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# The Goose, the Gander and the Elephant

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## Introduction

*This essay responds to a column by a homosexual activist published in the magazine of the British Columbia Teachers' Federation. The BCTF editors declined to publish the response.*

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Writing in *Teacher Newsmagazine* in the garb of a "guardian of public education," Murray Corren urges his colleagues to assert their "professional autonomy" and "fend off" parents who refuse to allow their children to participate in classes for reasons of conscience or religion. He asks, "Whose worldview should we privilege and whose should we censor? Who should decide what gets taught and what doesn't?"<sup>1</sup>

For an answer to this question, one has only to look at Mr. Corren's private agreement with the provincial Ministry of Education. It awards him and Peter Corren privileged status in the development of public education policy and curriculum.<sup>2</sup> The agreement was signed secretly, includes a provision for continuing secrecy,<sup>3</sup> and was kept secret for over a month after it was signed.<sup>4</sup> The first part of the agreement is intended to prevent objecting parents from removing their children from Kindergarten to Grade 12 classes when "queer-positive" lessons are taught.<sup>5</sup>

Clearly, it is Mr. Corren's worldview that is privileged. Those who disagree with it will be censored, and a coterie of 'professionals' who share his views will decide what gets taught.

For example, the Ministry of Education called an invitation-only meeting to discuss the proposed grade 12 'social justice' elective with the Correns and others deemed worthy of consultation, like the BCTF and the SPCA.<sup>6</sup> Representatives of the province's religious traditions were not invited; groups opposed to the Corren agreement and concerned about curriculum revisions were deliberately excluded. The President of the BC Civil Liberties Association - one of the select invitees - sniffed that such groups "should not be contributing to any dialogue on education reform."<sup>7</sup>

Everyone is equal in public education, it seems, but some are more equal than others.

In the light of all of this, it is tempting, as Mr. Corren parades in his robes

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of office as a “guardian of public education,” to observe that the emperor has no clothes. But one does not do so. Instead, one humours his claim to the guardian of public education, on the condition that he admits that he shares the office with fellow citizens - including those who disagree with him. But his assumption of guardianship over other people’s children warrants a different response.

The Minister of Education is not the source of parental authority, nor is a teaching degree or professional certification the source of a teacher's authority as it relates to the educational and moral formation of students entrusted to them. Quite the reverse: the authority of the Minister, teachers and administrators with respect to students is delegated to them by parents, a delegation reflected in the traditional statement that teachers act *in loco parentis*.

Parents do not surrender their authority to the state, to a union, to a profession or to special interest activists when they entrust their children to a public school system. They remain the primary educators of their children, and this primacy is not only in order of time and importance, but in order of authority, regardless of religious affiliation. It cannot be suppressed by the Corren’s private agreement with the government, nor by fiat of the Ministry of Education.

Moreover, citizens do not surrender freedom of conscience, religion, thought and belief as a condition of attending a public school. No direction from the Ministry of Education and no private agreements with special interest activists can relieve teachers, administrators and school districts of their responsibility to accommodate these fundamental freedoms. Were that the case, it would give them the power to override the *Charter of Rights and Freedoms*, a power which has been granted only to parliament and provincial legislatures. Mr. Corren’s position is also contradicted by major international conventions or declarations that discuss the needs of children and parental authority in their education and upbringing.<sup>8</sup>

Of course, it can be awkward to apply these principles in practice. Mr. Corren asks if the “sensitivities” of one parent should determine what novels are used in a public school classroom. Clearly not: no more than Mr. Corren’s sensitivities should force curriculum revisions on the entire public school system. If sauce for the goose is sauce for the gander, his private contract with the government is markedly inconsistent with his scornful rhetoric about the sensitivities and religious beliefs of “a small segment of the parent population.”

Once more, everyone is equal in public education, but some are more equal than others.

Still, the question remains. How should a teacher respond if parents refuse to allow their children to participate in lessons or classes “mandated” by the curriculum?

Mr. Corren urges his colleagues to “take a stand” and invite the objectors to avail themselves of “other educational options,” ignoring the fact that home-schooling is unrealistic for many families, and other alternatives may be unavailable. This could be remedied by increasing support for charter and independent schools so that parents in such situations would have a real choice, but, in the meantime, his solution remains unsatisfactory.

More to the point, Mr. Corren’s answer - “my-way-or-the-highway” - is a wrong answer that comes of asking the wrong questions. His questions do not lead to an enlightened response to the dilemma posed by profoundly divergent worldviews reflected in the classroom. Rather, one should ask how a state educational system can respect differences among families with diverse moral and religious outlooks while developing broadly acceptable curriculum standards.

