

# The Legal Context of SOGI Inclusion in Alberta

An important part of SOGI-inclusive education is understanding the context in which we are creating policy, improving school environments, and supporting educators. In Alberta, we have laws and policies requiring schools be safe and inclusive for students of all sexual orientations and gender identities.

## Human Rights Law

### Canadian Human Rights Act

- This Act protects people in Canada from discrimination when they are employed by or receive services from the federal government, First Nations governments or private companies that are regulated by the federal government.
- Protected grounds include sexual orientation, gender, gender identity and gender expression.

### Alberta Human Rights Act

- The Act prohibits discrimination in publications, public services (such as schools), tenancy, employment, unions, and associations.
- Gender, gender identity, gender expression and sexual orientation are all protected grounds.

## Education Law and Policy

### Alberta Education Act

- Sections 33(1)(d) and 33(2) of the Education Act requires every school board provide all students and staff with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging; and the board must establish, implement, and maintain a policy to provide such environment.
- Section 35(1) protects the right for students to create a gender and sexuality alliance and requires the designation of a staff member to facilitate its establishment and ongoing operation.

### Government of Alberta Inclusive Education Policy

- School authorities must ensure all children and students have access to meaningful and relevant learning experiences that include appropriate instructional supports, regardless of gender, gender identity, gender expression, and sexual orientation

### ATA Code of Professional Conduct

- A teacher must teach in a manner that respects the dignity and rights of all persons without prejudice as to gender, sexual orientation, gender identity, and gender expression, and must treat students with dignity and respect and be considerate of their circumstances.

