

Bill 24 – An Act to Support Gay Straight Alliances

Minimum legislated requirements under the *School Act*, Section 45.1 (including Section 16.1)

Section	Requirement
45.1(2)	School Authorities (public, separate, Francophone, charter and accredited private schools) must establish, implement, and maintain a policy respecting its obligation under subsection (1) to provide each enrolled student and every employed staff member with a welcoming, caring, respectful and safe learning environment that includes the establishment of a code of conduct for students that addresses bullying behaviour.
45.1(3)	<p>The School Authority policy must:</p> <ul style="list-style-type: none"> • affirm the rights, as provided for in the <i>Alberta Human Rights Act</i> and the <i>Canadian Charter of Rights and Freedoms</i>, of each staff member employed by the School Authority and each student enrolled in a school operated by the School Authority, and • contain one or more statements that staff members employed by the School Authority and students enrolled in a school operated by the School Authority will not be discriminated against as provided for in the <i>Alberta Human Rights Act</i> or the <i>Canadian Charter of Rights and Freedoms</i>.
45.1(4)	<p>The School Authority policy must:</p> <ul style="list-style-type: none"> • contain a distinct portion that addresses the School Authority’s responsibilities under section 16.1 of the <i>School Act</i>. That distinct portion of the policy must not contain any provisions that: <ul style="list-style-type: none"> – conflict with or are inconsistent with sections 45.1 or 16.1 of the <i>School Act</i>, – undermine the promotion of a welcoming caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, or – require a principal to obtain the approval of the superintendent or board or to follow other administrative processes before carrying out functions under section 16.1. • include the text of sections 16.1(1), (3), (3.1), (4) and (6) of the <i>School Act</i>. <p>Support for student organizations</p> <p>16.1(1) If one or more students attending a school operated by a board request a staff member employed by the board for support to establish a voluntary student organization, or to lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall</p> <p>(a) immediately grant permission for the establishment of the student organization or the holding of the activity at the school, and</p> <p>(b) subject to subsection (4), within a reasonable time from the date that the principal receives the request designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity.</p> <p>(3) The students may select a respectful and inclusive name for the organization or activity, including the name “gay-straight alliance” or “queer-straight alliance”, after consulting with the principal.</p> <p>(3.1) For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer-straight alliance”.</p> <p>(4) The principal shall immediately inform the board and the Minister if no staff member is available to serve as a staff liaison referred to in subsection (1), and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school.</p> <p>(6) The principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in subsection (1) is limited to the fact of the establishment of the organization or the holding of the activity.</p> <ul style="list-style-type: none"> • provide that the principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in section 16.1(1) of the <i>School Act</i>: <ul style="list-style-type: none"> – is limited to the fact of the establishment of the organization or the holding of the activity, and – is otherwise consistent with the usual practices relating to notifications of other student organizations and activities.

Please note: This document is provided for general information purposes only. School Authorities are encouraged to seek legal and other professional advice to ensure compliance with all legal and legislative requirements.

	<ul style="list-style-type: none"> • sets out the name of the legislation that governs the disclosure of personal information by the School Authority. <ul style="list-style-type: none"> – Boards, charter schools, and Regional authorities are public bodies under the <i>Freedom of Information and Protection of Privacy Act</i> and are bound by the provisions of that Act. – Accredited private schools must collect, use, and disclose personal information in accordance with the <i>Personal Information Protection Act</i>.
45.1(5)	The code of conduct established by the School Authority must contain:
	<ul style="list-style-type: none"> • a statement of purpose that provides a rationale for the code of conduct, with a focus on welcoming, caring, respectful and safe learning environments;
	<ul style="list-style-type: none"> • one or more statements about what is acceptable behaviour and what is unacceptable behaviour, whether or not it occurs within the school building, during the school day or by electronic means; and • one or more statements about the consequences of unacceptable behaviour, which must take account of the student’s age, maturity and individual circumstances, and which must ensure that support is provided for students who are impacted by inappropriate behaviour, as well as for students who engage in inappropriate behaviour.
45.1(6)	School Authorities must:
	<ul style="list-style-type: none"> • make the policy and code of conduct available throughout the year in a prominent location on a publicly accessible website maintained by or on behalf of the School Authority;
	<ul style="list-style-type: none"> • display in a place clearly visible to students in each school the Uniform Resource Locator (the website link) for the policy and code of conduct on the publicly accessible website;
	<ul style="list-style-type: none"> • on request, provide a copy of the policy or code of conduct to an individual;
	<ul style="list-style-type: none"> • review the policy and code of conduct, confirm the review by a board resolution, and post or repost the policy or code of conduct on the publicly accessible website by June 30 of each year; and
	<ul style="list-style-type: none"> • comply with any further requirements respecting a policy or code of conduct established by the Minister by order.

For further assistance please contact Alberta Education at SafeCaring@gov.ab.ca.

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