Reasonable limits can be demonstrably justified**

Types 1 and 2 GSAs/QSAs present a reasonable balance of care, support and community for LGBTTIQQ2S without the unlimited authority of the Types 3 and 4 to disrupt the greater environment of the whole school community.

## 8.0 REMEDIES

### **Range of Reasonable Alternatives**

A quote “safe place” in which to share or deliberate and to question qualified school staff in a confidential supportive manner is an essential element in reaching sexual minority youth. The ability to have these focused, intimate private conversations is not in a classroom where 97% of the student population is heterosexual. Given the demographic data indicating that sexual minority numbers may be very low in many, if not most schools, would it not be better all around where a school board has established the need, to conduct sexual minority health education within the GSA/QSA context. This approach would go a long way towards reducing the conflict over indoctrinating the vast majority of students (97%) in the usual sexual practices of the sexual minority students (3%). Instead of a one-size-fits-all sex education approach this focused pedagogy would create less controversy with parents and allow sexual minority students to receive appropriate instruction from teachers qualified and comfortable to engage LGBTTIQQ2S pupils.

Drop use of the name-calling, bullying, stereotyping, and pejorative term “homophobe” and its associated term “homophobia” and focus on anti-bullying programs as defined in Law and implemented in all schools.

**Remedies:**

**1. Striking Down**

- Provision that requires a GSA/QSA be started with one member only. **Recommendation:** Should be more than one and determined by the applicable school or school board.
- Secrecy provision which requires a school to not inform parents of sexual orientation, gender identity and/ or gender expressions which a student has declared, but wishes kept secret from parents. **Recommendation:** School staffs are not qualified to take on medical and psychological responsibilities mandated of parents and their selected medical doctors. Schools must be required to initiate Child Welfare protocols and gain judicial authority to support the students sexual identity needs without parental approval (K to Grade 12). Any other protocol will require a dispute mechanism and will likely place school staff and school boards in legal jeopardy. The school is not a state institution equipped to come between a child and the parent’s custody rights and responsibilities.

**2. Partial Invalidity**

- Schools should only have to deal with creation of Types 1 and 2 GSAs/QSAs.  
**Recommendation:** A provision striking down Types 3 and 4 GSAs/QSAs

**3. Reading Down**

- Reinstate Alberta Human Rights Act, Section 11.1 (parent notice, student opt-out provision for topics on sexual orientation). The Bill 10 one-size-fits-all approach to sex education is built on a false premise that the state knows best what is age-appropriate for children of varying maturity and varying cultural and religious beliefs.

**4. Reading In**

- Limitations on grade levels and student age for creating GSAs/QSAs and for attendance in the clubs. **Recommendation:** GSAs/QSAs not be allowed until Grade 7 and student age of 13.
- Local school boards must approve, monitor and regulate GSAs/QSAs.
- For faith-based schools the title of the sexual minority club should be approved by the school board. The confrontational title “Gay Straight Alliance” in a religious institution defeats the goal of trying to create an inclusive caring environment. If the club and the school authorities cannot become “allies” in this endeavor the club will not function well.
- Order that a comprehensive club constitution be developed as a baseline model for Type 1 and 2 GSAs/QSAs to be ratified or amended as desired at school board level.
- Schools with students self-identifying in the LGBTTIQ2S sexual minority shall inform their parents before joining a GSA/QSA for approval.
- GSAs/QSAs are not independently student led. The club must have significant oversight by a qualified staff member who reports to the school board on GSA/QSA matters.

- Anti-suicide program should focus on all students and must use evidence-based screening tools to identify youth at risk, and link screening responses to appropriate professional treatment referrals. Parents must be notified if their child is considered high risk for suicide and/or given a treatment referral.
- GSAs/QSAs cannot replace the need for “closeted” students to have confidential access to qualified health and psychology counsellors.
- Support programs outside of the school, delivered by third party agencies or “community partners” that are biased, i.e. attempt to re-orientate from a sexual identity or attempt to endorse or give backing a sexual identity must not be sanctioned by a school without the student’s parental approval.

## 5. Temporary Suspension

- Suspend Bill 10 until the Bill is rewritten along with key guidance.
- Bill 10 mandates unqualified teachers and staff to meddle into the medically, psychologically and spiritually complex sexuality of our children. This is a fundamental new incursion of the state into parental responsibilities. The Ministry makes bold assertions that crucial staff training will occur to prepare staff for these new responsibilities. Implementation should be suspended until credible medical and evidence-based training programmes are developed, implemented and proven effective. A social experiment is unacceptable.

Appendices (Posted separately from this document)

A – Key Bill 10 Amendments

B – Applicable Laws, Acts and Charters

C – Extracts From 2015 Ontario Curriculum Grades 1-8, Health and Physical Education

D – American College of Pediatricians Rejects Gender Ideology (Full Document)

E – Alberta Teachers’ Association Anti-Homophobia Resources

F – About the Author

## Endnotes

<sup>1</sup> Alberta Teacher’s Association, *GSAs and QSAs in Alberta Schools: A Guide for Teachers*, 2<sup>nd</sup> Ed. 2015, p. 22.

<sup>2</sup> Alberta Government, *Guidelines for Best Practices: Creating Learning Environments that Respect Diverse Sexual Orientations, Gender Identities and Gender Expressions*, 2016, p. 2.

<sup>3</sup> Reference re Same-Sex Marriage, [2004] 3 S.C.R. 698, 2004 SCC 79, <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/2196/index.do>, paras 47-60.

<sup>4</sup> *Ibid*, para 57.

<sup>5</sup> Robert M. Baird & M. Katherine Baird Ed., *Gash Homosexuality: Debating the Issues*, Amherst New York: Prometheus Books, 1995, pp. 31-32.

