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National Office

120 Eglinton Ave. E., Suite 500,

Toronto, ON

M4P 1E2

Tel: (416) 466-8244

Fax: (416) 466-0091

ccrl@ccrl.ca

The Corren Agreement

Sean Murphy, Director

CCRL Western Region

Introduction

On 28 April, 2006, the Ministry of Education signed a private agreement with two homosexual activists, Peter and Murray Corren.¹ The agreement, which can ultimately be enforced by the Supreme Court, was signed secretly and, by common consent, kept secret for over a month after it was signed, probably because the parties believed that it would be controversial.²

Subsequent developments seem to have confirmed this. In the eight months from April to the end of November, 2006, the Ministry of Education accumulated about 8,500 pages of documents relating to the agreement, including 1,000 pages of petitions and about 5,000 pages of correspondence to and from individuals or groups.³

The agreement ended an action before the BC Human Rights Commission initiated by the Correns in January, 1999, to try to force the Ministry of Education to introduce pro-homosexual curriculum into the public school system. Over the next seven years the case had been delayed for a number of reasons. It came to public attention by the summer of 2005⁴ and was scheduled for a hearing in July, 2006⁵ when the government settled on terms acceptable to the Correns.

Not all aspects of the agreement are problematic. For example, a social justice course to be implemented as a result of the agreement will be optional. Students will have the opportunity to review the curriculum and consult with their parents before choosing to take it, and they will not be disadvantaged if they decline to do so.

However, the agreement also

- promises a curriculum revision to ensure “respect for diversity with respect to sexual orientation,” without defining that term;
- purports to suppress parental authority to withdraw their children from classes that they find morally objectionable or offensive;
- gives the Correns a privileged position as consultants and overseers of curriculum development and public policy;
- guarantees the continuing secrecy of written and verbal communications between Correns and the government in meetings and discussions pertaining to the agreement;

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- can be revised with the consent of both parties without public knowledge due to the provision for continuing secrecy.

As a matter of principle, the League protests the privileged status given to two private individuals in what is supposed to be a public enterprise: the development of public education policy and public school curriculum. Moreover, the secrecy surrounding the signing of the agreement and its implementation violates principles of transparency and accountability that ought to inform the conduct of responsible democratic government.

Most important - and of greater practical interest to parents - the League objects to the provisions of the agreement that would prevent parents from removing their children from classes or lessons that would subvert the religious, moral and cultural traditions of their families. In view of the widespread denunciation of the residential school system imposed by previous governments, it is remarkable that parents are again threatened with a policy of compulsory cultural and religious assimilation on the grounds that the state, its officials, 'experts' and activist contractors know better than they do what is in the best interest of their children.

Finally, the League is concerned that the agreement may be used to suppress the exercise of freedom of conscience and religion by teachers who do not share the Correns' views about homosexual conduct and relationships.

Part I: Suppression of parental authority

"...citizens do not surrender freedom of conscience and religion as a condition of attending a public school, nor do parents 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." (CCRL letter to BC school districts)

The first part of the government's private agreement with the Correns originates in the their frustration that they have been unable to impose pro-homosexual curriculum over the objections of parents, who often remove their children from classes where homosexual conduct is promoted.⁶ "There's no point in us making the curriculum more queer-positive," said Peter Corren, "if people can take their kids out."⁷

One such case arose in Surrey in 1997. A mother was aware at the beginning of the school year that her child's Grade One teacher identified himself as a homosexual. She was also a volunteer in his classroom. She was assured by the school principal that the teacher would use only materials approved by the school board or Ministry of Education, and would not use his position to promote his lifestyle with the students. The principal also directed teachers to advise parents before class discussion of sensitive topics, like sexuality. However, in the spring of 1997 the teacher, an activist associated with Gay and Lesbian Educators of BC (GALE BC) disclosed in a CBC interview that he discussed homosexuality with his classes (Kindergarten and Grade One). The mother and father, not having been notified of this by the teacher, removed their child from his class. They were supported by the principal and board of education.⁸

Determined to put an end to such parental 'interference,' the Correns demanded that parents not be allowed to remove their children from classes, except in the health sections of Health and Career Education (Kindergarten - Grade 7; Grades 8-9) and Planning 10.⁹ To this end, the Ministry agreed to let the Correns supervise its revision of the policy on "opting out" of classroom instruction and "alternative delivery" of curriculum, and to review the draft of the Ministry letter to school districts and other educational associations giving effect to the policy revision:

The [Ministry of Education] will provide the amended draft Policy and the draft

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Letter to the [Correns] for their review on or before July 15, 2006. The [Correns] will provide their comments on the amended draft Policy and the draft Letter on or before August 1, 2006. The [Ministry] will finalize the wording of the Policy and the Letter, and will implement the Policy and send out the Letter. . . on or before September 15, 2006.¹⁰

It is clear, from the text of the agreement and from this timetable, that the Ministry of Education deliberately excluded parents from decision-making about their role in the education of their own children. Moreover, the Ministry made it even more difficult for objecting parents to respond by keeping the agreement secret for over a month after it was signed.¹¹

It is clear, from the text of the agreement and from this timetable, that the Ministry of Education deliberately excluded parents from decision-making about their role in the education of their own children.

School districts were similarly disadvantaged by the Ministry's unilateral and secretive conduct. Writing in the first week of September, the Chairperson of District 38 (Richmond) urgently sought clarification of that part of the Agreement pertaining to the suppression of parental authority.

. . . is the action being taken with respect to the opting for alternative delivery policy a change in the policy or merely a matter of clarification of current policy? If it is a change, what is being changed? If it is a clarification, why is this considered to be of sufficient significance to be specifically included in the settlement agreement? It is not clear what significance this may have or what implications may result, and consequently we are concerned that irrevocable decisions will be made before we have the opportunity to understand them and provide comment . . . In general, the summer timing of the announcement and the speed of the actions being taken has resulted in fears of unintended consequences.¹²

The Attorney General claims that the Corren-supervised policy revision¹³ and instruction to the school districts was merely a clarification of policy dating from 2000.¹⁴ The Minister of Education has made the same claim.¹⁵ Such assertions are both inaccurate and disingenuous. Counsel for the Attorney General, representing the Ministry of Education in a 1998 submission to the British Columbia Human Rights Commission, stated that the Ministry had "**always** offered alternate delivery of education regarding sensitive topics."

As of **September, 1987**, schools throughout British Columbia began offering a program of instruction in Family Life Education for students at every grade level from 7 to 12 . . . Although . . . a prescribed part of the curriculum, the Ministry recognized that some parents or guardians wished to personally assume the entire responsibility for teaching their children about the topics covered in the program. Those parents could request that their children not participate in the school program . . . Family Life Education has developed over the years and is now incorporated in [Career and Personal Planning]. . . parents continue to have the option to have sensitive topics delivered . . . by alternative means.¹⁶

Thus, from at least 1987 - not 2000 - the Ministry of Education has formally acknowledged parental authority to withdraw their children from classroom instruction. And, quite apart from the formal acknowledgement of the Ministry, school districts have customarily responded respectfully to parental concerns. The Chairperson of Richmond School District, citing several examples, pointed out to the Minister that for years they had "made a range of common sense accommodation for

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parents that have strongly held beliefs that lead them to be concerned about their children's participation in various parts of the curriculum.”

It would be of great concern to the Board if the modification to the Opting to Alternative Policy were to suppress its ability to make common sense accommodations in response to these and other concerns expressed by individuals in the Richmond community.¹⁷

In fact, the first part of the Corren Agreement has precisely this effect, though the government has, thus far, been unwilling to admit it.

But the key point, not addressed in this correspondence, is that parental authority to withdraw their children from objectionable classes is not *granted* by the Ministry. 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*. And this introduces the fundamental issue.

It is true that the need to formally acknowledge parental authority with respect to morally controversial instruction first arose with the introduction of sex education, broadly construed as 'health' or 'family life' education. Ministry policy on "opting out" and "alternative delivery" focussed on these subjects not because parental authority was operative only within this context, but because it was mainly within these parts of the curriculum that one might reasonably anticipate serious parental objection.

It is now reasonable to anticipate serious parental objection arising if the coercive power of the state educational establishment, employed throughout the curriculum, is used to induce children to approve of homosexual conduct and relationships.

That is no longer the case, courtesy the rulings of a handful of superior court judges, the passage of *The Civil Marriage Act* and the private agreement between the Ministry of Education and the Correns. It is now reasonable to anticipate serious parental objection arising if the coercive power of the state educational establishment, employed throughout the curriculum, is used to induce children to approve of homosexual conduct and relationships. The withdrawal of students from lessons or classes - formerly an issue in only one or two subjects - has become an issue in all.

Knowing this, and having a low opinion of the judgement and competence of parents who do not share their views, the Correns and the government have arrogated to themselves the moral guardianship of public school students, concealing the move behind the false pretence that parental authority to withdraw their children from morally controversial classes is limited to subjects directly related to health and sex. Archbishop Raymond Roussin of Vancouver warned parents about this threat:

[T]here is widespread anxiety that this agreement will not only see the introduction of material that is in conflict with Catholic teaching on marriage and human sexuality at the earliest grade levels, but could go so far as to restrict the abilities of parents to determine whether their children are exposed to this material.

This would be clearly contrary to the fundamental and non-negotiable right of parents to raise their family and educate their children. The right of parents to determine how their children receive instruction on matters of faith and morals is a primary consideration, and anything that puts it at risk should not go unchallenged . . .

[T]he government should be reminded that parents are the final decision makers when it comes to their children's education. This is particularly so when it comes to their

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moral upbringing. As stated by Pope Benedict, the right of married couples to determine how their children are educated is simply non-negotiable. They must have the right to remove their children from problematic course content.¹⁸

Part II: Curriculum revision

“ . . . the possibility that an increasingly kaleidoscopic view of sexuality might be inculcated in children over the objections of their parents is profoundly disturbing.

The Ministry agreed to develop internal guidelines to be applied to curriculum standards ("Integrated Resource Packages" - "IRPs") to ensure that all curriculum standards reflect "inclusion and respect for diversity with respect to sexual orientation,

and an over-arching concern for social justice." The Correns were given the privileged position as consultants in the development of these guidelines, with the power to suggest what parts of the curriculum should be revised first. The government also agreed to solicit input about curriculum revisions from groups or organizations recommended by them as having "expertise in sexual orientation, homophobia and other issues of inclusion and diversity in the curriculum." The internal guidelines were to be implemented by 30 September, 2006. Again, the text of the agreement, the month's secrecy following its signing, and the timetable for implementation helped to ensure that parents would be shut out of this process.

