

CALGARY BOARD OF EDUCATION

Minutes of the Regular Meeting of the Board of Trustees (the “Board”) held in the Multipurpose Room, Education Centre, 1221 – 8 Street SW, Calgary, Alberta on Tuesday, March 29, 2016 at 12:00 noon

MEETING ATTENDANCE

Board of Trustees

In Attendance:

Trustee J. Bowen-Eyre, Chair
Trustee L. Ferguson
Trustee J. Hrdlicka
Trustee T. Hurdman
Trustee P. King
Trustee A. Stewart

Absent:

Trustee J. Hehr

Administration:

Mr. D. Stevenson, Chief Superintendent of Schools
Ms. S. Church, Deputy Chief Superintendent of Schools
Mr. D. Breton, Superintendent, Facilities and Environmental Services
Ms. J. Everett, Superintendent, Learning
Mr. G. Francis, Superintendent, Human Resources/General Counsel
Mr. B. Grundy, Superintendent, Finance/Technology Services
Ms. M. Martin-Esposito, Chief Communications Officer
Ms. D. Perrier, Recording Secretary

1 | CALL TO ORDER, NATIONAL ANTHEM AND WELCOME

Chair Bowen-Eyre called the meeting to order at 12 noon and O Canada was led by students from Catherine Nichols Gunn School, by way of a DVD recording.

Chair Bowen-Eyre acknowledged the traditional territories and oral practices of the Blackfoot Nations, which includes the Siksika, the Piikani, and the Kainai. She also acknowledged the Tsuut’ina and Stoney Nakoda First Nations, the Métis Nation (Region 3), and all people who make their homes in the Treaty 7 region of Southern Alberta. She acknowledged and welcomed staff and guests in the public gallery.

2 | CONSIDERATION/APPROVAL OF AGENDA

Ms. D. Perrier, Recording Secretary, noted that ten members of the public submitted requests to make public comments to the Board of Trustees, under Item 3 of the agenda.

MOVED by Trustee Stewart:

THAT the Agenda for the Regular Meeting of March 29, 2016 be approved, as submitted.

The motion was
CARRIED UNANIMOUSLY.

Chair Bowen-Eyre gave the following statement:

“The Board of Trustees passed first reading of consideration of governance policies regarding *School Act* changes on March 15, 2016. The second reading of the policies is scheduled before the Board at this meeting. The Board is updating its policies to reflect the language and intent of the recently amended *School Act*. These changes ensure the Board of Trustees policies are aligned with the Alberta *School Act*. Recent amendments to the *School Act*, (Bill 10) broaden the CBE’s responsibility to promote welcoming, caring, safe and respectful environments to foster a sense of belonging and a respect for diversity. This responsibility is reflected in the Board of Trustees’ policies. The Board of Trustees’ policies guide administration in creating detailed regulations for the benefit and protection of our students and our staff.

In today’s meeting, Administration will provide trustees with a presentation for information. This presentation will outline Administration’s response to Alberta Education’s amendments to the *School Act*. Administration has reviewed its regulations and has prepared draft administrative regulations and CBE guidelines for our staff to support their work. These draft documents, along with the Board of Trustees’ policies will form the submission to the Minister of Education, for review. This will then create a dialogue between the CBE and the Minister of Education, regarding the CBE’s submission to meet the government’s Guidelines.

In addition, recent changes to the *Alberta Human Rights Act* provide explicit protection for discrimination on the basis of gender identity and gender expression. This means the CBE must strive to ensure that the learning environment is one that welcomes and reflects the experiences of our diverse student population, including lesbian, gay, bisexual, transsexual, and queer and questioning students and families. Alberta Education recently released its *Guidelines for Best Practices: Creating Learning Environments that Respect Diverse Sexual Orientations, Gender Identities and Gender Expressions*. All school boards have been asked to use these best practices to develop or update their own policies, regulations and procedures relating to creating these learning environments by March 31, 2016. Together, this work strengthens the Board’s policies and CBE practices. Every day we work together, to create safe, caring and respectful communities for each and every student and staff member, so that they can feel a sense of belonging.”

