

# Declaration of Family Rights

THIS DECLARATION IS HEREBY PROCLAIMED AND SERVED UPON  
THE ADMINISTRATION AND STAFF OF:

[Name of School]\_\_\_\_\_

**WHEREAS:** The Supreme Court of Canada ruled in a majority decision in 1995 that (*inter alia*): “*This [parental] role translates into a protected sphere of parental decision-making which is rooted in the presumption that parents should make important decisions affecting their children, both because parents are more likely to appreciate the best interests of their children, and because the state is ill-equipped to make such decisions...*”<sup>1</sup>; and

**WHEREAS:** *Per* La Forest, L’Heureux-Dubé, Gonthier and McLachlin JJ.: “*The Common Law has long recognized that parents are in the best position to take care of their children and make all the decisions necessary to ensure their well-being.*”<sup>1</sup>; and

**WHEREAS:** The Supreme Court of Canada has stated that: “*Parents delegate their parental authority to teachers and entrust them with the responsibility of instilling in their children a large part of the store of learning they will acquire during their development*”<sup>2</sup>; and whatever is delegated may also be withdrawn; and

**WHEREAS:** The standards for education, competence and professional conduct for educators in BC require that:

- 1 – Educators do not abuse or exploit students or minors for personal, sexual, ideological, material or other advantage;
- 2 – Educators are accountable for their conduct while on duty as well as off duty, where that conduct has an effect on the education system;
- 3 – Educators understand, respect, and support the role of parents and the community in the education of students; and

**WHEREAS:** Pursuant to The United Nations *Convention on the Rights of the Child*, “*every child has the right to preserve his/her identity as a member of his/her family, and the right to be free from interference with his/her privacy, family, honour and reputation*”; and

**WHEREAS:** Section 76(1),(2) of the *School Act* states: “76 (1) All schools and Provincial schools must be conducted on strictly secular and non-sectarian principles. (2) The highest morality must be inculcated, but no religious dogma or creed is to be taught in a school or Provincial school”; and

**WHEREAS:** The 1988 Royal Commission on Education stated that: “*neither the provincial school system, nor the helping agencies of government, should usurp in any way the a priori rights and responsibilities of parents and the family in providing for the overall care of the young. The family, past and present, remains the most instrumental social institution to provide for the needs of children.*”

**NOTICE IS HEREBY GIVEN:**

as of this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ and until this notice is revoked in writing by the undersigned, that [student’s name] \_\_\_\_\_, [birth date] \_\_\_\_\_, must not by any teacher, or through any teacher, or by any other persons or resource materials, or by the learning environment, be exposed to and/or involved in any activity or program which:

- 1. Engages in manufacturing contempt for, or the discrimination of, identifiable groups and/or classes of people by assignment of “privilege” and/or exposes students to sectarian politics.
- 2. Discusses or portrays the lifestyle of gay, lesbian, bisexual, transgendered, other chosen gender/non-gender or other sex based/non-sex based identity or delusion that conflicts with the biological sex of individuals as one which is normal, acceptable, and must be affirmed and/or celebrated;
- 3. Exposes my child to any adverse consequences—including questions, ridicule or hostility—for views expressed which arise out of our family's cultural traditions, religious and/or moral beliefs, fact and/or common sense.

**FURTHER NOTICE IS GIVEN:**

That my child is not to be ostracized or suffer any form of retribution as a result of any provisions made in adhering to the restrictions noted above, nor is my child to be approached for his/her consent to participate with the intent to nullify this declaration.

**ENFORCING THIS DECLARATION:**

This declaration shall form a permanent part of my child’s student files, and that any school personnel who have authority and proximity to my child shall be made aware of the restrictions contained herein. Should this declaration be violated in any manner, intentional or otherwise, legal action may be taken against the teacher or teachers, their administrator(s) and employer(s).

**Signed:** [parent/guardian of child named above] \_\_\_\_\_

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**Please remove this portion and mail it to Parents United Canada for registration:**

Parent/Guardian’s Name [please print]: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_ Student’s Name [please print]: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ Province \_\_\_\_\_ Postal Code \_\_\_\_\_

**A Declaration of Family Rights has been filed with [name of school]**

\_\_\_\_\_

\_\_\_\_\_  
[School city]

\_\_\_\_\_  
[date]

Signed [parent/guardian of child named above]: \_\_\_\_\_ Date: \_\_\_\_\_

## NOTES

This declaration has been prepared for parents who wish to exercise their authority over the education of their children. The ***Declaration*** is a legal instrument and is intended to provide a legitimate means of informing school administration and teaching staff of restrictions that may be necessary in the face of increasing attempts by teachers to deal with matters that are not based in science or fact; that facilitates a political agenda, exploits students, and/or is harmful to a student's psychological, emotional and physical well-being; or any course of instruction that results in creating division within the school or between the school and home, and/or is unsupported by parents. This legal instrument is not intended to put any obstacle in the way of properly conducted classes or programs in the regular academic curriculum taught with consideration to fact, science, neutrality, and recognizing the rights of all students.

**Parents:** The specific wording is to cover those situations for which parents are entitled to exercise their rights under law.

- 1) Parents who use this declaration are to use it without any alteration.
- 2) Parents are urged to register their declaration(s) with ***CultureGuard***, so that a record is kept and the numbers of parents exercising this form of authority can be known. Although this form may be photocopied for use by others, it must be copied unaltered from this format. A minimum donation of \$5.00 per form to ***CultureGuard*** is suggested so that they can meet the cost of distribution and develop other forms that may be needed in the future.
- 3) Please remove the registration form on the bottom of the Declaration and mail it to CultureGuard with your donation as soon as possible. Although this step is optional, it is of benefit to help ***CultureGuard***, in responding to the issues, to know how many parents resort to this form of protection. Be assured that addresses and other information will be kept confidential by ***CultureGuard***, and lists will not be made available to anyone.

### **School Administration:**

- 1) Please place this Declaration in the file of the student named,
- 2) Since the topic referred to may arise in any subject area, all teachers who have authority and/or proximity to the student named are to be made aware of this Declaration.

***Failure to abide by the instruction directed herein  
will result in complaint and/or legal action.***

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## FOOTNOTES

- 1 - Writing for the majority in 1995; 1SCR B. (R.) v. Children's Aid Society of Metropolitan Toronto
- 2 - R. v. Audet, [1996] 2 S.C.R. 171 (1996)

## **CultureGuard**

Address: 22314 Fraser Hwy, Suite #201, Langley, British Columbia, Canada, V3A 8M6

Phone: 604 514-1614 ~ Email: [Cultureguard@gmail.com](mailto:Cultureguard@gmail.com) ~ Website: CultureGuard.com

### **Mail the removed portion/notice to:**

***CultureGuard, 22314 Fraser Hwy, Suite #201, Langley, BC, V3A 8M6.***

***Your name and contact information will be added to our email list and you will be notified about important matters related to your child's education and your rights as a parent.***

***Parents United Canada – Together our voice matters!***