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That different parents have different moral or religious outlooks does not make it impossible for a state educational system to respect those differences while developing broadly acceptable curriculum standards. If, despite appropriate consultation, the standards are unacceptable to some parents, they can be accommodated by acknowledging their authority to withdraw their children from the objectionable lessons or classes. Alternatively, discussion between the parents concerned and school authorities may yield other acceptable solutions. What Mr. Corren thinks of their solutions is unimportant.

The accommodation of religious and conscientious conviction is not merely possible; it is a legal obligation that binds teachers and school districts to the point of undue hardship. Mr. Corren's call to teachers to "take a stand" against the accommodation of religious beliefs is, arguably, a statement of an intention to discriminate, something forbidden by Section 7(1)a of the *BC Human Rights Code*. So, for that matter, is the Ministry's 'clarified' Alternative Delivery Policy and the letter from the Deputy Minister of Education quoted by Mr. Corren. Both of these, by the way, are products of his private agreement with the government.<sup>9</sup> An uninformed reader would be unaware of this, since *Teacher Newsmagazine* does not follow the practice of professional journals that require disclosure of an author's 'competing interests.'

Turning to Mr. Corren's assertion (backed by the Deputy Minister) that students from objecting families "are not exempted from meeting the prescribed learning outcomes," it is time to introduce the elephant in the room.

It is almost unheard of for students in Kindergarten to Grade 8 in British Columbia to be "held back" (fail a grade) because they have not met prescribed learning outcomes. Whether or not they meet curriculum standards for reading, writing, mathematics, socials, or any other subject, students pass from one grade to the next until the end of Grade 8. Only in Grade 9 are students required to meet a minimum standard in order to pass a subject, and, even then, a mark of 50% is all that is needed. This may or may not reflect an achievement of half the learning outcomes, but it does indicate that something substantially less than the full complement is acceptable. Further: students in British Columbia are not suspended or expelled from school for failing to do assignments or participate in a class activity.<sup>10</sup>

Thus, if a Kindergarten to Grade 8 student does not meet a prescribed outcome related to Mr. Corren's "queer-positive" curriculum for reasons of conscience or religion, that would not justify holding the student back or imposing other penalties for non-compliance, since that is not done in any other subject. Similarly, there would be no justification for failing or penalizing a Grade 9 to 12 student in similar circumstances who was otherwise meeting the course standard.

To sum up: Mr. Corren's appeal to his colleagues to refuse to accommodate freedom of conscience, religion, thought, opinion and belief is an invitation to engage in wrongful discrimination that is likely to embroil them in confrontation and even litigation, all in the service of his personal agenda and his private contract with the government. It is inconsistent with respect for authentic pluralism in a liberal democracy, and it is not in the best interests of students, parents or teachers.

## **Notes**

1. Corren, Murray, "A censor? Who, me?" *Teacher Newsmagazine* Volume 19, Number 4, January/February 2007 (<http://www.bctf.bc.ca/publications/NewsmagArticle.aspx?id=10462>) Accessed 2007-01-31.

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2. *Settlement Agreement between Murray Corren and Peter Corren (Complainants) and Her Majesty the Queen in Right of the Province of British Columbia, as Represented by the Ministry of Education (Respondent)*, 28 April, 2006.

(<http://www.ccrl.ca/doc/2006-04-28CorrenAgreement.pdf>) Hereinafter, “*the Agreement*”

For an overview, see *The Corren Agreement* (<http://www.ccrl.ca/index.php?id=4835>)

3. “Subject to any public statement made pursuant to Article 5 of this Agreement, anything said by a participant or any information or documents exchanged during any meetings or discussions covered by this Agreement are confidential, except to the extent to which the parties agree, or may be required by law.” Article 9, *The Agreement*.

(<http://www.ccrl.ca/Documents/2006-04-28CorrenAgreement.pdf>)

4. "The parties will attempt to negotiate a mutually agreeable public statement about the terms of resolution of the complaints. If such agreement cannot be reached on or before May 31, 2006, the parties may issue their own respective public statements. The parties further agree that they will not publicly discuss the settlement of the complaint, including the terms of settlement, prior to May 31, 2006." Article 5, *The Agreement*.

