

Date of Issue: August 21, 2019

Effective: Until revoked or modified

Subject: **Exemption from Instruction related to the Human Development and Sexual Health Expectations in *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019.***

Application: Directors of Education
Supervisory Officers and Secretary-Treasurers of School Authorities
Superintendents of Schools
Principals of Elementary Schools
Principals of Provincial and Demonstration Schools

Introduction

The purpose of this memorandum is to inform school boards¹ that they must develop and implement a policy or procedure that allows for students to be exempted, at the request of their parents,² from instruction related to the Human Development and Sexual Health expectations found in strand D of *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019*.

The Education Act authorizes the Minister of Education to establish policies with respect to issuing curriculum guidelines.³

The policy/procedure to be implemented by school boards will allow for students to be exempted from instruction on an individual basis, according to the following conditions:

- Exemptions are limited to instruction related to the Human Development and Sexual Health expectations found in strand D of *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019*. Students will not be exempted from instruction related to any other expectations in this curriculum or related to expectations in other curriculum subjects.
- Exemptions will be granted only for instruction related to *all* the Human Development and Sexual Health expectations in a student's grade, and not for instruction related to selected expectations or groups of expectations.

1. In this memorandum, *school board(s)* and *board(s)* refer to district school boards and school authorities.

2. In this memorandum, *parent(s)* refers to parent(s) and guardian(s).

3. Education Act, subsection 8(1), paragraph 3.

- References to human development and sexual health made by teachers, board staff, or students outside the intentional teaching of content related to the Human Development and Sexual Health expectations are not included in the exemption policy/procedure.
- There will be no academic penalty for an exemption.
- There will be no assessment, evaluation, or reporting of exempted students' achievement of Human Development and Sexual Health expectations in their particular grade. Exempted students' grade in health and physical education will be determined on the basis of the overall expectations in strand D of the curriculum, without consideration of the specific expectations under Human Development and Sexual Health.

As part of the implementation of this policy/procedure, school boards and/or schools may choose to hold meetings with parents and other community members to describe the purpose and scope of the policy/procedure. Such meetings would assist parents in deciding if they wish to remove their children from instruction related to Human Development and Sexual Health.

Context – Roles and Responsibilities

Parents play an important role in their children's learning. They are the primary educators of their children with respect to learning about values, appropriate behaviour, and ethno-cultural, spiritual, and personal beliefs and traditions, and are their children's first role models. It is therefore important for schools and parents to work together to ensure that home and school provide a mutually supportive framework for young people's education.

Parents who become familiar with the health and physical education curriculum can better appreciate what is being taught in each grade and what their children are expected to learn. This awareness will enhance parents' ability to discuss their children's learning with them, to communicate with their children's teachers, and to ask relevant questions about their children's progress. It could also inform their decision making about seeking an exemption under their school board's policy/procedure. Parents must be informed of the school board policy/procedure that allows for students to be exempted, at their parents' request, from instruction related to the Grade 1 to 8 Human Development and Sexual Health expectations in strand D.

Teachers are responsible for using appropriate and effective teaching strategies to help students achieve the health and physical education curriculum expectations. They bring enthusiasm and varied teaching and assessment approaches to the classroom, addressing individual students' needs and ensuring sound learning opportunities for

every student. The attitude with which teachers approach student learning in health and physical education is critical, as teachers are important role models for students.

To increase their comfort level and their skill in teaching health and physical education and to ensure effective delivery of the curriculum, teachers are expected to reflect on their own attitudes, biases, and values with respect to the topics they are teaching and seek out current resources, mentors, and professional development and training opportunities, as necessary.

As part of effective teaching practice, teachers communicate with parents about what their children are learning. Communication enables parents to work in partnership with the school, promoting discussion, follow-up at home, and student learning in a family context.

Teachers must follow their school board's policy/procedure that allows for students to be exempted, at their parents' request, from instruction related to the Grade 1 to 8 Human Development and Sexual Health expectations in strand D.

Principals are community builders who create a healthy and safe school environment that is welcoming to all, and who ensure that all members of the school community are kept well informed.

Principals work in partnership with teachers and parents to ensure that each student has access to the best possible educational experience. They can provide support for the successful implementation of the health and physical education curriculum by emphasizing the importance of the curriculum within the framework of a healthy, safe, inclusive, and accepting school.

Principals must follow their school board's policy/procedure that allows for students to be exempted, at their parents' request, from instruction related to the Grade 1 to 8 Human Development and Sexual Health expectations in strand D.

Minimum Requirements of School Board Exemption Policies/Procedures

School board policies and implementation plans should take into account local needs and circumstances. When developing their policies, school boards are encouraged to consult with local partners, as appropriate. However, each school board policy/procedure must include the following requirements, under three distinct headings: Notice and Communications; Process; and Supervision of Exempted Students.