3 | **PUBLIC COMMENT**

Chair Bowen-Eyre noted that in accordance with the Board Meeting Procedures, the Board allows five members of the public to address the Board at any one meeting. The Board has received ten requests for public comment at this meeting and, as such, the Board has relaxed the Procedures to allow for all ten public members to make a presentation. The Board thanked all members of the public who contacted us to make a

presentation at this meeting. She pointed out that attacks on the personal character or performance of any individual, department or school, or disruptive remarks, would be ruled out of order and persistence in such remarks would terminate the speaker's privilege to address the Board.

3.1 Mr. J. Catena, former CBE student

Mr. Catena shared that he is an LGBTQ individual and was a CBE student for Grades 6 through 12. He stated that he was bullied for his sexual orientation, when he was in Grades 7 and 8, which led him to take online learning with CBe-Learn, from which he graduated Grade 12. He stated that he is very much in favour of the Board's proposed policies, believing that they will encourage more inclusion in our schools and help to ensure that all children have a fair shot at completing their primary/secondary education without negative distractions. Mr. Catena expressed his belief that these policies will not cause an influx of sexual assault, they will not incite students to change their gender identification daily, nor will they incite violence.

3.2 Ms. L. Peace, Parent, and her Son

Ms. Peace and her son shared their personal experiences, including that he is a transgender individual; he is an honour student at a CBE high school; he does volunteer and charity work; he loves music and art; and, he is fortunate in that students and teachers at his school already follow their own best practices. He noted that there is a gender-neutral washroom at the school, as well as the option to use the bathroom of gender identity, which is more comfortable for him because it feels more inclusive. He feels safe, included and respected at his school. Ms. Peace spoke about having maintained an open dialogue with her children, and noted that she was happy her son shared first with her that he is transgender. She did not believe that it is a teacher's job to facilitate communication between a student and his/her parents. Ms. Peace and her son expressed their gratitude that the provincial Guidelines are being addressed by the Board.

3.3 Ms. J. Wu, Parent

Ms. Wu shared her concern about safety surrounding gender-shared washrooms and change rooms. She expressed her belief that there is a high risk of girls suffering from a perceived or real danger of violation from a male student or male adult, and vice-versa for boys. She believed that even in situations where all parties involved have good intentions children can feel unsafe and negative consequences can result. Ms. Wu felt that parents should have been given advance notice that there would be gender-shared washrooms. She shared her belief that this is a cultural violation of epic proportion. Ms. Wu noted that every parent wants every child to be safe. She felt that the issue here is an imbalance of rights, and that a safe and balanced approach that harmonizes would be the provision of a separate and private non-gendered washroom.

3.4 Mr. B. Brownell, Parent

Mr. Brownell shared that he has two daughters attending a CBE school. With respect to the *Guidelines for Best Practices* he believed that the mark is being missed on inclusivity to all students and parents or guardians on making policies that primarily affect children. He stated that parents have the legal jurisdiction over the well-being of their children's development and protection over any institution, as written in the universal Declaration of

Human Rights, article 26.3, and as part of the Education Act, section 32. Mr. Brownell quoted a statement from the CBE's Three-Year Education Plan relating to engagement with stakeholders on the values, questions and issues that impact the success of students, and a statement from the Frequently Asked Questions on the *Guidelines*, relevant to the encouragement of school staff to openly communicate with parents and guardians about the learning and wellbeing of their children. He felt that parents have been excluded from the new policy formation. Mr. Brownell proposed that a gender-neutral change room and bathroom and a gender-specific change room and bathroom based on biological sex be considered. Mr. Brownell requested that parents and stakeholders be involved in the shaping of the policies and the new *Guidelines* before they are implemented.

3.5 Dr. K. Colburne, Parent and Child Psychologist

Dr. Colburne addressed the *Guidelines for Best Practices* in relation to child development and in terms of the need for parents, children and schools to work together. She commented on the issue of a child at any age being allowed to identify with any gender, potentially without the knowledge of the parents. She shared some details surrounding surveys and studies that have been undertaken and noted that for one particular study there were 17 different choices of gender identity. Dr. Colburne stated that the work of a child is play, and as a society we are shrinking that time of childhood. She stated that anxiety is the most prevalent mental health issue of Canadian children and over half of the children with anxiety also struggle with depression. She questioned whether it is helpful to engage young children around topics that may be beyond their level of maturity. She did not believe it to be in the best interests of children to have schools prompt children around their gender identity. She spoke about the importance of the connection between children, parents and schools. Dr. Colburne noted that transgender youth are more than four times less likely to have considered suicide if they have the opportunity to have supportive adults both inside and outside of their family, but in the *Guidelines*, in reference to the provision of support, parents are not mentioned even one time.

