



**HARRIS**

Chilliwack School District

# Parent Rights and Gender Identity

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# MOE: Diversity in BC Schools: A Framework

“ The School Act articulates the purpose of the British Columbia school system: to enable all learners to develop their individual potential and to acquire the knowledge, skills and attitudes needed to contribute to a healthy, democratic and pluralistic society and a prosperous and sustainable economy.

To achieve this purpose, the school system must strive to ensure that differences among learners do not impede their participation in school, their mastery of learning outcomes, or their ability to become contributing members of society.

The school system is expected to promote values expressed in the Constitution Act, the Charter of Rights and Freedoms, the Official Languages Act, the Multiculturalism Act, the BC Human Rights Code, the Employment Equity Act and the School Act, respecting the rights of all individuals in accordance with the law ”

# *School Act and Regulations*

- Students have a right to an educational program
- All students should have equitable access to learning opportunities for achievement, and the pursuit of excellence in all aspects of their educational programs
- Charter requires that all students, regardless of membership in a protected group, have meaningful access to educational program



# *Human Rights Code*

The *Human Rights Code* prohibits discrimination on the grounds set out in the *Code* in the provision of services customarily available to the public – including schools.

Similarly, the *Human Rights Code* prohibits discriminatory publication or display of statements, emblems, or other representations that indicate discrimination against a person or class of persons, and is likely to expose that person or group to hatred or contempt because of a protected characteristic.



# BC Human Rights Code

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Section 8: prohibition against discrimination in the delivery of services (education)

Protects rights of students, including those with special needs

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Section 13: prohibition against discrimination in employment

Protects rights of employees

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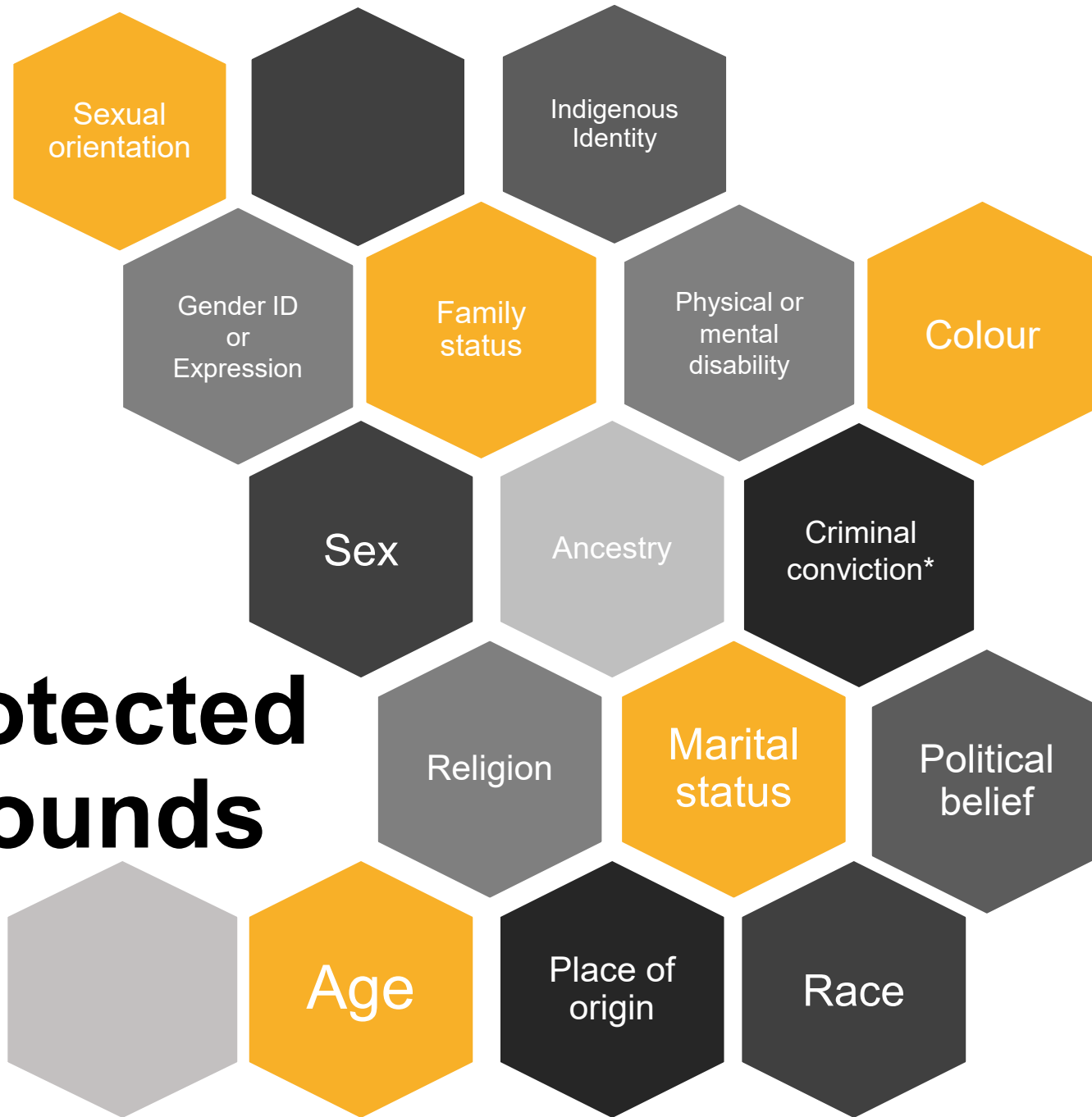
Inherent protection against harassment on protected grounds, and duty to accommodate