Note that 'sexual orientation' is not defined, so the agreement is open-ended with respect to what forms of sexual 'diversity' the curriculum is to respect. It is a mistake to assume that 'sexual orientation' refers only to same-sex attraction, even though that is how it is commonly understood. In activist literature, it includes not only homosexual inclinations, but bisexual interests and those who desire sex change operations. The usual acronyms used to describe 'alternative orientation' are variations on "GLBT" - gay, lesbian, bisexual and transgendered.¹⁹ Consistent with this open-ended understanding of 'sexual orientation,' the Correns are seeking the introduction of "non-heterosexual realities" into the curriculum from Kindergarten to Grade 12.²⁰ Similarly, Ministry instructions to curriculum reviewers, revised in light of the Corren agreement, instruct them to include "representation of individuals and groups *across the full range of gender identity and sexual orientation.*"²¹

What might "non-heterosexual realities" and "the full range of gender identity and sexual orientation" include? Might "non-heterosexual realities" or 'sexual orientation' be manifested in tranvestism, exhibitionism, voyeurism, and paedophilia? In 2003, two researchers suggested that these 'orientations' be removed from the *Diagnostic and Statistical Manual of Mental Disorders*, just as homosexuality had been removed thirty years earlier.²² Judging from the entry in *Wikipedia*, the current tendency is toward greater 'diversity and inclusiveness' in defining 'sexual orientation': asexuality, monosexuality, autosexuality, pansexuality, homoflexibility, heteroflexibility, BDSM (various combinations of bondage, discipline, domination, submission and sado-masochism), fetishism, prostitution, polyamory, and zoophilia. Bearing in mind that the Correns mean to revise curriculum for all students beginning in Kindergarten, the possibility that an increasingly kaleidoscopic view of sexuality might be inculcated in children over the objections of their parents is profoundly disturbing.²³

Part III: 'Social justice' elective

As previously stated, the proposed 'social justice' elective is not of immediate practical concern, since no student will be compelled to enroll in the course. However, the principled objection to the privileged and secretive role of private interests in the development of public school curriculum

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remains.

Moreover, Peter Corren demonstrated what the League considers "knee-jerk, anti-Catholic bigotry or appalling ignorance"²⁴ when he described the Catholic Church "an organization that has victimized our society through history" and called Archbishop Raymond Roussin's defence of parental authority (quoted above) a "homophobic diatribe against Canadian society."²⁵ It is surprising that someone

expressing such views should be specially consulted by the government as an expert in 'social justice.' However, the Correns continue to have the confidence of the government, and neither the Minister of Education nor the Attorney General have disclaimed or even distanced themselves from Peter Corren's statements.

Though the government has emphasized the social justice elective to try to draw attention away from the plan to suppress parental authority, the Correns don't consider the elective important. "We wouldn't have worked for 10 years to sell out for something as minor as just a simple elective course," Murray Corren told the Vancouver Sun. He considered other curriculum changes and "tougher limits on parental rights to remove their children from classes teaching 'sensitive content'" far more important than the proposed elective.²⁶

The draft Social Justice 12 curriculum, which is of concern to only some Grade 12 students, was released for public review on 1 August, 2007, with a deadline of 10 December, 2007 for feedback: four months.²⁷

Part IV: Guidelines for delivery

The Ministry of Education also agreed to implement new curriculum delivery guidelines by September, 2007, "to assist teachers . . . to enhance social justice, respect diversity, and achieve equality for all learners." In developing these guidelines the Ministry agreed to consult 'stakeholder groups' and unidentified 'experts,' all of whom will, apparently, be chosen by the government. While the agreement does not give the Correns more control over the guidelines than the government's chosen stakeholders and experts, it does make them the only citizens in the province guaranteed a place at the table.²⁸

The new curriculum delivery guidelines (*Making Space, Giving Voice*) which are meant to change teaching from Kindergarten to Grade 12 for all students, was released for public consultation only on 1 October, 2007, with an original response deadline of 1 November: one month.²⁹ During the last week of October it was extended by two *weeks* - to 15 November, 2007. The extension does not appear to have been announced.³⁰

Note the contrast between the deadline for response to the Social Justice elective and *Making Space, Giving Voice*: four *months* for curriculum that will affect only a small number of Grade 12 students, versus six *weeks* for one that is aimed at all students in public schools.

The deadlines faithfully reflect the Correns' priorities. The short deadline set by the Ministry of Education for *Making Space, Giving Voice* appears to be an attempt to sharply curtail opportunities for serious and searching criticism of an experiment in social engineering that is to be conducted upon children without the consent of their parents. This may be why *Making Space, Giving Voice* was released before recommended learning resources for Social Studies in Kindergarten to Grade 3

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(one of the sensitive age groups) had been identified.³¹

Making Space, Giving Voice provides some insight into the ultimate impact of the Corren Agreement on state school curriculum and upon fundamental freedoms, including the freedom of conscience,

Making Space, Giving Voice is openly authoritarian and includes elements that are characteristic of education in a totalitarian state .

freedom of religion and freedom of expression. It is not part of the official curriculum, but, as a policy document, it establishes norms for state schools. It authorizes the introduction of " non-heterosexual realities" into every subject in the curriculum from Kindergarten to Grade 12, not excluding mathematics, entirely at the behest of

the teacher, without consultation with parents, and even over their objections.

An extensive critique of this document is available on-line and in hard copy.³² The critique notes that *Making Space, Giving Voice*

- proposes a fundamentally flawed ideology that identifies autonomy as the essential characteristic of the human person, teaches that human relationships and social justice depend primarily upon a balance of power;
- requires students to affirm the moral and social acceptability of any and all sexual lifestyles presented to them. This kind of instruction presumes and even requires the suppression of critical thinking, the estrangement of many children from their parents and cultural and religious communities, and a continuing exploration of sub-cultures and activities beyond the experience of children and even most adults.
- may be cited to justify professional persecution of non-conforming teachers and the withdrawal of state funding for non-compliant independent schools.
- draws false analogies and fails to make important distinctions and omits information relevant to informed decision making. At one point it is seriously mistaken about matters of public record, while at another it requires a polemical interpretation of complex and controversial information. Some sample lesson plans are ideologically driven, tendentious, and, occasionally, seem less than honest.
- can only be implemented at the expense of core curriculum subjects, since there is not sufficient time to meet core learning outcomes and also deal adequately with social justice topics and related issues. The imposition of an ideological straitjacket on some subjects, like English and literature, is spiritually and intellectually impoverishing.
- is openly authoritarian and includes elements that are characteristic of education in a totalitarian state: isolation of students from parents, destruction of natural marriage and natural family, and a methodology calculated to destroy the capacity to form and maintain convictions that are not approved by the state.

What others are doing

Other groups known to be actively opposing the agreement include BC Parents and Teachers for Life, Parents for Democracy in Education, REAL Women, Vancouver Chinese Evangelical Ministerial Fellowship, the Christian Social Concerns Fellowship, Equipping Christians for the Public Square (ECP), Focus on the Family (Canada), the Evangelical Fellowship of Canada, the Christian & Missionary Alliance Church of Canada, and the Canadian Alliance for Social Justice and Family Values(CASJFV). Among other things, a number have written to the Ministry of Education

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and the Attorney General, and all have encouraged people to write to government officials. Readers are encouraged to contact these organizations directly for more information about their activities.

The CASJFV held a protest rally in Vancouver on 28 August that was attended by about 800 people,³³ and the organization has collected over 17,000 signatures on a petition against the agreement.³⁴ Three public protests sponsored by CASJFV were held outside the Premier's Vancouver office in December, 2006, two in January, 2007 and one in February, 2007. The 17,000 signature petition was presented at a protest at the legislative assembly building in Victoria on 1 March, 2007. Four days later, representatives of CASJFV met with senior government officials to discuss the Agreement.³⁵

A spokesman for Concerned Parents of BC made a submission to the Richmond school district in the first week of September, and planned to make similar submissions in other districts.³⁶ By the end of September, a joint statement of principle had been drafted by eight groups.³⁷ Abbotsford school district received a presentation from the Executive Director for the Christian Coalition of BC at the beginning of October. He has since written to all public school districts in the province.

A public meeting attended by about 200 people was held in Abbotsford on 5 June, 2007. It was chaired by Professor Paul Chamberlain of Trinity Western University. Speakers included M.L.A. John Van Dongen, Ted Hewlett of BC Parents and Teachers for Life, and lawyer Kevin Boonstra.

A new registered society, Parents for Democracy in Education, has been formed. Representatives of Muslim and Sikh communities have expressed interest in collaborating with the society in opposing the Corren Agreement.

What the League is doing

The Catholic Civil Rights League's present intention is to assert and defend parental authority to direct the education of their children, regardless of religious affiliation.

The League was one of the signatories to the joint statement of principle drafted in Richmond in September, 2006,³⁸ and is working with other organizations opposed to the Agreement. We are also acting independently, though in consultation with other interested parties.

Access to information requests

In December, 2006 the League filed an access to information request with the Ministry of Education under the Freedom of Information and Protection of Privacy Act (BC) for all documents concerning the Corren Agreement dated between 1 April, 2006 and 30 November, 2006 inclusive. A preliminary survey indicated that the Ministry held about 5,000 pages of correspondence to and from individuals and organizations, 1000 pages of petitions and 2,500 pages of other Ministry records.³⁹ The scope of the League's request was subsequently reduced to about 2,500 pages. The request is still being processed and the League has filed an appeal with the Privacy Commissioner regarding the access fees being charged by the Ministry.

In March, 2007, the League filed a second access request with the Ministry for documents dated between 1 December, 2006 and 28 February, 2007. A preliminary survey found 350 pages of material relevant to the request.⁴⁰ By common agreement, further action on this request has been suspended pending the outcome of the appeal to the Privacy Commissioner.

Media correspondence

Letters to the editor are sent as the opportunity arises. In mid-February, 2007, BCTF's *Teacher Newsmagazine* refused to print the CCRL's rebuttal⁴¹ of an article it had published by Murray Corren. The rebuttal was then sent to the presidents of all BCTF locals, to school districts, BC

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School Superintendents' Association, BC Principals' and Vice-Principals' Association, and the Minister of Education. A review of international agreements supportive of the League's position⁴² was included with letters sent in March and April to districts and educational authorities.

