

EQUITY POLICY LAW AND PLANNING COMPETING RIGHTS CASE STUDY #2

CASE STUDY 2 - Healthy Living and Equality Rights Curriculum

Mrs. Templeton is a parent with children in a K to 8 school. She has asked the school to either modify the curriculum or excuse her children from "all curriculum relating to human sexuality and sexual orientation."

Mrs. Templeton is basing her request on the Board's Interim Religious Accommodation Guideline. She stated that it is her belief that issues of sexuality should only be examined through the lens of her Christian faith. She pointed out that sexuality, in her belief system, is as much spiritual as it is physical and does not feel that the Board is equipped to provide instruction from this perspective.

The school informed Mrs. Templeton that her children will be exempt from the Growth and Development component of the Healthy Living strand of the elementary curriculum. The school declined her request for her children to be exempt from diversity and equality rights curriculum which includes discussion that some families have same gender parents. The school cites the provision which states it cannot accommodate religious values and beliefs that clearly conflict with mandated Ministry of Education and Board policies.

Mrs. Templeton responded by saying that she could not understand how her family's Christian beliefs conflict with mandated Ministry and Board policies. She asserted that teaching her children to love members of the LGBTQ community does not conflict with Ministry and Board Policies.

Furthermore, Mrs. Templeton told the school, that by allowing Sikh students to carry a kirpan, the Board has made a religious accommodation that clearly conflicts with mandated Ministry and Board policies on safe schools and the carrying of a weapon.

Mrs. Templeton argued that the Board has applied a double standard. She said by not allowing her children to be excused as it would Muslim students to pray if their prayer time corresponded to a lesson or assembly involving sexual orientation, the school has denied her children the right to exercise their faith during the same Board and Ministry mandated curriculum.

She further argued that since Muslim students can be excused but Christian students cannot from the same type of curriculum, the Board has no grounds to deny her request based on a mandate to provide inclusive curriculum. She believes the Board has views Islamic religious expression as being more deserving of accommodation than Christian religious expression. This gives the appearance of Christophobia, intolerance, and leading to the perception that the Board is applying unequal treatment between the Islamic and Christian faith. Mrs. Templeton considered this to be flagrant discrimination when one religious group is allowed to practise their faith during mandated curriculum delivery and another group is not.