
Section A

Who is making this complaint?

We call you the "complainant."

Inquiry

First name 

Last name 

Do you have someone representing you for this complaint?

This could be an authorized representative, lawyer, or litigation guardian. See [the representation section](#) of the guide for details.

First name of representative

Monica

Last name of representative

Dannish

Section B

Who are you making this complaint about?

We call this the "respondent." The respondent may be a person, group of people, or an organization. Their contact information is essential for the complaint process.

Use the organization's name if you are making a complaint about your employer.

Business, organization, association, or person's name STEM

Innovation Academy Society

Street or Mailing Address 1204 – 96 Avenue SW, AND, Floor 3
3636 Research Road NW

Town or city Calgary

Country Canada

Province Alberta

Postal Code T2V 0Y1

Telephone Number

4032594211

Business, organization, association, or person's name Ministry of Education

Street or Mailing Address 8th Floor, 44 Capital Boulevard 10044 – 108 Street

Town or city Edmonton

Country Canada

Province Alberta

Postal Code T5J5E6

Telephone Number 780-638-3480

Section C

When and where did the possible discrimination happen?

The Commission can only accept complaints that are connected to Alberta and are received within a year of the last time you believe you were discriminated against.

To confirm that the Commission can accept your complaint, please tell us the date of the most recent event of possible discrimination. Briefly describe the situation here. You can provide timelines and details in Section E.

Date of most recent event April 30, 2025

Briefly describe the situation

██████████, my son, is neurodivergent and formally identified under ██████████ and ██████████. These diagnoses require accommodation under the Alberta Human Rights Act, which protects individuals with mental disabilities. A PsychoEd assessment by a seasoned psychologist identified strong math aptitude linked to ██████████'s disability, and recommended STEM Innovation Academy. Despite this, his application was denied without any consideration of his disability and educational needs.

City, town, or community where the discrimination happened

Section D

Is your complaint a human rights issue under Alberta law?

The *Alberta Human Rights Act* (we call it the "Act") governs human rights law in Alberta. For the Commission to accept a complaint, it must fall within specific categories defined in the Act. If someone has treated you negatively or unfairly **and** it is based on at least one of the following areas and at least one of the following grounds, your issue may fall under the Act.

Part 1: Protected areas

The possible discrimination must have happened in one (or more) of these areas of life or work. The Act calls these **protected areas**. [See the guide for detailed descriptions of these categories](#). Mark the areas that apply in your complaint.

Protected Areas

- ☐ employment practices, applications, and advertisements
 - ☐ equal pay based on your gender
 - ☒ goods, services, accommodation, or facilities
 - ☐ membership in a trade union, employers organization, or occupational association
 - ☐ tenancy
 - ☐ statements, publications, notices
-

Section D continued

Part 2: Protected grounds

Note: Not all negative treatment is discrimination under the Act. If your concern matches at least one protected area and one protected ground, the Commission will review your complaint for acceptance. You can find more information about protected areas and [grounds](#) in the guide or on our [website](#).

Mark the grounds that apply in your complaint.

Protected Grounds

- ☐ age
 - ☐ ancestry
 - ☐ colour
 - ☐ family status
 - ☐ gender (also includes sexual harassment, pregnancy)
 - ☐ gender expression
 - ☐ gender identity
 - ☐ marital status
 - ☒ mental disability
 - ☐ physical disability
 - ☐ place of origin
 - ☐ race
 - ☐ religious beliefs
 - ☐ sexual orientation
 - ☐ source of income
-

Section E

What happened?

Use this section to explain how someone discriminated against you because of the reason you marked in Section D.

Part 1: Main points

Explain the main, high level points about your complaint here in Part 1.
Describe details and a timeline in Part 2 in the next section.

- How were you treated poorly or differently than other people?

- How does this treatment relate to the protected grounds?
- Who was involved?
- What was said or done?

At the end of this form you have the opportunity to attach files if you need more space, up to the 12-page limit explained in the instructions.

Main Points

STEM Innovation Academy (STEM IA), a publicly funded charter school in Calgary, failed to consider ██████'s disability-related educational needs during the 2025–2026 admissions process. ██████, who has a diagnosed mental disability (ADHD and anxiety) alongside exceptional aptitude in mathematics, was subjected to a general admissions lottery without any screening, assessment, or accommodations to evaluate program fit or address his disability-related barriers. This denied ██████ his right to equitable—not merely equal—treatment under the Alberta Human Rights Act (AHRA). He was treated identically to typically developing students, with no effort made to accommodate his disability to the point of undue hardship, as is legally required. We requested reasonable adjustments—such as an individualized review of program suitability—in accordance with STEM IA's own policy (Administrative Procedure 302). The school refused and provided no alternatives, despite being the only publicly funded school in Calgary offering the advanced math and science curriculum that aligns with ██████'s documented strengths and diagnosed learning needs. Compounding this failure, the Ministry of Education claimed human rights concerns fall outside its review scope, despite Ministry-controlled documents—including the Charter School Handbook, Charter School Checklist, and Accommodating Students with Exceptional Needs in Charter Schools—affirming its responsibility to ensure accessible admissions processes for students with disabilities. Meanwhile, STEM IA revised its admissions policy to prioritize siblings—a discretionary adjustment not grounded in Administrative Procedure 302—demonstrating flexibility when it served other interests. Yet it made no comparable effort to accommodate a student with a disability. That double standard is discriminatory. ██████ has the academic potential to thrive in STEM IA's program. Unlike most students, who may succeed in a range of environments, ██████ requires

a setting that matches his cognitive profile and supports his regulation and engagement.

Section E continued

Part 2: What happened and who was involved

List dates and details of events based on the protected grounds you checked off in Section D. List events in the order they happened. The Act specifies a one-year limit. You may list events from more than one year ago, but they may not be considered as part of the complaint.

List supporting documents (if you have any) that confirm the facts or give a record of events. These might include:

- emails or texts
- medical documents or notes
- minutes of meetings
- termination letters or a Record of Employment (ROE)
- Workers' Compensation Board (WCB) documents, with case number

Do not send the documents, just list them here. You can list up to six incidents. If needed, you will have an opportunity to provide documents later in the complaint process. At the end of this form you have the opportunity to attach files if you need more space, up to the 12-page limit explained in the instructions.

Date Dec 2024 & Jan 2025

What happened on that date?

Denial via lottery for both NW & SW campuses- [REDACTED] entered into STEM's lottery process with no consideration of his diagnosed learning disability or exceptional educational needs

Listing supporting documents (if any)

denial emails.

Date Jan 30, 2025

What happened on that date?

Met with Superintendent, advocating for [REDACTED]'s diagnoses, PsychoEd findings, exceptional learning needs, and expectation that STEM IA accommodate under Charter School guide.

Listing supporting documents (if any)

email confirmation of meeting and decision to deny

Date Feb 10, 2025

What happened on that date?

Escalated to the Ministry of Education requesting review of the school's handling of the case, citing failure to accommodate.

Listing supporting documents (if any)

covering email to ministry and acknowledgement

Date April 17-30, 2025

What happened on that date?