Correspondence with the government

In letters dated 8 February, 14 February and 26 March, 2007, the League directly challenged the Minister of Education:

- The Ministry of Education is not the source of parental authority to supervise and direct the education of their children. 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*.
- Accommodation of freedom of religion and conscience is a legal obligation, binding on school districts to the point of undue hardship. No direction or policy from the Ministry of Education can relieve school districts of this responsibility.
- The subsisting obligation of school districts to adhere to human rights law requires them to act independently when confronted by the Ministry's Alternate Delivery: Health and Career Education Curriculum, which conflicts with that obligation.
- School boards cannot use a defence of 'superior orders' to excuse themselves from their obligation to accommodate, especially since trustees are elected officials and not your employees or agents.
- The Ministry of the Attorney General has not only conceded the existence of the duty to accommodate, but has, in the past, argued that liability for failing to discharge that duty lies with school districts, not the Ministry of Education.
- Ministry of Education policy on alternative delivery of curriculum purports to prohibit or limit the accommodation of freedom of conscience and religion outside the health and planning curriculum. This amounts to a formal statement of an intention to discriminate that contravene Section 7(1)a of the *BC Human Rights Code*.
- Students are not required to meet "all prescribed learning outcomes" in any course of study. To impose such a requirement with respect to Corren-approved learning outcomes would be inconsistent with educational practice in this province and thus clearly demonstrate an intention to discriminate against objecting families.⁴³

Your repeated assertions that "nothing has changed" with respect to alternative delivery of curriculum are not only misleading, but quite beside the point. The real point is that "nothing has changed" with respect to the duty of school districts to accommodate freedom of conscience and religion, even if that means acknowledging parental authority to withdraw their children from objectionable lessons or classes in any part of the curriculum.

Should you have a different view of this, I invite you or the Attorney General to publicly and unequivocally state that Ministry directives have relieved school districts of this duty.

The Minister has neither replied to the League nor disputed its arguments.

On 7 March, 2008, the League forwarded the completed review of *Making Space, Giving Voice* to

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the Minister, noting that an incomplete version had been submitted to meet the six week deadline set by her officials. The Minister was asked to waive the six week deadline and ask her officials to take the review into account when revising *Making Space, Giving Voice*. Copies of the executive summary of the review and the letter to the Minister were sent to School Districts, District Parent Advisory Councils, the BC School Superintendents' Association, the BC Principals' and Vice Principals' Association, and the BC Confederation of Parent Advisory Councils.

Correspondence with school districts

A letter sent to almost all public school district trustees⁴⁴ in September, 2006, included the following reminder:

It is important that school trustees, administrators and teachers understand that citizens do not surrender freedom of conscience and religion as a condition of attending a public school, nor do parents 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. Catholic teaching is that parents remain the primary educators of their children, and that this primacy is not primacy only in order of time and importance, but in order of authority, regardless of religious affiliation. The Catholic Church asserts that parental authority to closely supervise the moral education of their children is inalienable; it cannot be suppressed or revoked by a private agreement between the government and special interest activists, nor by fiat of the Ministry of Education.

The League observed that the Corren agreement would likely "place school districts and school administrators in an adversarial relationship with objecting parents," and that the associated consequences and costs would fall principally on the school districts. The trustees were advised that the League would assist parents in such circumstances, and call upon others to do the same. Finally, the trustees were asked to state their intentions with respect to the obligation to accommodate freedom of conscience and religion.

Specifically, we want to know if it intends to compel students to attend classes or lessons that their parents judge are contrary to the individual needs of their children, or that they find morally objectionable or subversive or offensive with respect to their religious, moral and cultural traditions. We also require your school district's position on the exercise of freedom of conscience by teachers. Specifically, does your district intend to compel teachers to deliver curriculum materials to which they object for reasons of conscience? These questions have become relevant to the entire curriculum, not just the elective Grade 12 course, because of plans to introduce changes to numerous subjects.

Should your school district intend to adopt such policies, we would appreciate having your explanation of how they are consistent with the Canadian Charter of Rights and Freedoms.

Included with the letter were references to Catholic teaching on parental authority in education, intended to assist trustees better appreciate the position of the League.⁴⁵

A second letter was sent in November to school districts that had not responded to the first, and letters were sent to every District Parent Advisory Council, advising them of the correspondence with their district trustees. A third letter was sent to unresponsive districts at the end of December, 2006.⁴⁶

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Records were obtained from three school districts using access to information requests filed under the *Freedom of Information and Protection of Privacy Act*. As a result of complaints filed with the Provincial Ombudsman, virtually all school districts eventually responded to the League.

56 of 60 territorial school districts⁴⁷ representing about 99% of the public school student population have replied to the League (See Appendix “A”).⁴⁸ 21 districts offered evasive replies (24.9% of the public school student population - Appendix “C”). Replies from three districts were classed as ambiguous (8.8% of the public school student population- see Appendix “D”).

Only two districts - 48 (Howe Sound) and 78 (Fraser-Cascade) offered replies that indicate they will refuse to accommodate freedom of conscience and religion and force children to attend classes over the objections of their parents, thus enforcing that provision of the Corren Agreement. These districts are responsible for only 1.1% of the public school student population in the province. (See Appendix “E”)

Three districts representing 7.7% of the public school student population have indicated a desire to accommodate families, though stopped short of making a commitment to do so (See Appendix “A”). 26 districts accounting for 52.7% of the public school student population acknowledge a duty to accommodate freedom of conscience and religion of students, parents and/or teachers. 15 of these, representing over a quarter million students - 42.4% of the public school student population - have expressly stated or publicly admitted that students will not be compelled to attend classes that are objectionable for reasons of conscience or religion (See Appendix “B”).⁴⁹ Two districts reported that they committed the matter to study (Appendix “F”).

In sum, school districts representing over half of the public school student population acknowledge that they are obliged to accommodate freedom of conscience and religion. About a quarter of BC’s school districts accounting for over 40% of the public school student population have stated that they will not violate freedom of conscience or religion by compelling students to attend classes over the objections of their parents, the Corren Agreement notwithstanding. For reasons known only to themselves, trustees in 21 districts representing about one quarter of the public school student population have been unwilling to publicly commit to uphold the fundamental freedoms of their constituents and employees. While their silence is not necessarily indicative of what they will do, their unwillingness to demonstrate a principled commitment to fundamental freedoms is disturbing.

What you can do

1. Let others know about the Corren agreement, regardless of their religious affiliation. Give them the address for the League’s web page about it (<http://www.ccrl.ca/index.php?id=4835>). Download documents for people who do not have internet access. Use your contacts in service clubs, the community and parish groups to spread the word and distribute information.
2. Welcome and encourage non-Catholic Christians and persons of other faiths as partners in asserting and defending parental authority in the education of our children.
3. If you are a CCRL member with an e-mail address, please send it to ccrl-west@shaw.ca so that we can keep you abreast of developments. Encourage others to join the League and do the same.
4. Contact other groups opposing the Agreement and join in or support their activities.
5. Write to or call your school district trustees or school board office and ask them to provide you with copies of the League's correspondence and their response to it. These ought to be matters of public record. Thank trustees who are supporting the authority of parents.
6. All citizens support the public school system, whether or not they have children enrolled. All are

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entitled to answers from their elected representatives. Ask your trustees the questions asked by the League, and politely insist upon having answers. Let them know

- that you expect that parental authority to withdraw their children from objectionable classes or lessons will be respected;
- that you expect freedom of conscience and religion to be accommodated.

It may be more effective if several people do this, or if parents act collectively to elicit a response. You might consider making the following points in your communications with trustees:

- The issues are the defence of parental authority in the education of their children and the accommodation of freedom of religion and conscience.
- Parents delegate (not surrender) some of their authority to the school system. They do not need permission to withdraw their children from classes or otherwise intervene in the best interests of their children.
- Parents and students do not give up freedom of conscience and religion as a condition of enrolment in public schools.
- Accommodation of freedom of conscience and religion is not optional. It is a legal obligation.
- International agreements and declarations hold that children should not be forced to receive teaching on religion or belief against the wishes of his parents or legal guardians.⁵⁰

7. Run for school board trustee, or support someone who is willing to accommodate and protect freedom of conscience, religion, thought, opinion and belief in the public school system, despite the Corren Agreement.

8. Parents whose children are enrolled in the public school system are automatically members of the Parent Advisory Committee of their school. Parent Advisory Committees and the District Parent Advisory Committees represent parents. School administrators, district officials and trustees have no jurisdiction to give direction to PACs or DPACs about what issues they may bring forward. They are entitled to take a position on these issues and communicate their positions to school administrators, district officials and trustees.

- While PACs and DPACs can be convenient and important channels of communication, individual parents remain free to communicate directly with trustees and administrators and to form other associations or groups for that purpose.

9. Write to the Attorney General, the Minister of Education, and your MLA. Tell them what you think, and ask them

- why they continue to have confidence in the Correns as experts in social justice in view of Peter Corren's comments about the Catholic Church and Archbishop Roussin's statement;
- if they believe that children should be forced attend classes or lessons that their parents judge are contrary to the individual needs of their children, or that they find morally objectionable or subversive or offensive with respect to their religious, moral and cultural traditions;
- if they believe that teachers should not be permitted to exercise freedom of conscience and religion in the workplace.

Documents

(Visit *The Corren Agreement* at <http://www.ccr.ca/index.php?id=4835> to see a list of documents and correspondence. There are links to many of the documents available on line.)

Appendix “A” Overview

SCHOOL DISTRICTS NOT RESPONDING

As a result of complaints filed with the Provincial Ombudsman, almost all school districts responded to letters from the League. Responding districts account for 99% of the public school student population.

Although School District 70 (Alberni) trustees did not reply, the District 70 DPAC did. This has caused the League to classify the district as “generally accommodating.” The DPAC letter also demonstrates that it would be unduly pessimistic to assume that failure to reply to the League is necessarily indicative of an adverse position.

District	Students	District	Students
50 Haida Gwaii/Queen Charlotte ⁺	796	93 Francophone**	3,816
92 Nisga'a ⁺	536	103 Offshore**	

Contact BC School Districts [<http://www.bced.gov.bc.ca/apps/imcl/imclWeb/DistrictOffice.do>]

Notes

+ The Ombudsman was not asked to investigate the unresponsiveness of two districts where small size and predominant culture probably militate against the coercive elements of the Corren Agreement, nor District 70.