1. Notice and Communications

The school board policy/procedure will require schools to:

- provide parents with a list of all Human Development and Sexual Health expectations *by grade*;
- inform parents that they can choose to have their child or children exempted from instruction related to Human Development and Sexual Health expectations by completing and returning an exemption form for each child;
- make a standard exemption form available to parents every school year, accommodating the timelines specified below. The school may use the sample form provided in the Appendix to this memorandum or create their own form, provided that it contains, at a minimum, all the elements of the sample form. Schools may also choose to accept separate written requests for an exemption;
- notify all parents at least twenty school days before the start of the “period of instruction”⁴ related to the Human Development and Sexual Health expectations;
- inform parents of the date by which the completed exemption form or written request must be submitted in order for their child to be exempted from instruction related to the Human Development and Sexual Health expectations. The deadline for parents to submit their completed exemption form or written request must not be more than five school days before the start of the period of instruction;
- make clear that, in the case of an unforeseen event,⁵ school boards and schools have the authority to move the period of instruction to a later date in the school year and must give notice of the change to parents as soon as reasonably possible.

2. Process

The school board policy/procedure will require schools to:

- allow students to be exempt from instruction related to the Human Development and Sexual Health expectations without academic penalty when a request for an exemption has been made from a parent in writing in accordance with this memorandum;
- develop a process to acknowledge the receipt of exemption forms from parents;

4. In this memorandum, the *period of instruction* refers to the period, including the beginning and end dates, during which instruction in Human Development and Sexual Health during health and physical education classes is delivered. This period could extend over several days or weeks, depending on individual schools’ calendars and teachers’ lesson plans.

5. In this memorandum, an *unforeseen event* refers to an event that impairs a school’s ability to administer the “period of instruction”.

- make the final decision about whether to accept or reject a request for an exemption that does not fall within the parameters set out in this memorandum (e.g., if the exemption form is returned to the school during the scheduled period of instruction rather than by the school's official submission date).

3. Supervision of Exempted Students

Because school boards are responsible for student safety and well-being during instructional time, options for supervision must be offered. The school board policy/procedure will require that parents be given the choice of how their exempted child will be supervised during the exemption period. Parents must choose **one** of the following options for their child:

- to remain in the classroom during the exemption period without taking part in instruction in Human Development and Sexual Health, and to be assigned work or activities by the teacher that are *unrelated* to Human Development and Sexual Health; *or*
- to leave the classroom for the duration of the instruction and remain in the school under supervision. The student's activities during the exemption period will be at the discretion of the teacher or principal. The supervision of the student will be determined by the school according to the board's policy/procedure; *or*
- to be released into the care of the parent or the parent's approved designate.

Implementation

School boards must implement their exemption policy/procedure and make it publicly available on their website *before* the period of instruction related to Human Development and Sexual Health in the 2019–20 school year, and no later than November 30, 2019. It is expected that the communications to parents required by this memorandum will be issued within stated timelines every school year.

If an exemption policy/procedure is not implemented in a school board by November 30, 2019, then the provisions outlined in this memorandum can be used on a temporary basis until the school board's policy/procedure is in place.

APPENDIX: Sample Exemption Form

Exemption from Instruction in Human Development and Sexual Health

Having reviewed the Human Development and Sexual Health expectations in the elementary Ontario Health and Physical Education curriculum for my child's grade, I would like my child to be exempted from instruction related to these expectations, without academic penalty.

During the exemption period, I would like my child to [*select one only*]:

- remain in the classroom without taking part in instructional activities related to Human Development and Sexual Health. I understand that my child's activities *unrelated* to Human Development and Sexual Health during the exemption period will be at the discretion of the teacher.
- leave the classroom and remain in the school under staff supervision. I understand that my child's activities during the exemption period will be at the discretion of the teacher or principal.
- be released into my care or the care of my approved designate.

NOTE: If one of the three options above is not selected, the principal or the principal's designate will determine where in the school the child is to remain during the exemption period.

Notice of Period of Instruction*

For the 20 ____ – ____ school year, the period of instruction related to the Human Development and Sexual Health expectations in your child's grade will start on _____ [*insert date*] and end on _____ [*insert date*].

The daily schedule for this instruction is attached.

I understand and agree with the following statements:

- the Human Development and Sexual Health expectations in strand D of the health and physical education curriculum are different in every grade, so I must submit a completed exemption form every school year, for each child, in order for

* In this form, the *period of instruction* refers to the period, including the beginning and end dates, during which instruction in Human Development and Sexual Health during health and physical education classes is delivered. This period could extend over several days or weeks, depending on individual schools' calendars and teachers' lesson plans.

the child to be exempted from instruction related to Human Development and Sexual Health expectations in that school year;

- references to or conversations about sexual health–related concepts among teachers, school staff, or other students outside formal instruction in Human Development and Sexual Health are not subject to this exemption;
- my child will continue to receive instruction related to all other elementary health and physical education curriculum expectations;
- requests for exemption made by phone, or exemption forms or written requests that do not have a parental signature, will not be accepted;
- this exemption form must be returned by _____ [enter date] for my child to be excluded from instruction related to the Human Development and Sexual Health expectations in strand D of *The Ontario Curriculum: Health and Physical Education, Grades 1–8, 2019*.

Child's Last Name

Child's First Name

Parent's Name (print)

Parent's Signature

Grade and Class

Date

PLEASE NOTE:

You will receive an acknowledgement from the school by _____ [letter/email/text] by _____ [insert date].

If you do not receive an acknowledgement, please contact: _____ [contact name here].

Please return this signed form no later than: _____ [insert date]