(<http://www.ccrl.ca/Documents/2006-04-28CorrenAgreement.pdf>)

5. “Ultimately, the most frequent reason for parents to opt their children out of classes had to do with any discussion of sexual orientation and gender identity and same-sex parents,” Murray Corren said. “We felt it was extremely important for the ministry to delineate exactly where this policy applies and where it doesn’t.” Smith, Charlie, "Correns unfazed by right-wing backlash." *Georgia Straight*, 9 November, 2006.

(<http://72.14.253.104/search?q=cache:zHpZI5ha74sJ:www.straight.com/node/49292+%22Correns+unfazed+by+right-wing+backlash%22&hl=en&gl=ca&ct=clnk&cd=1>) Accessed 2007-01-29.

"There's no point in us making the curriculum more queer-positive if people can take their kids out." Peter Corren, quoted in Luymes, Glenda, "Hooky touted for anti-gay parents: Trustee claims Education Ministry policy on opting out takes away 'freedom'". *The Province*, 12 September 12, 2006

6. Steffenhagen, Janet, “Activist wants animal rights taught in B.C. schools: 'Speciesism' is a prejudice too, says humane society.” *Vancouver Sun*, 25 September, 2006

7. Hasiuk, Mark, “Concerned Parents accuse ministry of discrimination.” *The Vancouver Courier*, 4 October, 2006

8. Murphy, Sean, *Parental Authority in Education: the International Context*.

(<http://www.ccrl.ca/index.php?id=4836>)

9. “The Respondent [Ministry of Education] will amend the Policy to state expressly that the Policy applies to *Health and Career Education K-7, Health and Career Education 8 and 9, and Planning 10* and not to any other IRPs; and that it applies only to the Health curriculum organizer of each of these three IRPs and to no other curriculum organizers. The Respondent will draft a letter to all public School Board Chairs and school district Superintendents (“Letter”) that will be copied to the BC School Trustees Association, BC School Superintendents Association, BC

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Principals' and Vice-Principals' Association, BC Teachers' Federation and the BC Confederation of Parent Advisory Councils that will clarify the true nature and limited reach of the Policy. The Respondent will provide the amended draft Policy and the draft letter to the Complainants [the Correns] for their review on or before July 15, 2006. The Complainants will provide their comments on the . . . Policy and . . . Letter on or before August 1, 2006. The Respondent will finalize the wording of the Policy and the Letter, and will implement the Policy and send out the Letter, with copies of each to the Complainants, on or before September 15, 2006." Article 1B, *The Agreement*. (<http://www.ccr1.ca/Documents/2006-04-28CorrenAgreement.pdf>)

10. The statement reflects the usual practice. It is contrary to Ministry of Education policy to have students repeat a year before Grade 4. "In Grades 4 to 12, the decision for a student to advance or repeat a grade or course will be made in the best interest of that student by the teachers, parents and the school principal. In making placement decisions, those involved should consider the available research, the age of the student, and the intervention support available."

Ministry of Education, *K-12 Education Plan: Placement*

([http://www.bced.gov.bc.ca/resourcedocs/k12educationplan/progress/reportprog\\_05.htm](http://www.bced.gov.bc.ca/resourcedocs/k12educationplan/progress/reportprog_05.htm))

Accessed 2007-01-03. See also Ministry of Education, *K-12 Education Plan: Letter Grades and Symbols*

([http://www.bced.gov.bc.ca/resourcedocs/k12educationplan/progress/reportprog\\_03.htm](http://www.bced.gov.bc.ca/resourcedocs/k12educationplan/progress/reportprog_03.htm))

Accessed 2007-01-03; Provincial Letter Grades Order

(<http://www.bced.gov.bc.ca/legislation/schoollaw/e/m192-94.pdf>) Accessed 2007-01-03.

BC Ministry of Education, Special Program Branch, *Focus on Suspension: A Resource for Schools* (1999) ([http://www.bced.gov.bc.ca/specialed/docs/suspension\\_resource.pdf](http://www.bced.gov.bc.ca/specialed/docs/suspension_resource.pdf)) Accessed 2007-02-03.

The practice may explain an observation made by Project Literacy in Victoria. Many of their clients report "that they have reached a grade level in school that is significantly higher than their skill set actually reflects." One young man who had reached Grade 9 or 10 had about a Grade 4 reading level, and he was unable to write in cursive script; he could only print. In its presentation to a legislative committee, Project Literacy cited a study indicating that "about 20% of Canadians have lower literacy skills than their education level might indicate."

Project Literacy Victoria, *Presentation to the Select Standing Committee on Education, Victoria, BC* (26 April, 2006) (<http://www.plv.ca/documents/CommitteePresentation1.pdf>)

Accessed 2007-02-07