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# Protected Grounds







# Sexual Orientation and Gender Identity Issues



# Background

- January 2016: Special report published identifying sexual and gender minority youth as particularly marginalized, vulnerable and in need of support
- July 2016: BC Human Rights Code amended to include gender identity and expression as a protected ground
- September 2016: MOE directed all school boards to expressly reference sexual orientation and gender identity in district and school codes of conduct





# SOGI 123

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- Created by ARC Foundation in collaboration with MOE, BCTF, BC school districts, UBC and other community organizations
- Provides educational resources and support for teachers to create SOGI-inclusive classrooms and schools
- 3 Key areas:
  - (1) policies and procedures;
  - (2) inclusive environments; and
  - (3) teaching resources.





# SOGI 123

Research shows that discrimination and risky behaviors\* are reduced among all students when:

- Schools create a sense of belonging in classrooms
- Schools teach about valuing diversity and respecting differences

SOGI 123 resources help schools to implement and support these methods

- They help schools create safe, caring and inclusive learning environments for all students



# GENDER IDENTITY AND PARENT RIGHTS OLD WINE IN A NEW BOTTLE

Saskatchewan

## Education Minister Announces New Parental Inclusion and Consent Policies

Released on August 22, 2023

Education Minister Dustin Duncan today announced new parental inclusion and consent policies for Saskatchewan schools.

As of today:

- Schools must seek parent/guardian permission when changing the preferred name and pronouns used by students under the age of 16 in the school;
- Parents/guardians must be informed about the sexual health education curriculum and have the option to decline their children's participation; and,
- Boards of education must immediately pause involvement with any third-party organization, such as ARC Foundation and the SOGI 12 3 Program, connected to sexual health education as the ministry undertakes review of educational resources to ensure alignment with curriculum outcomes. Only teachers, not outside third-parties, will be able to present sexual education materials in the classroom. This directive does not include professionals employed by government ministries or Saskatchewan Health Authority.

"Our government has heard the concerns raised by Saskatchewan parents about needing to be not included in their children's education in these important areas," Education Minister Dustin Duncan said.