STEM IA fully and formally denied ██████'s admission for 2025–26 without accommodation or alternatives. Parents appealed through internal process; appeal denied and deemed final.

Listing supporting documents (if any)

1. Denial, 2. Appeal, 3. Denial of Appeal

Date May 8, 2025

What happened on that date?

Letter from Ministry of Education stating it does not consider "Human Rights concerns" —a central issue in ██████'s case.

Listing supporting documents (if any)

Director Letter May 8, 2025.pdf

Date May 30, 2025

What happened on that date?

Submitted a second formal request for review of Admissions decision to Alberta Education, highlighting that human rights considerations are embedded in Ministry-governed documents.

Listing supporting documents (if any)

cover email for appeal, summary points in email

Section F

How do you think the issue could be reasonably resolved?

You and the respondent will be expected to consider reasonable settlement offers.

See [the guide](#) for more information about possible remedies and resolutions.

We are seeking a resolution that admits ██████ to STEM IA for the 2025–2026 school year through an individualized, accessible process that properly accommodates his disability-related needs to the point of undue hardship, as required under the Alberta Human Rights Act (AHRA). We have acted in good faith throughout this process: we met with the Superintendent in January, advocated clearly and respectfully for ██████’s rights, and submitted a detailed human rights-based appeal following his second denial in April 2025. Despite this, STEM IA, the Superintendent, the STEM Innovation Academy Society, and Alberta Education failed to engage meaningfully with the human rights issues raised or to acknowledge their legal duty to accommodate. The result has been significant psychological harm. ██████ now believes he was excluded because he is “not good enough”—an internalized message that has worsened his anxiety, eroded his self-worth, and diminished his confidence in both his academic abilities and his sense of belonging. The toll on our family has also been immense. We are caregivers to two neurodivergent children, one with complex medical needs. For months, we’ve had to navigate a confusing and opaque process—researching policies, writing appeals, compiling documentation, attending meetings, and making repeated calls—all while advocating for rights that should not be in question. The emotional and time burden has been profound. ██████’s exclusion is not only deeply unfair—it is discriminatory under the AHRA. A just and appropriate remedy must redress the harm caused and uphold ██████’s legal right to accessible, publicly funded education: that means his admission to STEM IA with appropriate accommodations and supports.

Section G

Have you taken other actions related to this complaint?

Have you taken any other legal or formal action about this complaint (or about basically the same issues this complaint raises)? Check each box that applies to you. Have you filed:

- ☐ a union complaint (called a grievance)
- ☐ a legal action in court
- ☒ a complaint to another government department
- ☒ an internal complaint with the respondent
- ☐ a signed release
- ☐ any other action

- Explain the other action you have taken.
- List documents from that action, including documents that started the action, responded to it, or made a decision on it.

Explain the other action you have taken

Yes, we have taken several formal actions related to this complaint: * We submitted two appeals to STEM Innovation Academy (STEM IA) between December 2024 and April 2025 under Administrative Procedure 302. Both appeals were denied without meaningful engagement with our child's disability-related needs or profile as a student under protected status. The responses reaffirmed the lottery outcome without addressing accommodations. * We requested a review by Alberta Education on two occasions between March and May 2025. The Ministry initially declined to intervene, stating that the school had not made a final enrolment decision. They also indicated that Human Rights considerations fall outside the scope of their review (see attached correspondence). * After STEM IA issued a final denial of admission in April 2025, we submitted a renewed request to the Ministry

in May 2025. In this request, we emphasized that Human Rights obligations are embedded in Ministry-governed documents—such as the Charter Schools Handbook, Charter School Checklist, and Accommodating Students with Exceptional Needs in Charter Schools (2007)—and therefore fall within their purview. Given their prior position, we do not expect a substantive change in their stance. Supporting documents include: Appeal submissions and responses from STEM IA (Dec 2024–Apr 2025) Response from Alberta Education (Mar–May 2025) Final denial letter from STEM IA (April 2025) May 2025 request for Ministry review and rationale based on embedded Human Rights obligations (This is a 20 page document so cannot be sent here due to your 10 page limit)

Section H

Signature and checklist

☒ By checking this box, I confirm to the best of my knowledge, the information in this complaint form is complete and accurate.

Full name of complainant [REDACTED]

Date submitted: Jun 13, 2025 13:37 PM

Date received: June 13, 2025

Remember, the Commission may not accept the form if it is missing essential information.

Supporting Documentation for Human Rights Complaint: STEM IA Admissions Discrimination

1. Overview of the Complaint

This document supports our formal complaint to the Alberta Human Rights Commission (AHRC) against STEM Innovation Academy (STEM IA), the STEM Innovation Academy Society, and the Ministry of Education. We allege systemic and procedural discrimination on the basis of disability, pursuant to Sections 4 of the *Alberta Human Rights Act* (AHRA).

Our son, [REDACTED], was denied admission to the 2025–26 Junior High program at STEM IA through an admissions process that failed to accommodate his documented disabilities and ignored his exceptional educational needs.

[REDACTED] is a neurodivergent student formally coded under Alberta Education's categories as [REDACTED] and [REDACTED]. These correspond to his diagnoses of ADHD, Generalized Anxiety Disorder, Separation Anxiety Disorder, and Social Anxiety Disorder—all of which fall under the protected ground of mental disability, as defined by the AHRA and the AHRC.¹

Based on [REDACTED]'s psychoeducational assessment, the psychologist's formal recommendations called for carefully considered junior high placement with differentiated instruction, curriculum compacting, and enriched learning opportunities—particularly in math and science—aligned to [REDACTED]'s cognitive profile and neurodivergent learning needs.

Despite this, [REDACTED] was denied admission to **the only publicly funded school in Calgary offering a curriculum and instructional model appropriate to his disability-related needs**. Following our final appeal to STEM IA, in which we outlined [REDACTED]'s psychoeducational findings and detailed the human rights implications of excluding him, the Superintendent and the STEM Innovation Academy Society responded: "[REDACTED]'s learning profile is irrelevant..."

STEM IA used a lottery as the **primary selection mechanism**, rather than a secondary step following assessment of "most likely to benefit"², in contradiction of its own **Administrative Procedure 302**. The school also prioritized sibling enrollment—a discretionary practice that was neither disclosed to families nor guided by any documented/formal policy. As implemented, the admissions process lacked transparency, procedural fairness, and did not consider the facts of the situation. In effect, the decision to deny [REDACTED] admission resulted from an opaque, selectively applied process that failed to accommodate his disability and disregarded expert educational guidance. The process, as implemented, contravenes:

- STEM IA's own Admissions Policy (Administrative Procedure 302),

¹[Disability, illness, and injury | Alberta Human Rights Commission](#) A mental disability is any mental, developmental, or learning disorder. The cause or duration of the disorder does not matter. Some examples of mental disabilities include anxiety disorders and attention deficit hyperactivity disorder (ADHD)

² <https://steminnovationacademy.com/wp-content/uploads/2023/04/302-Admissions-Amended-Nov-2023.pdf> "Accordingly, the school's identification and admissions procedures shall be structured and administered so as to **ensure that students accepted for enrolment are those who are most likely to benefit from its program.**"

- Alberta Education's guidelines on inclusive education, and
- The duty to accommodate under the *Alberta Human Rights Act* and Canadian human rights law.