** Correspondence was not continued.

Statistics are from the Ministry of Education’s *Enrolment Report Collection* (January, 2006). (<http://www.bced.gov.bc.ca/reporting/enrol/collections.php>) Accessed 2007-10-19

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GENERALLY ACCOMMODATING RESPONSES (See Appendix "B" for details)

District	Acknowledges Duty to Accommodate	No Coercion of Students	Indicates Desire to Accommodate
005- Southeast Kootenay	X	X	
006- Rocky Mountain	X		
019- Revelstoke	X		
022- Vernon	X	X	
027- Cariboo-Chilcotin		X	
028- Quesnel	X	X	
033- Chilliwack			X
034- Abbotsford	X	X	
035- Langley	X		
036- Surrey	X	X	
037- Delta			X
039- Vancouver	X	X	
040- New Westminster	X		
041- Burnaby	X		
042- Maple Ridge- Pitt Meadows			X
044- North Vancouver	X	X	
046- Sunshine Coast	X	X	
047- Powell River	X		
049- Central Coast	X		
051- Boundary	X		
053- Okanagan Similkameen	X		
059- Peace River South	X		
063- Saanich	X	X	
067- Okanagan Skaha	X	X	
068- Nanaimo-Ladysmith	X	X	
070- Alberni		X	
073- Kamloops-Thompson	X	X	
074- Gold Trail	X		
084- Vancouver Island West	X		
087- Stikine	X		
091- Nechako Lakes	X	X	
% Public School Student Population	52.7%	42.4%	7.7%

Statistics are from the Ministry of Education's *Enrolment Report Collection* (January, 2006).
(<http://www.bced.gov.bc.ca/reporting/enrol/collections.php>) Accessed 2007-10-19

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EVASIVE RESPONSES (See Appendix "C" for details)

008- Kootenay Lake	057- Prince George	072- Campbell River
010- Arrow Lakes	058- Nicola-Similkameen	075- Mission
023- Central Okanagan	060- Peace River North	079- Cowichan Valley
027- Cariboo-Chilcotin	061- Greater Victoria	081- Fort Nelson
045- West Vancouver	062- Sooke	082- Coast Mountains
052- Prince Rupert	064- Gulf Islands	083- North Okanagan-Shuswap
054- Bulkley Valley	069- Qualicum	085- Vancouver Island North

% Public School Student Population - 24.9%

AMBIGUOUS RESPONSES (See Appendix "D" for details)

038- Richmond	053- Okanagan Similkameen
041- Burnaby	

% Public School Student Population - 8.8%

ADVERSE RESPONSES (See Appendix E" for details)

048- Howe Sound	078- Fraser-Cascade
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% Public School Student Population - 1.1%

OTHER RESPONSES (See Appendix "F" for details)

020- Kootenay Columbia	043- Coquitlam
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% Public School Student Population - 6.3%

Statistics are from the Ministry of Education's *Enrolment Report Collection* (January, 2006).
(<http://www.bced.gov.bc.ca/reporting/enrol/collections.php>) Accessed 2007-10-19

Appendix “B”

School Districts - Generally Accommodating Responses

The League has classified responses from 31 school districts as “generally accommodating.” 26 of these, accounting for 52.7% of the public school student population, acknowledge a duty to accommodate freedom of conscience and religion of students, parents and/or teachers. 15 districts representing almost a quarter million students - 42.4% of the public school student population - have expressly stated or publicly admitted that students will not be compelled to attend classes that are objectionable for reasons of conscience or religion.

Parents in these districts who find lessons or classes objectionable will likely be able to make alternative arrangements for their children, up to and including opting out of classroom instruction.

However, parents should take nothing for granted. Some of these districts have only grudgingly conceded that their obligation to accommodate may include opting out and alternative delivery of curriculum, while the position of some others is ambiguous in varying degrees. Some administrators or teachers may be unwilling to give effect to policies that acknowledge parental authority.

Parents should communicate their concerns directly to teachers and administrators. Where there is any indication that they are not being taken seriously, parents should provide written notice of their concerns and direction regarding their children. The onus then shifts to the school and school district to ensure that appropriate notice is given and accommodation offered.

Group 1: Trustees commit to accommodation

11 school districts, including the two largest in the province,⁵¹ have provided assurance that students will not be compelled to attend classes over the objections of their parents. 14 assurances came from trustees: two from DPACs (See Group 2).

District 22 (Vernon) In response to the issue whether the district intends to "compel students to attend classes or lessons that their parents judge are contrary to the individual needs of their children, or that they find morally objectionable or subversive with respect to their religious, moral and cultural traditions" [i]t is our belief that these concerns can best be addressed on a case by case basis . . . [offers four possible alternatives, including opting out and alternative delivery]. . . if a situation of "conscience" did arise, our district would make a sincere attempt to accommodate the teacher where reasonably possible. (Letter dated 13 December, 2006)

District 28 (Quesnel) . . . the Quesnel School District does not intend to compel students to attend classes or lessons that their parents/guardians judge are contrary to the individual needs of children or that they find morally objectionable or subversive or offensive with respect to their religious, moral, and cultural traditions. We also respect and accommodate on teachers exercising their freedom of conscience. (Letter dated 1 December, 2006)

District 34 (Abbotsford) . . . at the Regular (public) Meeting of the Board of School Trustees held on February 19, 2007, the following motions were passed: THAT the Board of School Trustees affirm its support of the United Nations Declaration of the Rights of the Child - Principle 7 which states, "The best interest of the child shall be the guiding principle of those responsible for his/her education and guidance; that responsibility lies in the first place with his/her parents." (Letter dated 12 March, 2007)

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- "[Trustee Korkey] Neufeld said the Corren Agreement diminishes parents' rights in their child's education. 'This district's first priority is the right of parents in determining the education of their children,' he said." (Baker, Rochelle, "Trustees ensure rights of parents a priority: Previous motion 'was too broad.'" Abbotsford News, 22 February, 2007)
- On 23 April, 2007, the Board reaffirmed its support for Principle 7, refusing a motion to affirm all seven principles of the *Declaration*.

District 36 (Surrey) The chairman of District 36 has made the following public statement:

- "I have every confidence the parent's voice will be heard, as it always has in the past . . . If their student doesn't wish to participate their wishes will be followed."⁵²

District 39 (Vancouver) In accordance with the *Human Rights Code* and *Charter of Rights* the Vancouver School District will honour our legal duty to accommodate concerns based on religious beliefs . . . we will deal with issues on a case-by-case basis and will make decisions accordingly and to the extent possible in our system. (Letter dated 20 November, 2006) . . . the Vancouver School District will honour our legal duty to accommodate students with issues arising from concerns about any curriculum on a case by case basis. We will make decisions accordingly and to the extent possible within the *School Act*. (Letter dated 20 December, 2006)⁵³

District 44 (North Vancouver) I wish to confirm that this Board will conduct itself in accordance with policies previously shared with you and honour our obligations to students and employees under the British Columbia *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*. Requests for accommodation will be explored on a case-by-case basis when a particular issue arises. (Letter dated 29 March, 2007)

District 46 (Sunshine Coast) School District No. 46 does not force our students to participate in any activity or class which they or their parents find objectionable. We abide by the Canadian Charter of Rights and Freedoms. (Letter dated 20 November, 2006)

District 63 (Saanich) . . . the Statement of Education Policy Order (Mandate for the School System) obliges parents to participate in the process of determining educational goals, policies and services provided to their children, and to ensure that their children are provided with a healthy and supportive learning environment. Parents also have a responsibility to help shape and support the goals of the school system and to share in the tasks of educating their young. The Board of Education in Saanich has long adhered to these important principles of parental involvement with respect to their children's education.

In accordance with the principle of parental involvement, rights and responsibilities, the Saanich School District also respects the rights guaranteed to parents and children under the *Canadian Charter of Rights and Freedoms*. For example, it is not our practice to compel students to attend classes contrary to those Charter rights. As for freedom of conscience for teachers, I am confident that even as teachers are required to provide a provincially prescribed program of instruction they are also aware that should they object to that requirement on religious or moral grounds we would consider any such case on its facts and circumstances in light of applicable laws, the Charter, the *School Act* and the *Human Rights Code*. (Letter dated 24 September, 2007)

District 67 (Okanagan Skaha) . . . the Statement of Education Policy stipulates that parents have the right and responsibility to participate in the educational goals, policies and services provided to their children. The Order also stipulates that parents have a primary responsibility to ensure their children are provided with a healthy and supportive learning environment.

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Additionally, the legislation provides, and the Board endorses, that parents have a responsibility to help shape and support the goals of the school system and to share in the task of educating students. The Board of Education endorses and values this important role for parents within our education system. Additionally, it is not the practice of our School District to compel students to attend class contrary to rights guaranteed to them or their parents under the *Canadian Charter of Rights and Freedoms*.

. . . our Board of Education will review any [curriculum] changes with a view to meeting its legal obligations under the *Canadian Charter of Rights and Freedoms*, as well as the *School Act*. We will do so bearing in mind that we value the important role of parents in the education of their children and, specifically, in their human and social development.

With regard to the freedom of conscience of our teaching staff, I can advise that teachers are required to provide a program of instruction for students that complies with both the provincially and locally prescribed curriculum. I am not aware of any circumstance in our School District in which teachers have objected to teaching the curriculum on moral or religious grounds. In any event, any such issue would be considered based on its particular facts and circumstances taking into consideration applicable laws, including the *Canadian Charter of Rights and Freedoms*, *Human Rights Code* and the *School Act*. (Letter dated 6 September, 2007)

District 68 (Nanaimo/Ladysmith) Teachers employed in the public system whose religious beliefs would not allow them to teach any particular course being offered may be accommodated in our district. (Letter dated 28 November, 2006) . . . Like most other school districts, we write to confirm that we will continue to honour our obligations under the *Human Rights Code* to accommodate the concerns of students based on their religious beliefs. We will deal with such concerns on a case by case basis. (Letter dated 13 March, 2007)

District 73 (Kamloops/Thompson). . . it is not the practice in our School District to compel students to attend class contrary to rights guaranteed to them or their parents under the *Canadian Charter of Rights and Freedoms*. . . With respect to anticipated changes to Provincial curricular requirements, the School Board will review any changes which are made with a view to meeting its legal obligations under the *Canadian Charter of Rights and Freedoms*, as well as the *School Act*. Again, the School Board values the important role of parents in the education of their children and, specifically, in their human and social development. Secondly, with respect to the freedom of conscience of our teaching staff. . . The School Board is not aware of any circumstance in our School District in which teachers have objected to teaching the curriculum on moral or religious grounds. However, any such issue would be considered on a case by case basis in accordance with the applicable law, including the *Canadian Charter of Rights and Freedoms*, the *Human Rights Code* and the *School Act*. (Letter dated 14 March, 2006)

District 74 (Gold Trail) . . . we will continue to honour our obligations under the *Human Rights Code* to accommodate the concerns of students based on their religious beliefs. We deal with such concerns on a case by case basis. (Letter dated 15 October, 2007)

District 87 (Stikine) The Stikine District does not compel students to attend classes or lessons that the parents/guardians judge contrary to the individual needs of children or that they find morally objectionable or subversive or offensive with respect to their religious, moral, and cultural traditions. We also respect and accommodate the right of teachers to exercise their freedom of conscience. (Letter dated 24 March, 2007)

District 91 (Nechako Lakes) We respect parents' decisions to have their children opt out of classroom discussions specific to controversial subject matter. We also believe that our teachers'

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rights are respected regarding the assignment of teaching duties. . . (Letter dated 24 November, 2006)

Group 2: DPACs commit to accommodation

Despite the failure of their trustees to take a public position, District Parent Advisory Councils from two districts assert that parental authority to withdraw their children from objectionable classes will be respected.