<sup>6</sup> Public Health Agency of Canada, *Canadian Guidelines for Sexual Health Education*, [rev. ed.], 2008, p. 5.

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- <sup>7</sup> Cited by Richard F. Lovelace in *Homosexuality and the Church*, USA: Fleming H. Revell Company, 1978, p.46. Sally Gearhart and William R. Johnson, eds. *Loving Men/Loving Women: Gay Liberation and the Church*, San Francisco: Glide, 1974, pp. 9 and 16.
- <sup>8</sup> Joe Dallas, *A Strong Delusion: Confronting the "Gay Christian" Movement*, Eugene Oregon: Harvest House, 1996, p.37. Quote by Kristi Hamrick, Press Secretary, Family Research Council.
- <sup>9</sup> CATIE, [The epidemiology of HIV in Canada](#), Retrieved 27 July 2016.
- <sup>10</sup> Stats Canada, The Daily – [Canadian Community Health Survey](#), 15 June 2004. Note 1% of the Canadian population at time of survey was homosexual – 316,800. The percentage of males declaring themselves gay was twice that of females declaring lesbian orientation. On this basis the number of homosexual men in Canada was determined to be 211,200. This value is increased by an [average growth rate of 1%](#) over 10 years to 2014, the year of the CATIE data – endnote 44. Final figure: 233,296.
- <sup>11</sup> Male population in 2014 was 17,626,354. The portion of this total male population that is gay (233,296) is 1.3 percent.
- <sup>12</sup> James Wilton, The (re)emergence of STIs among MSM: Why does it matter and what can be done?, CATIE, Fall 2015. James Wilton is the coordinator of the Biomedical Science of HIV Prevention Project at CATIE. He is currently completing his master's degree of Public Health in Epidemiology at the University of Toronto and has completed an undergraduate degree in microbiology and immunology at the University of British Columbia.
- <sup>13</sup> American College of Pediatricians, [Gender Ideology Harms Children](#), Retrieved 21 March 2016.
- <sup>14</sup> Americans for Truth About Homosexuality, [AP Style Book Ends Use of Smear Term 'Homophobia' in Political and Social Contexts](#), Retrieved 6 July 2016.
- <sup>15</sup> Alberta Teachers' Association, [Safe and Caring Schools for Lesbian and Gay Youth – A Teacher's Guide](#), Retrieved 7 August 2016, pp.6 to 7.
- <sup>16</sup> Alberta Teachers' Association, [Frequently Asked Questions for Teachers](#), viewed 9 August 2016.
- <sup>17</sup> Ibid, p. 8, quoted from R.C. Savin-Williams, *The New Gay Teenager*. Cambridge MA: Harvard University Press, 2005.
- <sup>18</sup> Matt Dykstra, *Edmonton Sun*, ["Proposed PC Bill 10 in reaction to Bill 202 on gay-straight alliances draws criticism in Alberta Legislature"](#), 27 November, 2014.
- <sup>19</sup> Robert Breakenridge, *Calgary Herald*, ["Breakenridge: Albertans left to wonder what opposition would do about GBLTQ guidelines"](#), 8 March 2016.
- <sup>20</sup> Parents for Choice in Education, [Does One-Size-Fits-All Education Help Students Integrate?](#), reviewed 17 August 2016.
- <sup>21</sup> Legislative Assembly of Alberta, [Bill 10 An Act to Amend the Alberta Bill of Rights to Protect Our Children](#), 10 March 2015.
- <sup>22</sup> Dario Balca, *CTV News.ca*, ["Protesters clash in Alberta over transgender rights bill"](#), 15 May 2016.
- <sup>23</sup> Ryan Rumbolt, *Calgary Herald*, Hundreds rally to oppose Bill 10 legislation for LGBTQ students, 14 May 2016.
- <sup>24</sup> Staff, CTV News, [Alberta passes bill allowing gay-straight alliances in schools](#), 11 March 2015.
- <sup>25</sup> Bill 202: [Safe and Inclusive Schools Statutes Amendment Act, 2014](#) (Blakeman).
- <sup>26</sup> Public Health Agency of Canada, *Canadian Guidelines for Sexual Health Education*, [rev. ed.], 2008, p. 5.
- <sup>27</sup> ATA, [Gay-Straight Student Alliances in Alberta Schools: A Guide for Teachers](#), authored by Kristopher Wells, 2006, p. 8
- <sup>28</sup> ATA, *GSA's and QSA's in Alberta Schools: A Guide for Teachers*, 2015, p.30.
- <sup>29</sup> Ibid.
- <sup>30</sup> Ibid.
- <sup>31</sup> Public Health Agency of Canada, *Canadian Guidelines for Sexual Health Education*, [rev. ed.], 2008, p. 5.
- <sup>32</sup> American College of Pediatricians, [Gender Ideology Harms Children](#), Retrieved 21 March 2016
- <sup>33</sup> ATA, *GSA's and QSA's in Alberta Schools: A Guide for Teachers*, 2015, p.30.
- <sup>34</sup> ACPeds, [Gender Ideology Harms Children](#), 6 April 2016.
- <sup>35</sup> Alberta Education, [Student Population](#), 2015/2016, reviewed 13 August 2016.
- <sup>36</sup> SCC, [Chamberlain v. Surrey School District No. 36, \[2002\] 4 S.C.R. 710](#), para. 66
- <sup>37</sup> Paula Simons, *Edmonton Journal*, ["Schooled: Bill 10 and a brief history of minority rights"](#), 7 December 2014.
- <sup>38</sup> CBC News, "Calgary bishop calls Alberta school gender guidelines 'totalitarian' and 'anti-catholic,'" 14 Jan 2016.
- <sup>39</sup> Ibid.