We submit that this constitutes both **direct** and **adverse-effect discrimination**, and that [REDACTED] was denied meaningful access to a publicly funded education program uniquely suited to his rights, abilities, and needs.

2. [REDACTED]'s Learning Profile and Educational Needs

[REDACTED] is a neurodivergent learner whose unique cognitive profile has been evident from an early age. While he faces challenges with attention, emotional regulation, and anxiety in traditional classroom settings, these are paired with exceptional cognitive strengths — particularly in mathematics, science, and logical reasoning, making [REDACTED] both a high-needs and high-potential learner. On the WISC-V, a widely used standardized test of intelligence, [REDACTED] scored in the 99.7th percentile for Quantitative Reasoning and 98th percentile for Arithmetic, placing him in the **top 0.3% of his age group for quantitative reasoning** — so **“most likely to benefit” from a STEM education** — an extraordinary outcome under any circumstances, and even more so given the presence of a diagnosed neurodevelopmental disability.

This interplay between [REDACTED]'s disability and his cognitive profile creates a unique and complex set of educational needs. His challenges with attention and anxiety are not isolated—they are significantly aggravated by environments that fail to meet his need for engagement, particularly in math and science. In his current Catholic school, he has endured chronic under-stimulation, which directly contributes to his inattention, emotional dysregulation, and anxiety. Accommodations have been superficial—such as assigning him a Chromebook to “keep busy” or allowing him movement breaks—without addressing the root issue: a failure to provide programming that is responsive to his specific disability-related learning needs. This ongoing mismatch between [REDACTED]'s educational environment and his documented clinical profile has produced a predictable pattern of distress, disengagement, frustration, and behavioural escalation—not because [REDACTED] cannot succeed, but because he has not been appropriately supported.

[REDACTED] is not seeking a **“better”** school; he requires an appropriate one—one that meaningfully accommodates his disability-related learning needs. STEM Innovation Academy's inquiry-based, project-driven model is not an academic enhancement; it is an essential support for his regulation, engagement, and well-being. When provided with cognitively appropriate challenge—particularly in math and science—[REDACTED] becomes more focused, emotionally regulated, and confident. This is not a matter of preference or enrichment; it is a functional accommodation, backed by clinical recommendations and consistent with [REDACTED]'s lived experience.

STEM IA's published mandate is to serve students “most likely to benefit” from a STEM education. By every academic, clinical, and functional measure, [REDACTED] is such a student. Denying him access on procedural grounds while offering discretion to other applicants—such as siblings through a policy change disclosed on December 11, 2024—reflects a troubling double standard —Discretion was exercised for typically developing students, yet withheld from a child with documented disability-related needs.

Further compounding this problem is the absence of viable alternatives. In a meeting with our MLA to advocate for [REDACTED], the Honourable Rajan Sawhney, we learned that private schools such as Renert and

Weber reportedly decline to accept students with profiles like ██████'s. If private schools systematically exclude students like him, and the only public school aligned with his needs refuses to consider his documented challenges, then the education system becomes structurally discriminatory—functionally denying children like ██████ their right to an appropriate, inclusive public education.

We also wish to raise a concern spoken by our MLA during the same meeting—whether STEM IA can sufficiently meet ██████'s need for an advanced math curriculum. This concern reflects a common misconception. ██████ is not simply a high-achieving student seeking enrichment. He is a neurodivergent child whose ADHD and anxiety are **tied directly to cognitive under-stimulation**. Chronic boredom is not a benign inconvenience—it is a primary trigger for his inattention, dysregulation, emotional distress, and avoidance behaviors. In this way, ██████'s **cognitive strengths are not incidental to his disability—they are integral to how that disability manifests in traditional classrooms**.

We submit that ██████'s right to an appropriate, inclusive education must be fulfilled **within the public system**. STEM IA is the only publicly funded option that offers the programming ██████ requires—not as a matter of preference, but as a matter of legal and ethical obligation.

3. The Psychoeducational Assessment and Its Implications

In early 2024, at the recommendation of Dr. ██████, ██████'s pediatrician, we pursued a psychoeducational assessment to better understand and support ██████. Dr. ██████ requested that we complete this assessment due to **ongoing challenges in managing his ADHD and anxiety through medication alone**. We selected Mr. ██████—a seasoned, registered psychologist recommended by the Diverse Learning Coordinator at ██████'s school—based on his reputation for producing thorough, clinically grounded assessments.

This psychoeducational assessment is central to our complaint. It documents ██████'s diagnosed neurodevelopmental disabilities alongside specific cognitive strengths, and provides clear, evidence-based recommendations for appropriate educational programming. Notably, the assessment places ██████ in the 99.7th percentile for Quantitative Reasoning and 98th percentile for Arithmetic on the WISC-V. These results—exceptional even in the absence of a disability—underscore the unique complexity of his learning profile and the need for a highly responsive, differentiated environment like that offered at STEM IA.

The report recommends an enriched environment emphasizing curriculum compacting, differentiated instruction, and inquiry-driven, project-based learning—particularly in math and science. It advises providing opportunities for deeper exploration, advanced conceptual work, and self-directed research—hallmarks of STEM IA's stated approach.

*“As noted by the test developers, quantitative reasoning is closely related to general intelligence and can indicate a child's capacity to perform mental math operations and comprehend abstract relationships. ██████'s overall index score was exceptional for his age... ██████ should also be understood as a young person with well-developed cognitive skills and academic capabilities. **Accordingly, educational supports and programming moving into his Junior High School years should be carefully considered**... Typically, fast-paced/curriculum compacting approaches, along with differentiated instruction, serve*

*this type of learning style well... In selected content area classes (**especially math and science**), provide [REDACTED] with the option of designing in-depth projects requiring more advanced skills. For example, have [REDACTED] research information beyond that typically demanded by course outlines or explore unique applications of concepts learned..."*

In our follow-up consultation on September 30, 2024, Mr. [REDACTED] explicitly identified **STEM IA as the only appropriate public placement** for [REDACTED]'s profile.

Yet STEM IA made no effort to consider or accommodate this expert guidance. This omission is more than an oversight—it represents a failure of **procedural fairness** and a **breach of the duty to accommodate**. The psychoeducational assessment is not incidental; it is disability-related documentation that should have triggered a serious and individualized review of [REDACTED]'s application. To disregard recommendations from a disabled child's PsychoEd Report is to ignore both expert evidence and the principles of equity embedded in Alberta's education framework.

4. Equal Access Requires Accommodation under Human Rights Law

The Ministry of Education has informed us that it does not consider human rights issues as part of its review process. This position is deeply concerning. If the Ministry does not take responsibility for upholding human rights within the educational system—who does?