3.6 Mr. S. Alexander, Parent and Lawyer

Mr. Alexander shared his concerns as both a parent and a lawyer, in regards to the *Guidelines*. He shared his belief that the inclusivity of parents in a greater dialogue to figure out how to do this work in the most proper way is incredibly important. He questioned the aspect of curricular and extra-curricular activities and the possibility of any transgender boy being able to play on what formerly was a girls' team. He shared that it poses the question of whether a girl would have equal chances to play on a team unhindered and in a safe manner. Mr. Alexander expressed his concerns that change rooms and bathrooms may be shared by transgender and non-transgender students. He shared a further concern that the identity of transgender students will not be known to others, unless those students themselves choose to divulge that information.

3.7 Mr. M. Power, President, Calgary Outlink

Mr. Power shared that Calgary Outlink is an LGBTQ community organization. He noted that schools should be a place where everyone can and should feel welcome and safe and an environment that fosters success. He noted that transgender youth face dramatically increased odds of dealing with eating disorders, physical and sexual abuse, addiction, homelessness, self-harm and suicide. He stated that this is our opportunity to change the present and hopefully give these youth a better future. He noted that we live

in a world that still largely does not understand what it is like to be transgender. He shared his belief that the implementation of the *Guidelines* will ensure that all students feel safe and protected in their school environments. Mr. Power strongly encouraged the CBE to implement the provincial *Guidelines for Best Practices*, as he believed they could make a world of difference to the lives of many vulnerable students and give them a better future.

3.8 Ms. D. Wark, Parent and Education Program Manager, Calgary Sexual Health Centre

Ms. Wark stated that the Centre has been providing comprehensive sexual health education in CBE schools since 1975. They have incorporated anti-homophobia and anti-transphobia work since 1997, and their program continually evolves to address the needs of students. She noted that the Centre strongly supports the LGBTQ *Guidelines* and the policy guidelines put forward by the CBE. Ms. Wark informed that their program provides students with the opportunity to ask questions and hear educators and facilitators talk about gender identity, sexual orientation and gender expression from an inclusive and supportive framework. She noted that students often thank the Centre for creating a safe space for them to feel heard and seen, and for allowing them to talk openly about their experiences in their learning environment, their home and their community. She expressed her frustration with the discussions regarding bathrooms and change rooms. She felt it is the transgender students who are in danger because they are not able to use those spaces safely. She noted that the intent here is to create a safe space for students and enable them to use all of the facilities in schools. Ms. Wark shared that she works and talks with many parents. Ms. Wark expressed her belief that the CBE does a very good job of communicating with parents and collaboratively work with parents to create safe spaces for students.

3.9 Mr. S. Gross, Parent

Mr. Gross expressed his gratitude to the Board for holding this format of open discussion, which he noted to be helpful to him. He shared his belief that this is a very important issue that requires consideration by everyone, and that the goal to protect transgendered students is laudable. He noted that the *Guidelines* are difficult to object to as everyone wants their children to be provided a safe and caring environment. He noted that his concern is with regards to how the implementation of the *Guidelines* will trickle down through the system. He felt that there was somewhat of a void on the issue of engaging parents and stakeholders on the issue of the LGBTQ *Guidelines* and procedures, in comparison to the encouragement by CBE for parent and stakeholder engagement on the student transportation services. He encouraged the Board to hold similar engagements on these issues with CBE parents and stakeholders.

3.10 Ms. L. Turner, Executive Committee Member of Support our Students (SOS) Alberta

Ms. Turner informed that SOS Alberta is a grassroots organization that supports and speaks on behalf of students. Their organization believes in a public education system that is fair, equitable and accessible to all Alberta children. She noted that SOS Alberta supports the leadership role that the CBE has taken in drafting policies to support LGBTQ youth. The CBE has numerous policies already in place that largely comply with the legislation set out in Bill 10, to ensure that schools are welcoming, caring, respectful and safe places for all students and staff. She noted that the Universal Declaration of Human Rights speaks to everyone having the right to a free and compulsory primary education, and that education should focus on full human development, strengthen respect for