District 27 (Cariboo-Chilcotin) The members feel that we already have the right to pull our children out of any classroom if we as parents object to what or how our children are being taught. Majority of the schools in our district notify parents of any upcoming topics that might be controversial. Though as a DPAC we were uncertain if it is a district policy or just a school-based decision to notify parents, unfortunately neither the Superintendent or the board Chair were not present for this meeting. The matter of parents having the right to notified before hand was expected from all member present, and we will be enquiring as to if this is a district policy. If it is not a district policy to notify parents prior to the lesson, we will recommend to the School District 27 Policy Committee that it become district policy.(Letter dated 15 December, 2006)

District 70 (Alberni) Parent representation present at our last meeting felt they are well informed of subject content in our district and are given the opportunity to discuss any concerns regarding course content with the teachers. It is felt that parents are given the option to exclude their child from classes where the content may be viewed as personally objectionable. (Letter dated 25 January, 2007)

Group 3: Trustees acknowledge a duty or practice of accommodation

Districts representing 56.7% of the public school student population acknowledge a legal duty to accommodate freedom of conscience and religion or the practice of doing so. Among the districts providing ambiguous responses (see Appendix “D”), two (41 and 53) acknowledge their legal obligation to accommodate freedom of conscience and religion, and a third (47) suggests that alternative delivery remains possible. Since District 47 also asserts that it accommodates freedom of conscience among teachers, it is reasonable to believe that accommodation will also be available to parents.

District 6 (Rocky Mountain) Please be assured that the Board of Education and staff of School District No. 6 (Rocky Mountain) ensure compliance with all legislated responsibilities and expectations and with all court rulings which apply to public education in British Columbia. (Letter dated 24 August, 2007)

District 19 (Revelstoke) . . . please be assured that the Board of Education of School District 19 (Revelstoke) values the important role that parents play within our education system. We will meet any legal obligations that we have under the *Canadian Charter of Rights and Freedoms* as well as the *School Act*.

. . . regarding the teaching staff expressing their freedom of conscience. . . any issues that arise in this area would be addressed on its particular facts and circumstances taking into account all applicable laws including the *Canadian Charter of Rights and Freedom* [sic], the *Human Rights Code* and the *School Act*. (Letter dated 19 September, 200)

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District 35 (Langley) . . . the Board of Education for School District 35 (Langley) will, as in all situations related to students, parents and the delivery of curriculum, adhere to the *School Act* as well as the laws and statutes of British Columbia and Canada (Letter dated 25 September, 2007)

District 40 (New Westminster) The policies and practices in place in this district adhere to the School Act, as well as to the laws and statutes of British Columbia and Canada. As these policies and practices accommodate freedom of conscience and religion among students, staff and others associated with this district, we have no plans to introduce any policies specific to the Corren Agreement. (Letter dated 10 September, 2007)

District 41 (Burnaby) In accordance with the *Human Rights Code* and *Charter of Rights* the Burnaby School District will honour our legal duty to accommodate concerns based on religious beliefs. We will deal with issues on a case-by-case basis and will make decisions accordingly and to the extent possible in our system. (Letter dated 20 March, 2007; reaffirmed 17 April, 2007) Burnaby Trustees also affirmed support for Principle 7 of the UN Declaration of the Right of the Child (1959): "The best interest of the child shall be the guiding principle of those responsible for his/her education and guidance; that responsibility lies in the first place with his/her parents." On the other hand, it has not precluded the possibility that it will force children to attend lessons or classes to which their parents object.

District 47 (Powell River) The School District is committed to the delivery of all of the required curriculum of the Province of British Columbia. The School District has a strong tradition of listening to parents' concerns and responding to the individual needs of children. Should parents find aspects of the curriculum being taught to be objectionable, the district encourages them to speak to their child's principal to find alternatives to the delivery of that curriculum. . . it has been our policy not to compel teachers to deliver curriculum with which they are uncomfortable. The School District fully intends to meet all of its obligations required by the provincial government and the *School Act*, which it believes are consistent with the *Canadian Charter of Rights and Freedoms*. (Letter dated 28 November, 2006)

District 49 (Central Coast) . . . our current practices and policies are in compliance for staff and students to accommodate freedom of conscience and religion.

We have no plans to introduce any policies specific to the Corren agreement. School District No. 49 (Central Coast) has not had any issues come forward that were not looked after appropriately and do not anticipate any issues in the future. (Letter dated 30 August, 2007)

District 51 (Boundary) I . . . believe our current practices and policies are in compliance for staff and students to accommodate freedom of conscience and religion.

We have no plans to introduce any policies specific to the Corren agreement. School District No. 51 (Boundary) has not had any issues come forward that were not looked after appropriately and do not anticipate any issues in the future. (Letter dated 28 November, 2006)

District 53 (Okanagan-Similkameen) . . . the Board of School Trustees for School District No. 53 (Okanagan-Similkameen) will, as in all situations related to students and parents adhere to the *School Act* as well as the laws and statutes of British Columbia and Canada, this includes the *Human Rights Code*. (19 March, 2007)

District 59 (Peace River South) I . . . believe our current practices and policies accommodate freedom of conscience and religion for students, parents and staff.

We have no plans to introduce any policies specific to the Corren agreement. To date, our District

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has not had any issues come forward that were not looked after appropriately. (Letter dated 27 September, 2007)

District 84 (Vancouver Island West) The Board has just completed a review of all District policies on learning resources and we are satisfied that they adequately deal with parental permission and inclusion where sensitive material is part of any student's curriculum, and further that they are not in violation of the Canadian Charter of Rights and Freedoms. (Letter dated 12 January, 2007)

Group 4: Trustees indicate a desire to accommodate

In addition, responses from three districts appear to indicate a desire to accommodate the religious, moral or cultural traditions of families, though less than a commitment to preclude compulsory attendance over parental objections.

District 33 (Chilliwack) . . . Chilliwack School District will endeavour to do what it can for students, parents and staff to accommodate religious, moral or cultural traditions. (Letters dated 18 December, 2006 and 26 April, 2006)

District 37 (Delta) . . . While individual Trustees have asked that we continue to respect the rights of parents to be the first educators of their children, the Board itself has not issued a formal response to the matters you raise. . . Parents have always felt welcome to talk with school administrators regarding any concerns they might have in material being taught to their children. Should a problem arise, our District Parent Advisory Committee has established a Parent Advocate Program to assist parents in such matters and problem solve accordingly. . . While we do not know the details of future curricula and therefore cannot comment on specifics, our Board is a strong advocate for parents' rights and the well developed practices we have initiated in our schools will continue. (Letter dated 13 December, 2006)

District 42 (Maple Ridge-Pitt Meadows) . . . The Board has also asked for a review of its current policy that ensures parents are not being prejudiced in their right to seek accommodation from school activities on topics that are contrary to their own beliefs. (Letter dated 21 November, 2006)

Appendix “C”

School Districts- Evasive Responses*

** Minimal responses that do not attempt to address the questions or issues, and/or do not accept responsibility for independent judgement with respect to accommodation of freedom of conscience, religion, thought, opinion or belief. The District 27 DPAC response indicates that it would be unduly pessimistic to assume that evasive replies are necessarily indicative of an adverse position.*

District 8 (Kootenay Lake) Your letters respecting the Corren Agreement have been received and passed on to all relevant parties. Required procedures and regulations regarding implementation will be developed at the appropriate time. (Letter dated 13 March, 2007)

District 10 (Arrow Lakes) Thank you for your letter dated February 12, 2007. The letter has been forwarded to the Board as per your request. (Letter dated 20 March, 2007)

District 27 (Cariboo-Chilcotin) Your original letter and materials were presented at an open board meeting of School District 27 (Cariboo-Chilcotin) on October 26th. At that time, a motion was made to receive and file the letter. (E-mail dated 22 November, 2007)

- Despite the Board’s response to the League, the School District Parent Advisory Council stated:
 - ▶ The members feel that we already have the right to pull our children out of any classroom if we as parents object to what or how our children are being taught.
 - ▶ Majority of the schools in our district notify parents of any upcoming topics that might be controversial. Though as a DPAC we were uncertain if it is a district policy or just a school-based decision to notify parents, unfortunately neither the Superintendent or the board Chair were not present for this meeting. The matter of parents having the right to notified before hand was expected from all member present, and we will be enquiring as to if this is a district policy. If it is not a district policy to notify parents prior to the lesson, we will recommend to the School District 27 Policy Committee that it become district policy. (E-mail dated 15 December, 2006)

For this reason, the League identifies District 27 as a school district that is willing to accommodate objecting parents.

District 45 (West Vancouver) Communication from parents and/or staff regarding instructional concerns are welcomed, and such conversations are not unusual. Should the unease be related to religious, moral or cultural matters, the district attempts to honour the concerns as much as possible, while keeping in mind the directives from the Ministry of Education regarding instructional obligations. (Letter dated 20 November, 2006)

District 52 (Prince Rupert) This is to acknowledge receipt of your letter. . . dated September 27, 2006. In the minutes of the October 10, 2006 regular meeting of the Board of Education . . . the aforementioned correspondence was acknowledged and filed. Please be advised that any subsequent correspondence from you on this matter will be filed without recognition of receipt. (Letter dated 8 November, 2007)

District 58 (Nicola-Similkameen) . . . your letter dated November 11, 2006, was received by the Board of School Trustees at a Regular meeting held on December 6,2006. A motion was passed to

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received and file the letter. (Letter dated 12 January, 2007)

Please be advised that your concerns do not seem to be an issue in this district. (20 April, 2007)

District 60 (Peace River North) Our Board is considering this issue, along with many other challenging issues, and they will be dealt with locally, as we believe appropriate. Thank you for your concern. (Letter dated 30 November, 2006)

District 61 (Victoria) . . . it would be premature for the District to respond. . . until such time as [the Social Justice 12 IRP] has been finalized by the Ministry of Education. Further, it would be impetuous of the District to assume that any revisions or additions to the curriculum would have a discriminatory effect on any religious groups, families or teachers. . . Until such time as the new resource package has been finalized and approved, it would be premature for the District to assume that any changes to this curriculum would give rise to a need for religious accommodation. . . it is impossible to react or comment on something that is still in its planning stages. (Letter dated 10 July, 2007).