Human rights obligations are not optional. They are explicitly embedded in the very policies and procedures that fall under the Ministry's jurisdiction. Alberta Education itself has acknowledged this through official documents such as the *Charter School Checklist*, the *Charter Schools Handbook*, and *Accommodating Students with Exceptional Needs in Charter Schools (2007)*. Each of these guidance documents integrates human rights considerations, including the duty to accommodate students with disabilities, and they exist under the direct purview of the Ministry.

It follows that the Ministry has a legal and ethical obligation to ensure that the frameworks it designs, approves, and oversees comply with the *Alberta Human Rights Act*. By disavowing any role in addressing human rights concerns, the Ministry is not simply avoiding accountability—it is neglecting its statutory duty. This abdication of responsibility leaves families like ours without recourse and undermines the foundational rights that are supposed to protect all students in Alberta's public education system.

STEM IA is the only publicly funded school in Calgary, offering specialized and challenging Math and Science focused education, which can meet [REDACTED]'s defined education needs to thrive in Alberta Education's system. According to the Charter School's Handbook:

"... the charter program being requested focuses on a learning style, a teaching style, approach or philosophy or pedagogy that is not already being offered by the school board of the school division in which the charter school will be located."

"A charter school provides enhanced or innovative delivery of public education to students. This means that parents and students have increased opportunity to choose an education that best serves student needs."

The Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms (Section 15) affirm equal access to services in publicly funded institutions. However, the legal interpretation of "equality" does not mean "identical treatment"—it requires accommodations to remove systemic barriers, ensuring

that individuals with disabilities can fully participate in programs that meet their needs and abilities...not identical but equitable, as the following illustration is often used to demonstrate:



Equality requires that everyone receives the same resources and opportunities, regardless of circumstances and despite any inherent advantages or disadvantages that apply to certain groups. Equity, on the other hand, considers the specific needs or circumstances of a person or group and provides the types of resources needed to be successful. (The Annie E. Casey Foundation)

The AHRA's Duty to Accommodate Guide guides:

"Accommodation involves making changes to certain rules, standards, or policies to eliminate or reduce the negative impact that a person or group faces because of a characteristic that falls within a protected ground."

Moreover, the document "Establishing a Public Charter School Checklist" states:

"The charter school board will accept enrolment of all students who fit the criteria described in the charter without discrimination as per the terms under the Alberta Human Rights Act."

Alberta's education system, including STEM IA, has a duty to accommodate students whose disabilities create unique educational needs. Yet, STEM IA's admissions lottery does not account for such students whose cognitive profiles make a STEM-focused program essential—not optional—for their development and success, treating them the same as those without such needs. This approach fails to ensure equitable access to specialized STEM education. Merely including disabled students in the lottery is not an accommodation—it is a way to try to avoid the responsibility to accommodate.

Equity is not simply allowing students to enter a lottery—it is ensuring that the selection process itself does not create systemic disadvantages. A student with a physical disability who cannot physically enter a building would not be considered to have equitable access just because they were given an equal chance in a lottery. The same applies to [REDACTED]: his STEM-specific cognitive profile means that a program like STEM IA is not just a preference—it is a necessity for him to thrive. Failing to adjust admissions to consider STEM-specific learning needs is a failure to provide equitable access.

STEM IA requires applicants to submit LSPs and ISPs but does not consider these documents beyond weeding out students with high support needs. This suggests disability-based criteria are used for exclusion rather than inclusion, making the admissions process discriminatory in effect. If other selection factors (e.g., siblings, staff children) are permitted, but disability-based needs are not, this raises a human rights violation. Given that exceptions exist, it is reasonable to include disability-based needs to ensure fairness.

[REDACTED]'s special needs justify his inclusion, not exclusion. Accommodations for students like [REDACTED] do not lower standards but elevate the caliber of the student body.

The AHRA prohibits discrimination in services customarily available to the public, including education. While the *Standards for Special Education (2004)* and *Accommodating Students with Exceptional Needs in Charter Schools (2007)* primarily address accommodations for enrolled students, they do not exempt charter schools from ensuring that their admissions processes are equitable for students with exceptional needs. STEM IA's lottery system does not consider coded students with STEM-specific needs to develop their individual potential, creating a barrier to access. STEM IA applies disability criteria to exclude high-needs students but does not use these criteria to fairly assess those whose exceptional needs align with its mandate.

While the school may claim that they have as many special needs students as any other school board, this is not as a result of any deliberate needs-based inclusion criteria; it is mere happenstance. The issue is not whether students with disabilities are admitted—it is about ensuring that special-needs students are receiving equitable access based on their needs. At the admissions stage, STEM IA does not assess how many applicants have educational needs directly tied to STEM, meaning students like [REDACTED]—who require a specialized learning environment—can be unintentionally excluded. Without tracking this data, STEM IA cannot substantiate its claim that the lottery system is fair to high-aptitude, neurodivergent students. A truly equitable process must ensure that students who best align with the school's mission are not being filtered out by a flawed selection method.

5. Legal Cases Supporting Inclusive Admissions

The AHRA clearly prohibits discrimination in services customarily available to the public, including education. The Act defines discrimination as the differential treatment of individuals based on protected characteristics such as mental disability, in a way that imposes a disadvantage. The Alberta Human Rights Commission has consistently affirmed that equal access to education requires not just the absence of overt discrimination, but also the proactive removal of barriers that prevent full participation.

In [REDACTED]'s case, the failure to modify the admissions process to account for his documented needs—particularly when STEM IA accepts public funding and is subject to public accountability—amounts to discrimination. Several key precedents clarify the standard to which educational institutions must be held:

Moore v. British Columbia (Education), 2012 SCC 61

Moore v. British Columbia (Education), 2012 SCC 61: The Supreme Court ruled in favour of Moore, holding that the child was discriminated against on the basis of disability because he was not provided with adequate special education services in order to **develop his individual potential**. The ruling has significant implications for students with disabilities in Canada.

This case established that education is not a service separate from general public services; it is the "ramp" by which individuals with disabilities gain access to opportunity. By failing to adapt its admissions process, STEM IA has failed to provide this ramp.

Longuepée v. University of Waterloo, 2019 ONCA 622

In this case, the Ontario Court of Appeal found that a university's failure to consider a student's documented disabilities during its admissions process amounted to discrimination. The university relied solely on outdated academic records and refused to consider the impact of his disability on his earlier academic performance.

The Court ruled that ignoring disability-related documentation and failing to provide a means for applicants to contextualize their records constituted a denial of procedural fairness. STEM IA's refusal to review █████'s psychoeducational findings is directly analogous to this case.

Andrews v. Law Society of British Columbia, 1989

One of the cornerstone rulings on equality rights under the Canadian Charter of Rights and Freedoms, this case established that equality is not about treating everyone the same, but rather about recognizing differences and accommodating them so that all individuals have genuine access to services.

The famous conclusion in Andrews—"*there is no greater inequality than the equal treatment of unequals*"—encapsulates the core issue in █████'s case. The lottery system may appear fair on its face, but it fails to account for the unequal starting position of students with disabilities.

