



# AP 205 CONTROVERSIAL TOPICS AND RESOURCES

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## Background

Studying controversial topics, which are prescribed by the Alberta Program of Studies, is an integral part of student learning and is important in preparing students to participate responsibly in a democratic and pluralistic society. Such study provides students opportunities to develop the ability to think clearly, to reason logically, to open-mindedly and respectfully examine different points of view and to make sound judgments.

Specific to controversial topics;

### Section 58.1 of the Education Act and The Education Amendment Act (2024)

The Education Amendment Act, 2024 adds new sections, as well as amends sections 18, 30, 53, 58.1 and 58.2 of the Education Act, and requires:

- school authorities to notify parents and provide the opportunity to opt their child in, rather than opt-out, where courses, programs of study or instructional materials, instruction, or exercises include subject matter that deals primarily and explicitly with gender identity, sexual orientation or human sexuality
- that learning and teaching resources dealing primarily and explicitly with gender identity, sexual orientation or human sexuality must be approved by the Minister of Education, unless such resources are being used to provide religious instruction
- that external parties presenting learning and teaching resources dealing primarily and explicitly with gender identity, sexual orientation or human sexuality must be approved by the Minister of Education, whether in the context of religious instruction or otherwise

In accordance with Board Policy 2 and 18, the School Authority respects the rights of parents/guardians to exempt their student(s) from such instruction without judgment, as well as the Authority respects the requirement for resource approval from the government of Alberta for internal and external resources.

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## Definitions

**Controversial Topics:** are those topics that are publicly sensitive and upon which there is no consensus of values or beliefs. They include topics on which reasonable people may sincerely disagree (e.g. religion and human sexuality).

**Controversial Resource:** are those resources used in the classroom or available in the library that may be sensitive to certain individuals based on their values and beliefs.

*Note: Definitions of Gender Identity, Sexual Orientation, and Gender Expression are located in grounding Administrative Procedure 172.*

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## Procedures

1. Teachers shall discuss potentially controversial topics with the Principal prior to presenting the topic to students and, where deemed appropriate, give notification to parents.
2. Teachers, students, and others participating in studies or discussions of controversial topics shall exercise sensitivity to ensure each individual is treated with respect and feels comfortable voicing their position on controversial topics. Teachers shall not express their personal opinions as fact.
3. Information regarding controversial topics must:
  - 3.1. Be of an informative nature; represent alternative points of view, provided federal or provincial law does not restrict the information presented.
  - 3.2. Reflect the maturity, capabilities and educational needs of the students.
  - 3.3. Effectively meet the requirements of provincially prescribed and approved courses of study and educational programs;
  - 3.4. Reflect the neighbourhood and community, as well as provincial, national and international contexts.
  - 3.5. Use carefully reviewed resources. Where the resources are used to teach about, primarily and explicitly, gender identity, sexual orientation and human sexuality, the teacher may only select and use resources that have been pre-approved by the minister of education.
4. As per the Education Amendment Act (2024), permission from parents/guardians is required where the instructional materials, exercises, outcomes, or course contain subject matter that deals primarily and explicitly with religion, gender identity, sexual orientation and/or human sexuality:
  - 4.1. The Principal shall ensure administrative procedures are available to the school community, regarding Section 58.1(1) and the Education Amendment Act on the school website.
  - 4.2. Parents/guardians shall be advised of the controversial content in specific classes 30 days in advance, using the Parent Notification letter (*Form AF205-1 Notice Form to Parents*). This letter shall request permission of parents/guardians for education related primarily and explicitly with gender identity, sexual orientation and human sexuality.
  - 4.3. Parents/guardians may exempt their child by informing the school in writing using the student exemption notice form, which will be sent home attached to the Parent Consent letter.
  - 4.4. Teachers shall, in accordance with parent/guardian request, permit the student to:
    - 4.4.1. Leave the classroom to an alternative work environment; or
    - 4.4.2. Remain in the classroom without taking part.
  - 4.5. Exempted students shall not receive an academic penalty.
  - 4.6. Teachers shall provide a meaningful alternative activity.
5. Notification to parents/guardians is not required for incidental or indirect references to religion, religious themes, or human sexuality in an outcome, course, exercise, or instructional material.

6. In the event that an individual(s) expresses concerns regarding controversial topics or resources:
    - 6.1. The teacher shall arrange a meeting with the individual(s) bringing forth the challenge, to discuss the nature of the concern.
    - 6.2. If the complainant feels further action is warranted, form 205A (Request for Reconsideration of Material/Programming) form is to be completed and submitted to school administration by the complainant. A copy of the form can be obtained by contacting the teacher.
    - 6.3. The Principal will review the submitted document and, within a reasonable timeframe, consider if further discussion or action is needed. If needed, the Principal will enter into additional discussion with the complainant.
    - 6.4. If the topic cannot be resolved at the school level, the Principal shall notify the Superintendent of the concern and the actions undertaken. The Superintendent will, in consultation with the Principal and/or the complainant, work to resolve the concern.
    - 6.5. If the topic cannot be resolved, the Superintendent shall advise the individual(s) bringing forth their concerns of their right to take their concerns forward to the board of directors, who may assign this to a review committee and/or arrange meetings as required.
    - 6.6. The board shall render a decision and communicate this, in writing, to the individual(s) involved.
  7. As per *Board Policy 13 - Appeals and Hearings Regarding Student Matters*, parents/guardians may further appeal the decision to the Charter Board.
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*Reference:* Education Act 16, 18, 27, 52, 58, 196, 197, 222  
Education Amendment Act (2024)  
Alberta Bill of Rights  
Canadian Charter of Rights and Freedom,  
Constitution Act, 1982  
Guide to Education Alberta ECS to Grade 12