



June 14, 2011

Burnaby Board of Education
c/o Mr. Larry Hayes, Chair
5325 Kincaid Street
Burnaby, BC V5G 1W2

VIA FAX: 604-664-8382

Dear Sir:

RE: Anti-homophobia Policy

I write to you in my role as President of the B.C. Civil Liberties Association. As an organization committed to anti-discrimination and equal rights for all Canadian citizens, regardless of sexual orientation or gender identity, our association wishes to express support for your Board's recent proposal to introduce a homophobia-heterosexism policy for Burnaby public schools.

Children adopt habits for adulthood in the formative years of primary and secondary education, and our society is one that no longer tolerates discrimination against members of the LGBTQ community. Educating our students in these minimum standards in the safe atmosphere of a school environment is critical.

In a court case that went to the Supreme Court of Canada about 10 years ago involving books in Surrey school libraries, Chief Justice McLachlin spoke in her reasons for judgment about the need for students in our diverse and multicultural society to learn of the differences that exist among different groups, and learn as well to respect others.

The number of different family models in the community means that some children will inevitably come from families of which certain parents disapprove. Giving these children an opportunity to discuss their family models may expose other children to some cognitive dissonance. But such dissonance is neither avoidable nor noxious. Children encounter it every day in the public school system as members of a diverse student body. They see their classmates, and perhaps also their teachers, eating foods at lunch that they themselves are not permitted to eat, whether because of their

parents' religious strictures or because of other moral beliefs. They see their classmates wearing clothing with features or brand labels which their parents have forbidden them to wear. And they see their classmates engaging in behaviour on the playground that their parents have told them not to engage in. The cognitive dissonance that results from such encounters is simply a part of living in a diverse society. It is also a part of growing up. Through such experiences, children come to realize that not all of their values are shared by others.

She addressed arguments that exposing children to certain concepts and issues might not sit well with what their own parents and community believes and espouses and the resulting “cognitive dissonance” that children might experience:

Exposure to some cognitive dissonance is arguably necessary if children are to be taught what tolerance itself involves. As my colleague points out, the demand for tolerance cannot be interpreted as the demand to approve of another person's beliefs or practices. When we ask people to be tolerant of others, we do not ask them to abandon their personal convictions. We merely ask them to respect the rights, values and ways of being of those who may not share those convictions. The belief that others are entitled to equal respect depends, not on the belief that their values are right, but on the belief that they have a claim to equal respect regardless of whether they are right. Learning about tolerance is therefore learning that other people's entitlement to respect from us does not depend on whether their views accord with our own. Children cannot learn this unless they are exposed to views that differ from those they are taught at home.

We note that issues of respect and tolerance with regard to persons in the LGBTQ community are particularly acute. LGBTQ students have higher drop-out rates, suicide rates and experience higher rates of bullying in the school environment. We must protect the physical and mental health of these students by offering them a safe environment in which to learn.

We understand that some parents have expressed concern as a group under the name Parents' Voice. According to statements reported in the media as having been made by the group's spokesperson, Charter Lau, the policy constitutes a “blatant disregard for the Charter values of equality and freedom from discrimination.” In particular, Parents' Voice has taken issue with the inclusion of LGBTQ issues in the school curriculum and acknowledgement of heterosexism – the belief that non-heterosexual individuals are deficient and outside the norm – as a threat to individuals and communities.

Obviously, all parents are entitled to their opinions and to express those opinions freely through protest, correspondence with your school board and so forth. It is our hope that protests like this help your school board understand the necessity for all children to receive education about societal norms of equality and fair and dignified treatment for everyone.

Further, we hope that this protest reminds your staff that, with respect to the “Safety/Anti-Harassment” section of the policy, many students raised in homes by parents involved in these protests or who may sympathize with them may, in good faith, have questions or respond to teacher questions in a way that would appear to violate this policy.

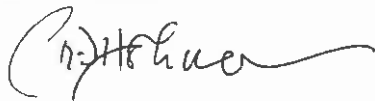
Rather than a blanket “prohibition” in which they are sent to the principal’s office, we would urge you to include language in this section that encourages teachers to use such language as a teaching opportunity. In our experience, prohibitions on language without guidance for teachers does not assist either teachers, students, or members of the general public in understanding – at the root – why the language is offensive to some, and how we can learn to have greater tolerance and understanding of each other.

Despite our concern with the completeness of that particular section, it is the position of the B.C. Civil Liberties Association that, contrary to the arguments advanced by Parents’ Voice, a policy aimed at protecting historically marginalized and vulnerable groups from violence and discrimination is fully in line with Charter values and the guarantees of the Constitution. In fact, providing a protective learning environment for LGBTQ youth in our public school system, we would argue, is a constitutional obligation of the school board.

You have a very important role in addressing the education of the children of Burnaby in a manner that suits their needs and that meets the accepted standards of a free and democratic society like Canada. If I may quote one last time from Canada’s Chief Justice in relation to whether treating matters that engender controversy such as this is appropriate in the school system, her words seem to me to be particularly apt: “Tolerance is always age-appropriate.”

Such a policy is essential not only for ensuring the safety and well-being of LGBTQ youth, but also for fostering acceptance of them as persons deserving respect among their peers and future generations. We urge you to adopt a policy that is explicit about the need to overcome homophobia in society and is fully capable of educating our children about the importance of inclusion and tolerance in Canadian society.

Yours truly,

A handwritten signature in black ink, appearing to read "R. Holmes", written in a cursive style.

Robert Holmes
President