6. Procedural Fairness and Transparency Deficits

We are deeply concerned by the lack of procedural fairness in STEM IA's admissions process, particularly in relation to how discretion was exercised. In a communication dated December 11, 2024, Principal Kerry Blum informed only families that applied to the NW campus (not the SW campus) that sibling applicants would be prioritized—a policy adjustment made mid-cycle. This demonstrates the school's willingness to apply discretion where it chooses. Yet while flexibility was extended to typically developing students, no such consideration was given to █████, a student with documented disability-related needs. This inconsistency is not only inequitable—it is discriminatory. This ad hoc prioritization contradicts principles of administrative justice and equity.

Transparent and consistent admissions processes are a cornerstone of administrative justice. Families have the right to understand:

- What criteria are being used to make decisions;
- Whether and how their child was assessed under those criteria;
- How priority factors—such as sibling status or disability-based accommodation—are weighed;
- Whether any deviations from stated policy occurred.

STEM IA failed to meet these basic standards:

- Sibling preference was applied in practice but not disclosed in the official admissions policy (AP 302).
- No documentation was provided showing how many seats were allocated to different priority groups.
- The lottery was conducted internally, and manually, by an office employee, without third-party oversight or an audit mechanism.

We are particularly concerned that students flagged as "high needs" in the ISP/LSP system were filtered out of the lottery without disclosure; a fact that was revealed by the Superintendent in our appeal meeting with her. Was █████'s application excluded at this stage? We will never know for sure. Families deserve to know if disability-related flags were used to disqualify applicants—and if so, on what basis.

During our appeal, we raised specific and relevant concerns: ██████'s documented psychoeducational needs, the school's mandate to serve students "most likely to benefit," and inconsistencies between STEM IA's stated mission and its opaque practices.

The response we received—stating that "██████'s *learning profile is irrelevant*"—was not only dismissive, it reflected a refusal to consider key facts. This constitutes a clear breach of the duty to act fairly and accommodate disability-related needs in public education.

7. Structural Barriers Created by a One-Size-Fits-All Lottery

A randomized lottery system is often presented as a neutral method of ensuring access when demand exceeds supply. However, neutrality in form does not equal equity in effect. In reality, a one-size-fits-all process ignores meaningful differences in student need, aptitude, and potential alignment with the school's mission. For students like ██████—whose success is uniquely tied to access to an experiential and cognitively appropriate STEM program—the failure to recognize these needs in the selection process is not simply unfair; it is discriminatory.

██████'s disability does not preclude his success in school. On the contrary, it demands that success be approached differently. STEM IA's mission is to provide a specialized educational environment for students passionate about science, technology, engineering, and math. ██████ embodies this mission. The school's refusal to consider his disability-related cognitive strengths in its admissions process undermines its legitimacy as a specialized institution.

8. Contradictions Between Policy and Practice

In published admissions materials, the school states that all students are welcome to apply, and that STEM IA is designed to support those with an interest in STEM. Simultaneously, AP 302 requires selection of students who are best suited to benefit. However, the actual implementation of the lottery substituted procedural convenience for mission-driven selection. Instead of assessing who would most benefit—by evaluating learning profiles, past performance, motivation, educator recommendations, or PsychoEd assessments—STEM IA chose to apply a method that prevents any consideration of fit — a supposed blanket lottery system that somehow prioritized siblings. No effort was made to quantify how many seats were reserved for such discretionary criteria.

At the same time, students like ██████—who demonstrably match the program's stated educational focus—were excluded.

Moreover, STEM IA's leadership acknowledged during our appeal meeting that the current admissions model does not align well with the academic rigour of the program and that future revisions are being considered. However, such statements do not correct the present harm done to students like ██████, who have been unfairly excluded under a system the school itself admits is flawed.

Furthermore, during our appeal meeting with the Superintendent, we referenced the admissions policy at Westmount Charter School as an example of how compliance with the Alberta Human Rights Act can be meaningfully built into charter school admissions frameworks. Rather than addressing this example or explaining why STEM IA lacks a comparable approach, the point was dismissed without discussion. This

unwillingness to engage underscores a broader failure to meaningfully consider disability accommodation within STEM IA's admissions process.

In its admissions documents to parents, Westmount Charter (as an example) defines the meaning of "Most Likely to Thrive" as follows:

"We use the following documents:

- *Results and recommendations of the psychological assessment.*
- *Results of the Student and Parent Overexcitability Questionnaires.*
- *Information provided in past report cards and IPPs*
- *Information provided by parents in the Why Westmount.*
- *Other significant factors of student need included in the application package.*"

Notably, Westmount Charter includes "needs" in its suitability criteria, ensuring compliance with Alberta Human Rights Act (AHRA) requirements—something STEM IA has failed to do.

9. Impact on [REDACTED]: Personal and Educational Harm

The consequences of this discriminatory process have been substantial. [REDACTED] has experienced significant emotional distress, loss of motivation, and educational disruption due to the rejection. STEM IA's repeated denial of access to the only program that matches his assessed educational needs has compounded the challenges he already faces.

Emotionally, [REDACTED] has struggled to understand why a program created for students like him would not even consider his application on the basis of fit. He internalized the rejection as a personal failure, leading to increased anxiety and difficulty concentrating in his current learning environment. Socially, he missed the opportunity to form connections with like-minded peers who share his passion for science and math. Academically, he remains under-stimulated in his current setting, continuing the cycle of disengagement and underachievement that his psychoeducational assessment explicitly warned against.

From a systemic perspective, this is not only a missed opportunity for [REDACTED], but for the province of Alberta. Students with exceptional ability in STEM fields—particularly those with neurodiverse profiles that lend themselves to creative, interdisciplinary, yet structured thinking—represent the future of Alberta's innovation economy. By excluding [REDACTED], STEM IA undermines its own mission and denies Alberta a future leader in science and technology.

10. Requested Remedies

To resolve this matter under the *Alberta Human Rights Act*, we respectfully request the following:

Primary Remedy (Critical and Time-Sensitive)

Immediate admission of ██████████ to STEM Innovation Academy for the 2025–26 academic year.

We request that ██████ be granted immediate admission as a corrective measure to address the failure to accommodate his disability-related needs. This request is made in the interest of **substantive equality**, given the school's discretionary latitude in admissions and the documented evidence of differential treatment.

This is our **critical and non-negotiable request**. ██████'s exclusion—despite clinical recommendations, procedural inconsistencies, and a model uniquely suited to his needs—constitutes a direct and ongoing harm. **Policy reform without corrective access will leave the discrimination unremedied.**

Secondary Systemic Recommendations (Where appropriate and feasible)

Recommend/mandate monitoring obligations for the Ministry of Education to ensure alignment of admissions policies with AHRA principles and public expectations in all school boards.

11. A Unique Opportunity for a Unique Student

██████ exemplifies how disability can coexist with extraordinary passion and ability. Just as *Rain Man* portrayed an individual whose mathematical talent was inseparable from autism, ██████'s neurodivergence is integral to his STEM aptitude. A subset of neurodivergent individuals have exceptional strengths in specific areas, requiring tailored educational opportunities to reach their full potential. Denying ██████ access fails to acknowledge the connection between disability, passion, and need—creating a systemic barrier to his education.