District 62 (Sooke) The Board. . . received and filed correspondence from the Catholic Civil Rights League on November 28th, 2006. (Letter dated 12 January, 2007)

District 64 (Gulf Islands) . . . While we are sensitive to the religious backgrounds of the families to whom we are accountable, we also understand that our public education system must reflect, as accurately as possible, the social values held in our communities, our province, our country and the world, even as these values change over time. For that reason, while we are not unwilling to adapt curriculum in cases where not doing so would jeopardize the ability of a student to be successful, we do encourage all of our students to participate fully in the rich learning environment we enjoy in the Gulf Islands. Our education system must be as diverse, socially responsive, and challenging as possible if we truly believe that we are preparing our children and youth for a better future. (Letter dated 1 March, 2007)

School District 69 (Qualicum) The Board will take your comments on this matter into consideration. The Board will abide by the laws of the Province of British Columbia in this and all matters. (Letter dated 5 January, 2007)

School District 72 (Campbell River, BC) . . . In reviewing this matter with the Board Chair, I was advised that the Board had declined to deal with the matter under enquiry, and will not be responding to any future correspondence on the matter. (Letter dated 27 November, 2007)

School District 75 (Mission) We have yet to receive the curriculum for the proposed course. Until we do so it would be premature to speculate on the District's position. (Letter dated 8 January, 2007)

District 79 (Cowichan Valley) Please consider this response as acknowledgement of your correspondence. (Letter dated 28 March, 2007)

District 81 (Fort Nelson) . . . The direction provided from the Board. . . was that a response letter would not be provided and your letter was accepted as information. Further letters on this matter will be presented to the Board. . . for their information and no further response will be forthcoming. (Letter dated 8 November, 2007)

District 82 (Coast Mountains) . . . After reviewing your letters and our existing numerous policies on safe schools, we are comfortable with our current practice with respect to inclusiveness and respect for the rights of all individuals.

District 83 (North Okanagan-Shuswap) A copy of your correspondence has been provided to

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School Trustees. Thank you for sharing your perspective on this matter. (28 November, 2006)

A copy of this letter and your previous correspondence has been provided to school trustees. Thank you for sharing your perspective on this matter. (Letter dated 15 January, 2007)

School District 85 (Vancouver Island North) Thank you for your letter dated February 12, 2007, regarding the Corren agreement concerning the rights of lesbian, gay, bisexual and transgender students and staff. After reviewing your letter and our existing numerous policies on safe schools, we are comfortable with our current practice with respect to inclusiveness and respect for the rights of all individuals. (Letter dated 13 March, 2007)

Appendix “D”

School Districts- Ambiguous Responses* (as of 20 October, 2007)

* Responses accept responsibility for independent judgement with respect to accommodation of freedom of conscience, religion, thought, opinion or belief, but fail or refuse to admit the implications of this position. Those that acknowledge a duty to accommodate have been included in Appendix “B”.

District 38 (Richmond) I would take this opportunity to confirm that the Richmond School District (38) operates under the *School Act* (RSBC 1996) Chapter 4121 and would respectfully refer you to the Ministry of Education of British Columbia for any further explanation on your concerns and questions. (Letter dated 27 December, 2006)

On the other hand, in a letter to a constituent, trustee Chak Au of Richmond, citing a letter from the Minister, advised a constituent that the school board “retains the autonomy as before to provide some form of alternative delivery for any IRP.” (Letter dated 13 November, 2007)

District 41 (Burnaby)

The League wrote to the trustees in District 41 (Burnaby) on several occasions concerning the accommodation of freedom of conscience and religion in light of the Corren Agreement. (27 September, 2006; 26 October, 2006; 11 November, 2006; 29 December, 2006; 12 February, 2007). Only two responses were received, both from the Secretary Treasurer. On 17 October, 2006, he stated that the League's first letter had been “received by the Board of Trustees **at their regular scheduled meeting** held October 10.” (emphasis added). The second stated that the Trustees had received the League's letter of 29 December “**at their regular scheduled meeting** held January 23, 2007.” (emphasis added).

Courtesy an e-mail from Burnaby Trustee Richard Lee, the League was made aware that the ‘regular scheduled meetings’ to which the Secretary Treasurer referred were held *in camera*, that all but the last letter from the League were dealt with in this manner, and that the trustees were unwilling to publicly acknowledge the existence of the correspondence. The procedure appeared contrary to District 41 Policy 2.05.00. Lee, a lawyer by profession, was later quoted as stating that there was “no proper justification” to deal with the correspondence “behind closed doors.”⁵⁴

Mr. Murphy wrote to the trustees seeking written assurance that what appeared to be the discriminatory handling of the League’s correspondence was not motivated by anti-Catholic or anti-religious prejudice. He also lodged a complaint with the Provincial Ombudsman.

The Ombudsman began an investigation on 6 March, 2007.⁵⁵ One week later, the League's letters that had been dealt with *in camera* were made part of the public record at a public meeting of the Board. Trustee Lee, who was unaware that this was to take place until shortly before the meeting, moved that the letters be brought forward as part of the next public meeting agenda. He wanted to refresh his memory about the concerns expressed by the League before making a decision about how to respond to them. His motion was defeated 5-2. However, the trustees also approved the following motion:

In accordance with the Human Rights Code and Charter of Rights the Burnaby School District will honour our legal duty to accommodate concerns based on religious beliefs. We will deal with issues on a case-by-case basis and will make decisions accordingly and to the extent possible in our system. (Letter dated 20 March, 2007)

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Mr. Murphy advised the board that he understood the letter “to mean that students in School District 41 will not be compelled to attend classes or lessons that their parents judge are contrary to the individual needs of their children, or that they find morally objectionable or subversive or offensive with respect to their religious, moral and cultural traditions,” and that he understood that freedom of conscience of teachers would be respected.

Several things relevant to the Corren agreement happened during the Board meeting of 10 April, 2007, at which these letters were discussed.⁵⁶

In the first place, the Board received a letter from the Chair of School District 34 (Abbotsford) regarding parental rights. Next, the Board unanimously passed a motion by Trustee Richard Lee to affirm support for Principle 7 of the *UN Declaration on the Rights of the Child* (1959): “The best interest of the child shall be the guiding principle of those responsible for his/her education and guidance; that responsibility lies in the first place with his/her parents.”

District 34 had previously passed and then reaffirmed support for Principle 7, making it clear that this was meant to affirm the authority of parents in the face of the contrary provision of the Corren Agreement.

When the League’s letter stating its understanding of the Board’s policy was considered, the trustees accepted Richard Lee’s motion that it write the League to re-emphasize the position stated in its letter of 20 March. Concerning the access request by the League, the Chair Ron Burton, seconded by Diana Mumford, moved

THAT a letter be written to the Catholic Civil Rights League (“CCRL”) advising that previous *in camera* correspondence from the CCRL had been dealt with appropriately at *in camera* meetings and after completing a legal review of the issues raised by the CCRL the Board chose to move the letters and responses to a public session meeting.

Richard Lee, who had publicly stated that the handling of the League’s correspondence “behind closed doors” was unjustified, voted against it, but the motion passed. Helen Chang abstained.

In re-emphasizing its letter of 20 March, the Board stated that the letter was “very clear” and “requires no further clarification.” It repeated, *verbatim*, the relevant passage from the earlier document.⁵⁷

Mr. Murphy wrote to the Board again, stating that he was “somewhat puzzled” by the Board’s letter, since it seemed to imply that he was in error in concluding that the Board would not compel children to attend classes over the objections of their parents.

However, since your letters of 20 March and 17 April are “very clear” and need “no further interpretation,” I expect that you will now have no difficulty in responding directly to the questions previously raised:

- ▶ Do you intend to compel students to attend classes or lessons that their parents judge are contrary to the individual needs of their children, or that they find morally objectionable or subversive or offensive with respect to their religious, moral and cultural traditions?
- ▶ Do you intend to compel teachers to deliver curriculum materials to which they object for reasons of conscience?

. . . Alternatively, you may prefer to answer the following questions, which approach the same problem in a slightly different way:

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- ▶ Do you preclude opting out of classes or lessons and alternative delivery of curriculum outside the health and planning curriculum as a method of accommodating the exercise of freedom of conscience and religion by parents?
- ▶ Do you preclude reassignment or relief of teachers as a method of accommodating their exercise of freedom of conscience and religion?

If, as a matter of policy, you preclude these methods of accommodation, please explain how they would impose undue hardship on the school district.⁵⁸

At the Board meeting on 8 May, 2007, trustee Richard Lee, seconded by trustee Helen Chang, moved

THAT the Board send a letter of reply to the Catholic Civil Rights League stating that in regard to question 1 on the second page of their letter, the Board's answer is we do not so preclude and as to question 2 on the same page, the Board's answer is we do not so preclude.⁵⁹

Only Richard Lee voted in favour of the motion (Chang abstained) and the motion was defeated.

In sum, the Board has affirmed that it will honour its legal duty to accommodate concerns based on religious beliefs on a case-by-case basis "the extent possible in our system" and unanimously affirmed Principle 7 of the UN Declaration on the Rights of the Child, which acknowledges the paramount authority of parents in the education of their children. On the other hand, it has not precluded the possibility that it will force children to attend lessons or classes to which their parents object.

The Board received a presentation from a delegation of parents opposed to the Corren Agreement at its public meeting on 12 June, 2007. It does not appear that anything resulted from the presentation, and the minutes record only the fact that a presentation was given, not the content or nature of it.⁶⁰

Regarding the handling of League correspondence *in camera*, the Board offered the following explanation:

. . . the decisions referred to in previous correspondence from the Secretary Treasurer were made at regularly scheduled meetings of the Board. The Board holds both public and *in camera* sessions at regularly scheduled meetings of the Board.. There was no intention to mislead you by the lack of reference to the type of regularly scheduled meeting at which the decisions were made. The Board is not and has not been motivated by anti-Catholic or anti-religious prejudice in its handling of correspondence from you.⁶¹

The Ombudsman ultimately found that the Board's decision to discuss the League's correspondence *in camera* "was consistent with the applicable bylaws as well as the applicable policy," and that there appeared to be nothing to indicate that it had acted improperly or arbitrarily.⁶²

Nonetheless, discussion in the *in camera* meetings was of particular interest. Trustee Lee had stated that there was no proper justification for the League's letters to have been dealt with *in camera*, and had voted against a motion by the Board justifying its actions. Questions were also raised by the sudden appearance of the letters on the public agenda following the initiation of the Ombudsman's investigation, and by the Board's rejection of Lee's motion to review the letters at the next public meeting. Finally, the letter quoted above referred twice to "decisions" made *in camera*, though, the Secretary Treasurer had, in fact, made no reference to "decisions" in his previous correspondence.

