

CONTROVERSIAL ISSUES

Background

The Division believes that in providing students with the opportunity to deal with controversial issues it can fulfill its commitment to students to provide relevant, challenging, life-based learning opportunities. The Division, therefore, approves the exploration of controversial issues in its classrooms in a structured way to develop students' capacities to think clearly, to reason logically, to open-mindedly and respectfully examine different points of view, and to reach sound judgments.

Definition

Controversial issues are those topics that are publicly sensitive and upon which there is no consensus of values or beliefs. They include topics on which reasonable people may sincerely disagree. The Alberta Human Rights Act identifies these issues as religion, religious themes, human sexuality and sexual orientation.

Procedures

1. Controversial issues that have been anticipated by the teacher, and those that may arise incidentally during instruction should be used by the teacher to promote critical inquiry and/or to teach thinking skills.
 - 1.1 Students shall be provided with opportunities to develop skills in selecting and organizing information in order to think clearly, to reason logically, to examine different points of view, and to reach sound conclusions.
 - 1.2 Information regarding controversial issues shall:
 - 1.2.1 Represent alternative points of view subject to the condition that resources used are not restricted by any federal or provincial law;
 - 1.2.2 Appropriately reflect the maturity, capabilities and educational needs of the students;
 - 1.2.3 Reflect the requirements of the course of study as stated in the Program of Studies; and
 - 1.2.4 Reflect the neighborhood and community in which the school is located, as well as provincial, national and international contexts.
2. Students shall be provided with the opportunity to explore controversial issues in an intellectually and emotionally safe environment.
 - 2.1 Sensitivity on the part of teachers, students and other participants in controversial issue discussions shall be exercised to ensure that students and others are not ridiculed, embarrassed, intimidated or degraded for positions which they hold.
3. The treatment of controversial issues in the classroom must take place within the framework of a set of rules established by the Alberta Human Rights Act or the Division.

- 3.1 The Alberta Human Rights Act (Section 11.1) or the division requires the following:
 - 3.1.1 Provide parents with notice where courses and or instruction include subject matter that deals primarily with and explicitly with religion, religious themes, human sexuality and sexual orientation.
 - 3.1.1.1 This notice is provided in writing, and may be contained in course registration, course outlines, course descriptions or direct written communication to parents.
 - 3.1.1.2 Section 11.1 of the *Alberta Human Rights Act* requires teachers and school administrators to exercise their professional judgment to determine when notice should be provided to parents and to handle complaints or concerns raised by parents.
 - 3.1.1.3 Materials such as course outlines or student handbooks that identify potential controversial issues shall include a section that identifies the parent's right to exclude their child from that portion of the program.
 - 3.1.1.4 If parent request for exclusion of the child from a part of the program is denied, the parent has the right to follow the appeal process identified in Administrative Procedure 380.
 - 3.1.1.4.a. A reason shall be provided to the parent defining why the request was denied by the teacher or principal.
- 3.2 The Principal shall ensure that school policy is developed regarding:
 - 3.2.1 Identification and notification of controversial issues;
 - 3.2.2 The input of students, parents, teachers and administrators in developing policy related to the controversial issues to be studied;
 - 3.2.3 Teachers shall make provision for alternative activities for students who choose not to participate;
 - 3.2.4 The approval of the teacher's course outline and plan by the Principal regarding the objectives, the resources and the teaching strategies.
 - 3.2.5 Where a parent makes a written request, teachers shall exempt the student, without academic penalty, from such instruction, course of study, educational program or use of instructional material. These requirements do not apply to incidental or indirect references to religion, religious themes, human sexuality or sexual orientation.
 - 3.2.6 Teachers and schools should continue to respectfully handle the decisions and perspectives of parents when providing instruction and choosing instructional materials.
 - 3.2.7 The policy shall include a section on retention of notice to exempt from parents.
 - 3.2.7.1 Requests for exemption shall be included in the child's Student Record and shall not be expunged for three years.

- 4.0 Alberta Education has done a review of the programs of study to identify those courses that contain outcomes that deal primarily and explicitly with religion, human sexuality or sexual orientation.
- 4.1 It is the teacher's responsibility to fully understand the content of their courses and identify potential controversial issues. To assist staff, the following courses have been identified as potentially containing outcomes that require notification under section 11.1:
- Aboriginal Studies 10 - Theme II: Aboriginal Worldviews - *religion*
 - Career and Life Management (CALM) - *human sexuality*
 - Career and Technology Studies (CTS) - Reproduction & Readiness for Parenting (HCS3050) - *human sexuality*
 - Career and Technology Studies (CTS) - Developing Maturity & Independence (HSS1040) - *human sexuality*
 - Health (Grades 4, 5 and 6) - *human sexuality*
 - Health and Life Skills (Grades 7, 8 and 9) - *human sexuality*
 - Religious Ethics 20 - *religion*
 - Religious Meanings 20 - *religion*
 - World Religions 30 - *religion*
- 5.0 Notification:
- 5.1 Notification under section 11.1 may also be required for locally developed courses that contain subject matter that deals primarily and explicitly with religion, human sexuality or sexual orientation.
- 5.2 The school shall annually review the Alberta Education Guide to Education for information pertaining to notification of parents of controversial issues.
- 5.3 A written notice must be provided to the parent indicating that a particular outcome or component of a course contains subject matter that deals primarily and explicitly with religion, human sexuality or sexual orientation.
- 5.4 In the circumstance where a student is registered for a specific course that deals primarily and explicitly with religion, religious themes, sexual orientation or human sexuality, notice may be given by advising the parent on the registration form for said course identifying that the course is primarily and explicitly about religion, religious themes, sexual orientation or human sexuality, rather than providing notice for each controversial learning outcome. A parent so notified may give notice of their request for exemption at the time of registration.
- 5.5 A sample form for schools and parents is provided for use in administering this administrative procedure.

Reference: Section 39, 60, 61, 113, School Act
Alberta Bill of Rights
Canadian Charter of Rights and Freedom
Guide to Education ECS to Grade 12
Alberta Human Rights Act
Administrative Procedure 280
AP 205-1 Notice Form under Section 11.1 of the Alberta Human Rights Act & AP 205