Like *Rain Man*, whose abilities could only be recognized and developed in the right setting, ██████'s STEM potential must be nurtured—precisely what STEM IA was designed to do. A truly equitable admissions process must consider students whose disabilities drive their exceptional STEM needs.

12. Conclusion: A Test of Alberta's Commitment to Equity

This complaint is about more than one child. It is about how publicly funded institutions interpret their obligations under the Alberta Human Rights Act. It is about whether we treat educational equity as a legal imperative or a logistical inconvenience. And it is about whether Alberta is willing to hold accountable those institutions that fail to meet the standards of inclusion, fairness, and transparency.

██████'s case offers the Alberta Human Rights Commission an opportunity to affirm that fairness in education requires more than face-level-neutrality. It requires intentional action to ensure that students with disabilities are provided meaningful access to programs that meet their needs. It requires recognizing that disability is not merely about barriers—it is also about potential. And it requires acknowledging that denying accommodations in the admissions process is no less harmful than denying them in the classroom.

We ask that the Commission find in favor of ██████, and in doing so, uphold the principles that form the foundation of Alberta's public education system: that every child matters, every need must be considered, and every barrier to opportunity must be dismantled.

STEM Innovation Academy (STEM IA) Timeline for [REDACTED]

Spring 2024 — [REDACTED]'s pediatrician recommended a psychoeducational assessment. Despite years of attempts, we had not been able to effectively manage [REDACTED]'s anxiety and ADHD through medication alone. The assessment was recommended to confirm diagnoses and investigate any additional learning needs.

Summer 2024 — [REDACTED] underwent a comprehensive psychoeducational assessment conducted by Mr. [REDACTED], a seasoned Registered Psychologist. The assessment identified [REDACTED]'s educational needs and included specific recommendations to guide school placement.

September 30, 2024 — We attended a post-assessment consultation with Mr. [REDACTED]. He emphasized [REDACTED]'s advanced abilities in math and science and the need for intellectually stimulating curriculum to support his focus and emotional regulation. Mr. [REDACTED] recommended STEM IA as the only publicly funded school capable of meeting [REDACTED]'s educational needs. All other appropriate options were private schools.

November 21 - 27, 2024 — [REDACTED] and his parents attended the open houses at STEM IA's South Campus and North Campus.

November 28, 2024 — [REDACTED]'s application was submitted to STEM IA, including required documents such as his Learner Support Plan (LSP), which outlined his medical coding:

- Code [REDACTED]
- Code [REDACTED]

December 6, 2024 — We submitted additional supporting documentation, including a summary of [REDACTED]'s psychoeducational assessment, a letter from his current teacher endorsing STEM-focused learning, and references aligning [REDACTED]'s profile with the school's stated admission criteria—particularly the "most likely to benefit" clause in STEM IA Admissions Procedure 302.

December 11, 2024 — We received an email from the NW Campus Principal stating that siblings receive preference in the lottery "as per our admission policies." However, no such policy is outlined in Admissions Procedure 302 or published on STEM IA's website.

December 12, 2024 — STEM IA informed us that [REDACTED] was not selected in the NW campus lottery.

January 13, 2025 — STEM IA notified us that [REDACTED] was also not selected in the SW campus lottery.

January 19, 2025 — We submitted a first-level appeal to the Principal of STEM IA and then to the Acting Principal, outlining [REDACTED]'s needs and the rationale for admission under Procedure 302.

January 22, 2025 — The Acting Principal denied the appeal without any indication of review, restating that [REDACTED] had been unsuccessful in the lottery.

January 23, 2025 — We submitted a second-level appeal to the STEM IA Superintendent.

January 24–29, 2025 — A series of emails were exchanged with the Superintendent to coordinate an in-person appeal meeting.

January 30, 2025 — We met with the STEM IA Superintendent. She said that STEM IA uses a lottery to decide admission and that [REDACTED] had not been selected. She further explained that the only pre-lottery student evaluations are conducted to exclude applicants deemed “high-needs” based on ISP/LSP documentation. We reiterated that [REDACTED] was not a high-needs student and emphasized his educational suitability as outlined in Admissions Procedure 302, including the criterion of “most likely to benefit.” We also explained [REDACTED]’s needs, uncovered during his psychoeducational assessment, which clearly supported placement in a STEM-based program. *Despite these facts, the meeting offered no substantive appeal process—it served only to reiterate the lottery outcome, without reviewing the merits of [REDACTED]’s case.*

February 7, 2025 — We received written confirmation from the Superintendent that the appeal meeting had taken place and our appeal was denied.

February 28, 2025 — We submitted a formal request for Ministerial Review to Alberta Education.

March 28, 2025 — We received a letter from Learner Supports stating that our appeal was invalid because STEM IA had not yet issued a “final decision,” due to the possibility of future lotteries. They concluded that since no final decision had been made by the school, the Minister could not conduct a review.

April 4, 2025 — We sent a rebuttal to Learner Supports challenging their reasoning. We pointed out that STEM IA was at full capacity and that any additional lotteries would only occur if spaces opened due to student withdrawals. We argued that if no further lotteries occurred, we would be denied the opportunity to appeal during the time limit they set for appeals, which creates a procedural catch-22.

April 17, 2025 — [REDACTED]’s parents initiated a phone discussion with the Director of Learner Supports.

April 17, 2025 — We received an email from STEM IA confirming that no further lotteries would occur.

April 22, 2025 — We resubmitted a first-level appeal to the STEM IA Principal and Acting Principal.

April 25, 2025 — We received a denial from the Acting Principal, again offering no review or consideration beyond noting the lottery result.

April 25, 2025 — We submitted a second-level appeal to the Superintendent.

April 30, 2025 — STEM IA’s Superintendent and STEM IA Society formally denied appeal. They reiterated the lottery outcome and included a troubling conclusion, despite the documented needs outlined in [REDACTED]’s PsychoEd assessment and the school’s stated admissions criteria: “[REDACTED]’s *learning profile is irrelevant.*”

May 8, 2025 — Received formal letter from Learner Supports stating that the Minister’s review authority is limited to procedural matters under the Education Act and Charter Schools Regulation, and that human rights concerns fall outside their jurisdiction. Referred us to the Alberta Human Rights Commission or the court system for discrimination-related issues.

May 30, 2025 — Resubmitted an updated “Review by Minister” package to Learner Supports.

June 5, 2025 — Met with local MLA, Rajan Sawhney, to request her advocacy and intervention on [REDACTED]’s behalf.

June 6, 2025 — Sent all relevant documentation to MLA Sawhney, reiterating our request for her to advocate for [REDACTED]’s admission through an equitable, accommodated process.

Greg Dannish

From: Joanne Higgins <[REDACTED]>
Sent: Wednesday, April 30, 2025 10:23 AM
To: Greg Dannish
Cc: 'Monica Dannish'
Subject: RE: Admission Appeal - [REDACTED]

Good morning Greg and Monica,

Thank you for your recent email and notice of appeal dated April 25, 2025.