Mr. Murphy applied under the province's *Freedom of Information and Protection of Privacy Act* for

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the minutes of the *in camera* meetings pertaining to discussion of the League's correspondence. Noting that the correspondence had been entered in the record of a public meeting, he wrote that he considered that "a *de facto* admission that the letters should not have been discussed *in camera*" and asked that the records of the discussion be disclosed.

Relying on Sections 13(1) and 12(3)b of the *Freedom of Information and Protection of Privacy Act*, the Board refused to disclose the content of the *in camera* discussions of the League's letters, though it had the discretion to do so.⁶³

District 53 (Okanagan Similkameen) . . . the Board of School Trustees for School District No. 53 (Okanagan-Similkameen) will, as in all situations related to students and parents adhere to the School Act as well as the laws and statutes of British Columbia and Canada, this includes the Human Rights Code. (Letter dated 19 March, 2007)

Mr. Murphy advised the Board that, subject to their correction, he understood this to mean that students would not be compelled to attend classes or lessons that their parents judge are contrary to the individual needs of their children, or that they find morally objectionable or subversive or offensive with respect to their religious, moral and cultural traditions. He also understood that the exercise of freedom of conscience by teachers would be accommodated.⁶⁴

The Board promptly replied:

. . . you do not have the Board's permission, express or implied, to represent your 'understanding' as the Board's position. The Okanagan Similkameen School District will honour its legal duty to accommodate students with issues arising from curricular concerns on a case by case basis. We will make decisions accordingly and to the extent possible within the School Act. If you wish to communicate our position to others, please use our words, not yours.⁶⁵

Mr. Murphy again wrote to the trustees:

I appreciate your interest in having your position accurately communicated to others. I am equally interested in having a complete and accurate statement of your position. Thus, I return to the specific questions originally addressed to you:

- ▶ Do you intend to compel students to attend classes or lessons that their parents judge are contrary to the individual needs of their children, or that they find morally objectionable or subversive or offensive with respect to their religious, moral and cultural traditions?
- ▶ Do you intend to compel teachers to deliver curriculum materials to which they object for reasons of conscience?

. . . Should you find these questions too difficult to answer without resort to ambiguous phrasing, please answer the following questions, which approach the problem in a slightly different way:

- ▶ Do you preclude opting out of classes or lessons and alternative delivery of curriculum outside the health and planning curriculum as a method of accommodating the exercise of freedom of conscience and religion by parents who judge the classes or lessons to be contrary to the individual needs of their children, or that they find morally objectionable or subversive or offensive with respect to their religious, moral and cultural traditions?

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- ▶ Do you preclude reassignment or relief of teachers as a method of accommodating their exercise of freedom of conscience and religion?

If, as a matter of policy, you preclude these methods of accommodation, please explain how they would impose undue hardship on the school district.⁶⁶

The Board did not reply.

Appendix “E”

School Districts- Adverse Responses*

**Responses indicate inflexible obedience to Ministry directives and no acknowledgement of parental authority or duty to accommodate freedom of religion, conscience, though, opinion or belief.*

School District 48 (Howe Sound) In British Columbia the Ministry of Education established the Kindergarten through Grade 12 curriculum that is followed by all Public Schools in our province. It is our responsibility as the Board of School Trustees to ensure that BC’s Core Curriculum is provided to all students. Where elective courses are selected by students, then the curriculum for these courses is followed, as well. We appreciate your interest in our school district and in the program of studies that we provide. (Letter dated 2 November, 2006)

As previously stated, School District 48 (Howe Sound) will continue as always, to adhere to the British Columbia *School Act and Regulations*. (Letter dated 9 May, 2007)

District 78 (Fraser-Cascade) As a public school system that operates within the guidelines and expectations of the School Act for British Columbia, School District No. 78 (Fraser-Cascade) will continue to operate according to the BC Ministry of Education policy on Alternate Delivery- Health and Career Education Curriculum. It is the expectation of this school district that teacher cover the learning outcomes as specified in the Integrated Resource Packages for their subject areas of responsibility as these learning outcomes reflect the diversity of the society in which we live, and they respect the differences of individuals. We expect that all teachers will govern themselves in accordance with the *Teaching Professions Act* for British Columbia. District polices and supervision practices support teachers in their discharge of duties accordingly. (Letter dated 13 December, 2006)

Appendix “F”

School Districts - Other Responses*

**Responses typically indicate that the issue will be or is being studied.*

District 20 (Kootenay-Columbia) . . . the Board . . . received your letter dated September 27, 2006 at its regular meeting held October 16, 2006 and referred the letter to the District Policy Committee for consideration. (Letter dated 28 November, 2006).

District 43 (Coquitlam) As mandated by the Ministry of Education, the Board of School Trustees will be reviewing the Alternative Delivery Procedure during this year and will forward your letters to the committee developing the new procedure. On behalf of the Board of School Trustees, thank you for expressing your point of view. (Letter dated 18 January, 2007)

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Notes

1. *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. (Hereinafter “*The Agreement*”). (<http://www.ccrl.ca/Documents/2006-04-28CorrenAgreement.pdf>) The agreement is to be reviewed jointly by the Correns and Deputy Minister of Education every six months to satisfy the Correns that the Ministry is complying with its terms. A mediator appointed through the BC Human Rights Tribunal will attempt to resolve disagreements before they are taken to the Supreme Court for adjudication.
2. "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>)
3. Letter to the CCRL from Ministry of Education, Privacy & Records Management Branch, dated 19 January, 2007
4. Badelt, Brad, “Gay activists want sexual orientation added to curriculum.” *Vancouver Sun*, 11 July, 2005
5. The focus of the original complaint was alleged discrimination against “non-heterosexual students and their parents” due to their sexual ‘orientation’. An amended complaint was introduced in September of that year and referred to the BC Human Rights Tribunal as Complaint No. 75. Over the next couple of years the case was delayed by procedural issues. In January, 2003, the Correns indicated that they would be filing a new complaint that would introduce broader issues. A year later they lodged Complaint No. 941, this one including the alleged ground of discrimination to marital and family status. An application for intervenor status by a parent opposed to the complaint was denied in April, 2005. Disputes between the Ministry and the Correns about the scope of the complaint presented continuing difficulties and had to be resolved by two rulings from the Tribunal, the last in February, 2006. The history of the complaint can be followed in three rulings from the Tribunal.
See *Corren and Corren v. B.C. (Ministry of Education)*, 2005 BCHRT 167, 15 April, 2005. ([http://www.bchrt.bc.ca/decisions/2005/pdf/Corren_and_Corren_v_BC_\(Ministry_of_Education\)_2005_BCHRT_167.pdf](http://www.bchrt.bc.ca/decisions/2005/pdf/Corren_and_Corren_v_BC_(Ministry_of_Education)_2005_BCHRT_167.pdf)) Accessed 2007-01-26;
Corren and Corren v. B.C. (Ministry of Education) (No. 2), 2005 BCHRT 497, 2 November, 2005. ([http://www.bchrt.bc.ca/decisions/2005/pdf/Corren_and_Corren_v_BC_\(Ministry_of_Education\)_No_2_2005_BCHRT_497.pdf](http://www.bchrt.bc.ca/decisions/2005/pdf/Corren_and_Corren_v_BC_(Ministry_of_Education)_No_2_2005_BCHRT_497.pdf)) Accessed 2007-01-26;
Corren and Corren v. B.C. (Ministry of Education) (No. 3), 2006 BCHRT 55, 1 February, 2006 ([http://www.bchrt.bc.ca/decisions/2006/pdf/feb/55_Corren_and_Corren_v_BC_\(Ministry_of_Education\)_No_3_2006_BCHRT_55.pdf](http://www.bchrt.bc.ca/decisions/2006/pdf/feb/55_Corren_and_Corren_v_BC_(Ministry_of_Education)_No_3_2006_BCHRT_55.pdf)) Accessed 2007-01-27
6. “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

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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.

7. 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

8. The teacher filed a grievance against the board. The arbitrator, without consulting the parents, ruled in the teacher's favour. "One for the Mad Hatter." *BC Report*, 14 December, 1998.

9. There is reference to this in the later Tribunal rulings. "If, as the complainants allege, students are removed from the class when a sensitive topic is discussed, and that sensitive topic relates to issues of sexual orientation and same-sex families, then that student may not learn about gay and/or lesbian issues. This allegedly has an adverse effect on both heterosexual and non-heterosexual families." Paragraph 58, *Corren and Corren v. B.C. (Ministry of Education) (No. 2)*, 2005 BCHRT 497, 2 November, 2005.

([http://www.bchrt.bc.ca/decisions/2005/pdf/Corren_and_Corren_v_BC_\(Ministry_of_Education\)__\(No_2\)_2005_BCHRT_497.pdf](http://www.bchrt.bc.ca/decisions/2005/pdf/Corren_and_Corren_v_BC_(Ministry_of_Education)__(No_2)_2005_BCHRT_497.pdf)) Accessed 2007-01-26.

The same issue is noted in Paragraph 25 of *Corren and Corren v. B.C. (Ministry of Education) (No. 3)*, 2006 BCHRT 55, 1 February, 2006

([http://www.bchrt.bc.ca/decisions/2006/pdf/feb/55_Corren_and_Corren_v_BC_\(Ministry_of_Education\)__\(No_3\)_2006_BCHRT_55.pdf](http://www.bchrt.bc.ca/decisions/2006/pdf/feb/55_Corren_and_Corren_v_BC_(Ministry_of_Education)__(No_3)_2006_BCHRT_55.pdf)) Accessed 2007-01-27

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

11. "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." *The Agreement*

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

12. Letter from Linda McPhail (Chairperson, District 38) to the Minister of Education, dated 6 September, 2006. The comment about "summer timing of the announcement and the speed of the actions being taken" was repeated in a letter from Ms. McPhail to the Minister dated 19 September, 2006.

13. BC Ministry of Education: *Alternate Delivery - Health and Career Education Curriculum*. (http://www.bced.gov.bc.ca/policy/policies/alt_delivery.htm) Accessed 2006-10-02.

14. "This is not a change to the current circumstance, but a clarification to school boards, administrators, and teachers who may have a view that the Alternative Delivery Policy has broader application." Letter dated 5 October, 2006, from Attorney General Wally Oppal, to a school trustee. Copy in possession of the author.