human rights and promote understanding, tolerance and friendship. She also noted that the UNESCO Convention Against Discrimination in Education reinforces the rights to a free and compulsory, quality primary education, and further mandates that discrimination in education is a violation of human rights. Ms. Turner stated that SOS Alberta strongly advocates for a barrier-free access to public education. She noted that research has shown that a sense of school attachment is directly linked to academic achievement and students who feel that they do not belong or do not feel safe have a higher likelihood of not attending school or of dropping out. SOS Alberta believes in safe and supportive learning environments for LGBTQ students across Alberta, and they believe that these *Guidelines* and the resultant policies developed by the CBE are a move towards a stronger, more supportive future in Alberta schools, allowing for barrier-free access to public education.

4 | **MATTERS RESERVED FOR BOARD ACTION**

4.1 Consideration of Governance Policies regarding School Act Changes – Second Reading

Chair Bowen-Eyre noted that the proposed policy amendments are in response to *Bill 10, an Act to amend the Alberta Bill of Rights and to Protect Our Children*. This Act amends several pieces of legislation including the School Act, the Alberta Bill of Rights, the Education Act, and the Alberta Human Rights Act. The School Act amendments create new responsibilities for boards, parents and students, to ensure that schools are welcoming, caring, respectful and safe environments for all staff and students.

MOVED by Trustee Stewart:

THAT the Board of Trustees gives second reading and thereby final approval to the amendment of the following Operational Expectations Policies, as provided in the Attachment to the report:

- **OE-4: Treatment of Employees**
- **OE-11: Learning Environment/Treatment of Students**

Trustees debated the motion, and their comments included: at the CBE it is important that we provide a learning environment for all students that is welcoming, caring, safe and respectful, for the best outcomes for student learning; it is important that we promote a safe and respectful organizational culture for all staff that respects diversity and fosters a positive and welcoming environment; exclusion is not an option - at the CBE everyone is welcome and supported; a sense of belonging and a respect for diversity is incredibly important for each and every one of our students and staff; and, the proposed rewording of these policies uses stronger language and enhances the values held by the Board.

Trustees encouraged parents to speak to their child's teachers and principal about any concerns they might have surrounding these issues. A trustee commented on our diverse society and how we hold different values from one another, and noted that those differences of convictions must be equally respected. A trustee expressed the assurance that it is not intended for the Calgary Board of Education to take over the role of parenting. This is a common value, that all staff and students deserve positive, welcoming, safe and respectful schools.

Chair Bowen-Eyre called for the vote on the motion.

The motion was
CARRIED UNANIMOUSLY.

5 | **MATTERS FOR BOARD INFORMATION**

5.1 **Administrative regulations and procedures related to School Act sections 16.1 and 45.1**

Chief Superintendent Stevenson provided opening remarks, noting that the commitment to a welcoming, caring, respectful and safe learning environment is embedded in the Calgary Board of Education's Mission, the Board of Trustees' Results policies, and the Three-Year Education Plan, where we strive to support each student's success. He pointed out that the Board sets policy, and the work of Administration is to operationalize these directions through administrative regulations and practices. The Board policies and administrative regulations have a positive impact on the day-to-day lives of our students and our staff.

The report submitted by Administration includes draft regulations and guidelines that reinforce the Mission, Values and Results of the Calgary Board of Education, and addresses the requirements set by the Minister of Education, in relation to the School Act and strengthening our practices.

A review of the contents of the Board report and a PowerPoint presentation was provided by Superintendent Everett, Ms. C. Davies, Director, Learning, Ms. T. Gordon, Supervisor, Psychological Services, and Dr. D. Roulson, Director, Learning. Ms. K.A. Fenney, Assistant General Counsel and Ms. C. Murray assisted with responses to trustee questions.

The key areas resulting from Bill 10 were highlighted in the PowerPoint presentation, and included: the development of a new system-wide student code of conduct; addressing bullying behaviour; sharing responsibility with parents and students; student-run organizations; guidelines for gender and sexual minority youth; and, protections for staff.

Administration responded to trustee questions on issues regarding the system-wide code of conduct; support and encouragement for family support; open dialogue and communication between school staff, parents and students; and the comprehensive communication plan that will be shared with school communities, parents and students of the Calgary Board of Education, in relation to this work.

6 | **ADJOURNMENT**

Chair Bowen-Eyre declared the meeting adjourned at 2:47 p.m.