As stated in our Administrative Procedure 302(5), 'When the number of qualified applicants exceeds the number of available positions, placements will be offered to students based on a lottery'. As discussed in our meeting on January 30, 2025, we had hundreds of applications to our program. We did not have enough spots available to accept all applicants and looked to our lottery process as outlined in our AP 302. Our lottery uses an excel random number generator. This random number generator is used world-wide. We conducted three lotteries for our Southwest Junior High for 2025-2026 admission to STEM IA. [REDACTED]'s application was included in each of these lotteries. His number/application was not chosen in this random process. [REDACTED]'s learning profile is irrelevant, as he was considered in each of these lotteries.

We understand the decision of not being accepted to STEM Innovation Academy is disappointing. Demand for our program remains high. Hundreds of other applicants are also disappointed as their applications were not successful in the lottery. The decision to not offer a placement for 2025-2026 admission to STEM IA is upheld. On behalf of STEM Innovation Academy Society, this decision is considered final.

Regards,

Joanne Higgins

Superintendent

STEM Innovation Academy

1204-96 Avenue SW, Calgary, AB

+1 (403) 259-4211



From: Greg Dannish [REDACTED]
Sent: April 25, 2025 12:54 PM
To: Joanne Higgins <[REDACTED]>
Cc: 'Monica Dannish' [REDACTED]
Subject: Admission Appeal - [REDACTED]

Dear Ms. Higgins,

We hope you are doing well.

Follow-Up re: [REDACTED]'s Case - Documentation & Next Steps

1 message

Greg Dannish [REDACTED]
To: Calgary.NorthWest [REDACTED]
Cc: Monica Dannish [REDACTED]

Fri, Jun 6, 2025 at 10:03 AM

Dear Rajan,

Thank you again for meeting with us on such short notice. We're truly grateful for your time and your willingness to help advocate for [REDACTED].

We'd be immensely grateful if you are able to speak directly with the Minister of Education and the Learner Support Team (including Allison Blaine) before any final decisions are made. If there is a path for [REDACTED] to secure a placement at STEM IA—whether through a revised process or individualized review that meaningfully accommodates his needs—it would go a long way toward resolving the situation. Simply including him in another general lottery is not enough. What's required is an equitable process that results in meaningful access, not just the semblance of it.

We also wanted to revisit a concern raised during the meeting—whether STEM IA could truly meet [REDACTED]'s need for an advanced math curriculum. That concern may reflect a common misconception. [REDACTED] isn't just a bright learner—he is a neurodivergent student whose [REDACTED] are directly tied to his cognitive profile. His psychoeducational assessment confirms that chronic under-stimulation is not a benign inconvenience—it's a core trigger for his inattention, dysregulation, and emotional distress. In this way, [REDACTED]'s cognitive strengths are not incidental to his disability—they are central to how that disability manifests in traditional classrooms.

[REDACTED] has not succeeded in standard school environments—not because his needs are too great, but because they are highly specific. For years, he has faced chronic under-challenge in the Catholic system, where he's been offered few differentiated opportunities and no experiential or accelerated STEM instruction. Stopgap measures like assigning him a Chromebook to “keep busy” are developmentally harmful and increasingly inappropriate.

Put simply: [REDACTED] doesn't need STEM IA because he's “smart.” He needs it because it is the only publicly funded setting in Calgary that offers the faster-paced, experiential STEM environment recommended by his psychologist. The school's project-based, inquiry-driven model provides exactly the kind of learning that helps regulate [REDACTED]'s attention and anxiety. When challenged and engaged—particularly in math and science—[REDACTED] thrives. He becomes calmer, more focused, more confident. That's not a theory. It's supported by both lived experience and professional recommendation.

So the question isn't whether STEM IA is perfect. It's whether it is uniquely positioned to meet [REDACTED]'s documented needs when no other public school can. And the answer is a resounding yes. STEM IA's stated mission is to serve students “most likely to benefit from a STEM education.” [REDACTED] meets that definition precisely.

It's also important to note that STEM IA recently amended its admissions policy to prioritize and/or reprioritize sibling

applicants (see email attached from Kerry Blum dated Dec. 11, 2024)—a discretionary change that demonstrates the school's ability to depart from a strict lottery model. The fact that such flexibility was extended to benefit typically developing students—but withheld from a student with a documented disability—is a deeply troubling double standard.

We also want to thank you for clarifying that private schools like Renert and Weber categorically will not accept students with [REDACTED]'s profile. That was new and sobering information. If private schools exclude students like [REDACTED], and public options like STEM IA deny admission through inaccessible processes, families like ours are left with no path forward. [REDACTED]'s rights under the Alberta Human Rights Act must be realized somewhere within the publicly funded system. Otherwise, the system itself becomes structurally discriminatory.

As we discussed, [REDACTED] has not been well served by the Catholic system due to chronic under-challenge and lack of differentiated programming. He needs a learning environment that aligns with his cognitive profile and mitigates his [REDACTED]—not one that substitutes engagement with unstructured screen time or rote activities.

Lastly, we forgot to mention that Monica had a helpful conversation with Kim from Pat Kelly's office (as Pat is currently in Ottawa). Kim encouraged us to let you know that we had spoken, and she asked to be kept in the loop on any steps you may be taking so she can update Pat accordingly. As we shared with Kim, we had reached out to Pat's office after the Ministry of Education indicated that human rights enforcement fell outside its scope—even though Ministry-authored documents, including those governing Charter School compliance, speak directly to equitable access. While human rights enforcement is primarily provincial, it also attracts federal oversight—and Pat's office may explore further action. However, before considering further steps, Kim expressed strong confidence in your ability to help resolve this at the provincial level. She described you as a fierce and principled advocate for your constituents—and we agree.

Attached are some of the documents we submitted to the Ministry of Education and the timeline. They outline [REDACTED]'s situation and the broader human rights implications. We recognize it's a lot of reading, but we also recognize that your front office assistant is incredibly capable and may be able to flag key points for you. We're happy to provide any additional context or meet again if helpful.

Thank you again for your support. Please let us know if you're able to follow up with any of the individuals discussed—or if there are other steps you recommend we take to ensure [REDACTED]'s right to an equitable education is upheld.

Warm regards,

Monica & Greg Dannish

[REDACTED]

8 attachments



2025-04-30 - Email from Ms Higgins Denying Second Level Appeal.pdf
100K



2025-05-29 - Review by the Minister Form - [REDACTED].pdf
344K

New STEM IA Jr. High Lottery Update

1 message

STEM IA NW Campus <[REDACTED]>

Wed, Dec 11, 2024 at 11:05 AM

Reply-To: STEM IA NW Campus <[REDACTED]>

To: monica [REDACTED]

Hello STEM IA prospective families:

You are receiving this message as you have applied for to the NW Jr. High for one or more of your children. As we prepare to the lottery for the NW Jr. High, we want to inform you of some important updates about the campus for 2025-26. We will be conducting the lottery on Wednesday, December 11 with results to be sent out Thursday, December 12. Families who are not chosen in the lottery will be offered the opportunity to move their registration to the SW Jr. High. More details will follow in lottery results email that will be sent tomorrow.