15. Bond, Shirley, "Alternative delivery policy offered by curriculum." Letter to the *Vancouver Sun*, 11 January, 2007. For the League's response, see CCRL Letter to the Vancouver Sun, 13 January, 2007. (<http://www.ccrl.ca/Documents/2007-01-13VanSun.pdf>)

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16. Letter from Ministry of the Attorney General, Legal Services Branch, dated 20 February, 1998 to the British Columbia Human Rights Commission, p. 7-8 (emphasis added).
17. Letter from Linda McPhail (Chairperson, District 38) to the Minister of Education, dated 6 September, 2006
18. Roussin, Archbishop Raymond, "Parents the final decision makers on education." *BC Catholic*, 4 September, 2006. (<http://bcc.rcav.org/06-09-04/editorial.htm>) Accessed 2006-12-19
19. For example, "Peer counselling programs need to include training in glbt issues and support strategies." Creating a Safe School- A Model For Ending Homophobia In Your School (Handout at Gay and Lesbian Educators of BC workshop, 10 December, 1996, Powell River, B.C.)
20. Steffenhagen, Janet, "Schools Go Queer: Gay guarantee for provincial curriculum. Contract assures same-sex couple will have unprecedented influence over B.C. curriculum." *Vancouver Sun*, 16 June, 2006
(<http://www.canada.com/components/print.aspx?id=223d5fea-2e50-4b1d-9678-f37850ca50cb&k=69470?id=6>) Accessed 2006-12-21
21. BC Ministry of Education, *Curriculum Development and Revision: Guidelines for Internal Ministry Review of Draft Curriculum* (Revised 22 November, 2006).
(http://www.bced.gov.bc.ca/irp/irp_internal_review.pdf) Accessed 2007-01-26. Emphasis added.
22. Charles Moser & Peggy Kleinplatz, *DSM-IV-TR and the Paraphilias: An Argument for Removal*. Presented at the American Psychiatric Association convention, 19 May, 2003, in San Francisco. Quoted in Lawrence Morahan, "Psychiatric Association Debates Reclassifying Pedophilia". CNSNews.com, 11 June, 2003. (<http://www.cnsnews.com/ViewCulture.asp>) Accessed 2006-12-19. That paedophilia can be understood as a form of sexual orientation had already been suggested by others. See, for example, Berlin, Fred, "Treatments to Change Sexual Orientation," *American Journal of Psychiatry*, Vol 157:838, May 2000.
(<http://www.ajp.psychiatryonline.org/cgi/content/full/157/5/838>) Accessed 2006-12-19. Berlin argues against acting upon 'sexual orientation' towards children.
23. "Sexual Orientation." *Wikipedia*. (http://en.wikipedia.org/wiki/Sexual_orientation) Accessed 2006-12-19
24. "Anti-Catholic bigotry or appalling ignorance behind BC diatribe, says League." *CCRL News Release*, 7 September, 2006. (<http://www.ccrl.ca/index.php?id=363>)
25. Steffenhagen, Janet, "Gay school material a threat: Archbishop." *Vancouver Sun*, 6 September, 2006
26. Steffenhagen, Janet, "Schools Go Queer: Gay guarantee for provincial curriculum. Contract assures same-sex couple will have unprecedented influence over B.C. curriculum." *Vancouver Sun*, 16 June, 2006
(<http://www.canada.com/components/print.aspx?id=223d5fea-2e50-4b1d-9678-f37850ca50cb&k=69470?id=6>) Accessed 2006-12-21
27. Ministry of Education, *Draft Curriculum and Curriculum-related Documents: Public Review and Feedback* (<http://www.bced.gov.bc.ca:80/irp/drafts/>) Accessed 2007-10-31

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28. Article 4, *The Agreement*
29. E-mail to the Catholic Civil Rights League dated 10 October, 2007, from Pierre Gilbert, Manager, Content and Achievement Standards Unit, Ministry of Education.
30. Ministry of Education, *Draft Curriculum and Curriculum-related Documents: Public Review and Feedback* (<http://www.bced.gov.bc.ca/irp/drafts/>) Accessed 2007-10-31. Janet Steffenhagen noted a response date of 1 November, 2007, when she reported on her conversation with the Minister about *Making Space, Giving Voice*, in an entry on her Blog dated 30 October, 2007. She later updated the entry. Steffenhagen, Janet, "Update on BC teachings About Maher Arar." (Posted 30 October, 2007, 3:13 pm) *The Report Card: An in depth look at the BC education system.* (<http://communities.canada.com:80/vancouver/blogs/reportcard/default.aspx>) Accessed 2007-10-30.
31. *Making Space, Giving Voice*, p. 19
32. Murphy, Sean, "Making Sense of *Making Space, Giving Voice*." Catholic Civil Rights League, March, 2008 (<http://www.ccrl.ca/index.php?id=4932>)
33. "Protesters rally against gay and lesbian issues course." *CBC*, 28 August, 2006. (<http://www.cbc.ca/canada/british-columbia/story/2006/08/28/bc-same-sex.html>) Accessed 7 September, 2006
34. CASJFVA Newsletter No. 67, September-October, 2006, p. 3
35. CASJFVA Newsletter No. 70, May-June, 2007, p. 7
36. "Parents step up campaign against B.C. same-sex course." *CBC*, September 6, 2006. (<http://www.cbc.ca/canada/british-columbia/story/2006/09/06/bc-parents.html>) Accessed 2006-09-07
37. *A Statement of Principles of Fairness for Students and Parents*. Richmond, BC, 23 September, 2006. (<http://www.ccrl.ca/doc/A%20Joint%20Statement.pdf>)
38. *A Statement of Principles of Fairness for Students and Parents*. Richmond, BC, 23 September, 2006. (<http://www.ccrl.ca/doc/A%20Joint%20Statement.pdf>)
39. Letter from Mark Grady, Privacy and Records Management Branch, Ministry of Education, to CCRL Western Region, dated 19 January, 2007.
40. Letter from Mark Grady, Privacy and Records Management Branch, Ministry of Education, to CCRL Western Region, dated 25 March, 2007.
41. Murphy, Sean, *The Goose, the Gander and the Elephant*. Catholic Civil Rights League (<http://www.ccrl.ca/index.php?id=452>)
42. Murphy, Sean, *Parental Authority in Education: the International Context*. Catholic Civil Rights League (<http://www.ccrl.ca/index.php?id=4836>)

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43. See Murphy, Sean, *The Goose, the Gander and the Elephant*. Catholic Civil Rights League (<http://www.ccrl.ca/index.php?id=452>)
44. School District 5 (Southeast Kootenay) was inadvertently overlooked. The first letter to the district was sent in late January, 2007.
45. CCRL Letter to BC School Districts dated 27 September, 2006 (<http://www.ccrl.ca/doc/New%20link.pdf>)
46. CCRL Letter to BC School Districts dated 29 December, 2006
47. There are 61 school districts, including the Francophone District (93) and the Offshore District 103). The League has not continued correspondence with the latter two districts. Ministry of Education, *Enrolment Report Collection* (January, 2006). (<http://www.bced.gov.bc.ca/reporting/enrol/collections.php>) Accessed 2007-01-23
48. Statistics are from the Ministry of Education's *Enrolment Report Collection* (January, 2006). (<http://www.bced.gov.bc.ca/reporting/enrol/collections.php>) Accessed 2007-10-19
49. In two cases (District 27- Cariboo Chilcotin; District 70 - Alberni) the assurance came from the DPACs, not the trustees.
50. Murphy, Sean, *Parental Authority in Education: the International Context*. (<http://www.ccrl.ca/index.php?id=4836>)
51. District 36 (Surrey) and 39 (Vancouver).
52. Reynolds, Sheila, "No support for Stilwell." *Surrey Leader*, 15 October, 2006. Emphasis added.
53. In a somewhat grudging confirmation that accommodation would be available, the Chair of the Board later commented, "We're sensitive to these matters. We won't bolt them to their desks." Steffenhagen, Janet, "Boards warned on 'values': Catholic civil rights group seeks guarantee that parents can pull children over 'objectionable' material." *Vancouver Sun*, 8 January, 2008 (<http://www.canada.com/vancouvernews/news/story.html?id=7a44d5f3-0c8d-4208-90e7-dcbaff8d085>) Accessed 2007-01-29
54. Granger, Grant, "Board Wrong to Keep Letters Private." *Burnaby NewsLeader*, 2 March, 2007. (<http://www.burnabynewsleader.com/portals-code/list.cgi>) Accessed 2007-03-06
55. Letter from the Ombudsman to CCRL Western Region dated 6 March, 2007
56. Minutes of the Public Session of the Burnaby School Board, 10 April, 2007
57. Letter from D. Greg Frank, Secretary Treasurer, Burnaby School District 41, to Sean Murphy, Director, CCRL Western Region, dated 17 April, 2007
58. Letter from Sean Murphy, Director, CCRL Western Region, to Burnaby School District 41, dated 24 April, 2007

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59. Minutes of the Public Session of the Burnaby School Board, 8 May, 2007
(http://www.sd41.bc.ca/trustees/pdf/meetings/2006/min_050807.pdf) Accessed 2008-03-20
60. Minutes of the Public Session of the Burnaby School Board, 12 June, 2007
(http://www.sd41.bc.ca/trustees/pdf/meetings/2006/a_061207.pdf) Accessed 2008-03-20
61. Letter from D. Greg Frank, Secretary Treasurer, Burnaby School District 41, to Sean Murphy, Director, CCRL Western Region, dated 20 March, 2007
62. The Board advised the Ombudsman that the League's letters were dealt with in camera because (a) they "concerned matters that had potential for legal action against the School District", (b) "included portions that could be regarded as personnel matters, and (c) Mr. Murphy was not "a member of the Burnaby Educational system or a citizen of Burnaby." Letter from Bruce Clarke, Ombudsman Officer, to Sean Murphy, Director, CCRL Western Region, dated 7 May, 2007.
63. Letter from Doug Beardine, Director, Employee Relations, Coordinator, Information and Privacy, to CCRL Western Region, dated 25 June, 2007
64. Letter from Sean Murphy, Director, CCRL Western Region, to Okanagan Similkameen School District 53, dated 26 March, 2007
65. Letter from June Harrington, Chair, Okanagan Similkameen School District 53, to Sean Murphy, Director, CCRL Western Region dated 11 April, 2007
66. Letter from Sean Murphy, Director, CCRL Western Region, to Okanagan Similkameen School District 53, dated 16 April, 2007