

BY EMAIL: louise_piper@sd33.bc.ca

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12 March 2013

**RE: Proposed Policy 518 – Distribution of Information or
Materials**

Dear Ms. Piper,

We received for review yesterday, Monday March 11, a copy of the proposed Policy 518 – Distribution of Information or Materials, which will be considered as Item 3.3 of the Board's agenda at its meeting this evening.

We have significant concerns with the proposed policy 518. We understand that this proposed policy is meant to replace the former Administrative Regulation 518 – Gideon Youth Testaments – under which the School District specifically approved the distribution of Gideon Youth Testaments to Grade 5 students with parental consent. We understand that the School District eliminated that regulation after receiving legal advice.

From the background provided by the School District in the agenda for the March 12 meeting, we are concerned that the new policy may in fact be used to offer distribution of religious

materials from one particular faith to students, notwithstanding that the policy is written in a broad way that has application to other materials. The B.C. Civil Liberties Association (“BCCLA”) has serious questions about any proposal for the School District, as a government, to distribute religious materials in schools that are not part of study in an approved curriculum.

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We also concerned about the possibility that, while it may be open to other groups to ask for distribution of their religious texts to students, in fact, it may be only Gideon Youth Testaments that are distributed in this way. This is a reasonable apprehension given that the Gideons in Canada have the distribution of the Bible as their central mission, and that it is their request for distribution that has prompted the creation of this policy. If this facially neutral policy results, in fact, in the distribution of the texts of a sole religion to grade 5 students, this may raise constitutional concerns and not be saved by the reasoning on the interpretation of the secularism provision of the *School Act* (s. 76) in *Chamberlain v. Surrey School District No. 36*, 2002 SCC 86. Indeed, the practice may be in violation of section 76 of the *School Act*, which requires that “[a]ll schools and Provincial schools must be conducted on strictly secular and non-sectarian principles.”

While we understand that the Superintendent has engaged in some consultations within the School District and has received some petitions on this matter, we note that the School District describes that it has engaged in direct outreach to members of a particular religious missionary organization – the Gideons – in formulating its policy. We are not aware that the School District has consulted any other faith groups. We are concerned about the process that the School District has undertaken in bringing this matter forward to the Board for consideration.

We note that the proposed policy 518 excludes any mention of the need for parental consent for distribution of religious materials. This was a feature of the previous Administrative Regulation 518, and we question why this requirement has been eliminated.

We ask that the School District withdraw this proposed policy and that it conduct consultation with a wider range of stakeholder groups.

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While religion may be discussed in public schools in an equitable way, religious dogma must not be taught. We are deeply concerned that, in actual fact, the Gideon Youth Testaments will be distributed exclusively and widely under proposed policy 518 in a way that offends against the *School Act*. This policy needs further consideration and broader consultation and we ask that the Board not pass it in its current state.

Yours truly,

A handwritten signature in black ink, appearing to be 'Josh Paterson', with a long horizontal line extending to the right.

Josh Paterson
Executive Director

cc: Board Trustees: Walt Krahn, walt_krahn@sd33.bc.ca;
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