Transportation:

After gathering input from current STEM IA grade 7 and 8 families about their intended campus for next year, and considering the availability of spots at each campus, we have determined that adjustments to the catchment areas are necessary to support each campus.

As a result, families living east of Deerfoot Trail within city limits will have transportation available **ONLY** to the SW campus. While families are still welcome to apply to either campus, transportation will only be provided to the SW campus for Jr. high students. There will continue to be no charter bus transportation for any high school students.

Please visit our website for more details. <https://steminnovationacademy.com/campus-information/>

Athletics:

As you are aware, we will be building a brand-new gymnasium complex at the NW Charter Hub complex to be completed for fall 2026. As a result of no gym available for athletic teams in 2025-26, we cannot guarantee athletic teams for our junior high students at the NW Jr. High Campus. We may be able to have cross country running and track teams, but there most likely will be no basketball, volleyball, or badminton teams for 2025-26.

Accommodating Siblings:

As per our admission policies, siblings of students currently attending the same campus, will get preference in our lottery. Having said that, we have received more sibling applicants than we are able to accommodate in Grades 7-9 as there is limited availability at each grade level (especially Grade 8 & 9). For this reason, not all sibling applicants are guaranteed a spot at the NW Jr. High.

Thank you for your ongoing support of STEM IA. Please check your email over the next two days for next steps in your registration at STEM IA Jr. High.

Kerry Blum

Principal - High School

STEM Innovation Academy High School

3636 Research Road NW, Calgary, AB

AR129392

May 8, 2025

Greg Dannish and
Monica Dannish


Joanne Higgins
Superintendent
STEM Innovation Academy
1204-96 Avenue SW
Calgary, AB
T2V 0Y1

Dear Greg Dannish, Monica Dannish and Superintendent Joanne Higgins:

Thank you for your letter of correspondence received on April 4, 2025 and dated April 3, 2025. I appreciate the opportunity to respond to your concerns.

In preparing for this response, I endeavoured to ensure that my understanding of the following is accurately represented:

- the admission process, through STEM Innovation Academy (“STEM IA”),
- the correspondence received, to date as a matter of record, and
- the information which Monica and Greg Dannish have included in their April 3, 2025 letter.

Any reference to the “Department” in this letter is a reference to Alberta Education.

Review by the Minister

Reviews by the Minister is not an appeal. It is an independent review of eligible decisions and is governed by the *Education Act* or regulations under that Act, such as the *Charter Schools Regulation*. Certain key legislative provisions that outline the scope of Reviews by the Minister that can be requested by a parent are:

- Section 43(1) of the *Education Act*, which sets out that a parent can request that the Minister review a decision of a school authority (including a charter school) with respect to:
 - the provision of specialized supports and services (section 43(1)(a)); or
 - the expulsion of a student (section 43(1)(a))
- Section 16 of the *Charter Schools Regulation*, which sets out that:
 - where an individual has been refused enrolment in a charter school, the individual or

their parent may ask the Minister in writing to review the matter to determine the individual's eligibility to be enrolled in the charter school.

- On concluding a review, the Minister may, subject to the *Education Act* and the regulation, make any decision the Minister considers appropriate and such decision is final.
- Section 44 of the *Education Act*, which sets out that:
 - The Minister may review a matter as requested in accordance with the Act or the regulations and may review the matter in any manner the Minister considers appropriate in order to determine whether the decision was reasonable in the circumstances.
 - Where the Minister reviews a matter, the Minister may, subject to the *Education Act* and any applicable regulations, make whatever decision appears to the Minister to be appropriate in the circumstances, and such decision is final.

Reviews are conducted using a written process that considers the facts of a decision, the policies in place at the time the decision was made, and the fairness, transparency, and reasonableness of the decision in accordance with the facts and the law.

In order for a matter to be reviewable by the Minister:

In this correspondence from Alberta Education, we were informed that the Minister may review decisions related to the provision of "specialized supports and services" under Section 43(1)(a) of the Education Act. However, the same correspondence indicated that our concerns—because they relate to discrimination and human rights—fall outside the Minister's review authority and should be addressed through the court system/Alberta Human Rights Commission.

This creates a Catch-22. If we raise [REDACTED]'s disability to demonstrate his need for a specialized STEM program, the issue is reframed as a human rights matter—beyond the Minister's scope. If we avoid mentioning his disability, the matter no longer qualifies under Section 43(1)(a) because no exceptional need is cited. In both cases, the review process is denied—not on the basis of merit, but on how the issue is framed. The result is a system in which the very characteristic that should qualify a student for review (exceptional need) becomes grounds for exclusion.

This contradiction undermines the intent of Section 43(1)(a), which exists precisely to protect students requiring specialized supports. Denying access to a suitable learning environment, where that environment is clinically recommended due to a child's diagnosed disability and advanced cognitive profile, must be considered a denial of specialized support. [REDACTED] meets Alberta Education's own definition of a student with exceptional needs, both through formal coding [REDACTED] and exceptional cognitive abilities (top 0.3% in quantitative reasoning).

If such cases are deemed outside the Minister's purview, then the review mechanism becomes functionally inaccessible to many of Alberta's most vulnerable learners. We believe this outcome is inconsistent with both the letter and spirit of the Education Act, as well as the government's broader commitment to equity and inclusion.

We respectfully ask the Commission to consider this procedural failure as part of the broader pattern of discrimination [REDACTED] has experienced, and to recognize that a system which offers no avenue for review to students with disabilities—solely because human rights are engaged—is itself discriminatory.

discrimination/human rights-related concerns respecting STEM IA's decision vis-à-vis [REDACTED]'s enrolment. A Review by the Minister cannot address matters outside of the express legislative authorities at play (sections 43 and 44 of the *Education Act* and section 16(2) of the *Charter Schools Regulation*). Concerns related to human right or discrimination are within the purview of other forums, such as the courts or the Alberta Human Rights Commission.

Timelines

It is my understanding from the conversation with Superintendent Higgins that the school authority intends to communicate all decisions, as per [Administrative Procedure 302 – Line 8](#) in an email, and in accordance [with line 4](#), “while providing adequate time for the administration to plan for the upcoming year.”

On April 21, 2025, I received a notice that STEM IA has communicated that all spots are full and that there will be no further lotteries.

As STEM IA considers this the final decision on [REDACTED]'s admission, the school authority-level appeal process is now available to Monica and Greg Dannish. Once the appeal process has been exhausted, the records of the appeal decision may be submitted to Learner Supports in order to determine whether a Review of the final decision on appeal can proceed under the *Education Act* and the *Charter Schools Regulation*.

As the Review by the Minister process uses a written hearing process, I encourage all parties to ensure that their requests, appeals, and decisions are rendered and communicated in writing.

Sincerely,



Alysson Blaine
Director
Learner Supports Branch