"While all of Saskatchewan's school divisions had policies dealing with division to another, so it was important to standardize no matter where your child goes to school," said "Scho

### Parent (Guardian) Expectation of Teacher Communication

Date: \_\_\_\_\_

School: \_\_\_\_\_

Address: \_\_\_\_\_

Teacher: \_\_\_\_\_

Parents (Guardians): \_\_\_\_\_

Child: \_\_\_\_\_

This document is to inform you, the Teacher, of my Parental (Guardian) Rights concerning my child. In the School Act - Section 007 - re: Behavior, Parents are entitled to be informed of their child's behaviour at school. Below is the list of behaviours I expect to be kept apprised of that could happen on school premises, regarding my child.

#### These behaviors include:

- Association with SOGI, i.e. Gender Dysphoria, changing of name, pronoun, and/or clothing. Joining clubs.
- Bullying taking place, either my child bullying or my child being bullied!
- Substance abuse, including Tobacco or Vaping.
- Truancy.
- Requests to see a Counselor.
- Exposure to inappropriate information or assemblies.

My child is **not considered** a mature minor, and therefore, legally, cannot enter into a confidentiality agreement. Therefore, it is up to you to inform me about any struggles my child is having.

We will send a digital copy of this document to you via e-mail and CC the Principal.







***Chamberlain v. Surrey School District No. 36,***  
**[2002] 4 S.C.R. 710**

Parents need not abandon their own commitments, or their view that the practices of others are undesirable. But where the school curriculum requires that a broad array of family models be taught in the classroom, a secular school system cannot exclude certain lawful family models simply on the ground that one group of parents finds them morally questionable.

...Parental views, however important, cannot override the imperative placed upon the British Columbia public schools to mirror the diversity of the community and teach tolerance and understanding of difference

**SOGI (and diversity  
generally) is part of  
the BC Curriculum  
It is not optional**



***E. T v. Hamilton-Wentworth District School Board,  
2017 ONCA 893)***

Exempting some students on a regular basis from classroom discussions touching on diversity, inclusivity and acceptance, within a public school program designed to promote precisely those principles, would run a serious risk of endorsing the non-acceptance of students of other family backgrounds, sexual orientations, gender expressions and gender identities. ... That principle would be contradicted and undermined if, every time certain students' families and/or identities were discussed as being healthy and acceptable, they saw some other members of their class leave so that they would not be exposed to such statements of honour and respect.

**There is no  
parental right to  
opt out from the  
SOGI curriculum**



***Chamberlain v. Surrey School District No. 36, [2002]***  
**4 S.C.R. 710**

The argument based on cognitive dissonance essentially asserts that children should not be exposed to information and ideas with which their parents disagree. ...

The number of different family models in the community means that some children will inevitably come from families of which certain parents disapprove. Giving these children an opportunity to discuss their family models may expose other children to some cognitive dissonance. But such dissonance is neither avoidable nor noxious. Children encounter it every day in the public school system as members of a diverse student body. ... The cognitive dissonance that results from such encounters is simply a part of living in a diverse society. It is also a part of growing up. Through such experiences, children come to realize that not all of their values are shared by others.

**Cognitive  
dissonance is  
part of learning**



Under the BC Human Rights Code and the Charter, Boards must provide meaningful access to educational programs for all students, including students with diverse gender identities and expression

Students must feel welcomed and included in school, regardless of gender identity or expression

Schools must respect student's choice of pronouns, and preferred name



# Basic Principles

Where student does not want parents to know:

work with student to determine whether, with appropriate support, disclosure to parents is possible;

if communication with parents would compromise health or welfare of student, privacy should be respected



# Basic Principles

Forcing a child to choose between suppressing their identity or compromising their safety or welfare is not consistent with the duty to accommodate, or the value of inclusion



# Basic Principles





# **SASKATCHEWAN BILL 137**

## **Consent for change to gender identity**

(1) If a pupil who is under 16 years of age requests that the pupil's new gender-related preferred name or gender identity be used at school, the pupil's teachers and other employees of the school shall not use the new gender-related preferred name or gender identity unless consent is first obtained from the pupil's parent or guardian.



## **SASKATCHEWAN BILL 137**

“If it is reasonably expected that obtaining parental consent as mentioned in subsection (1) is likely to result in physical, mental or emotional harm to the pupil, the principal shall direct the pupil to the appropriate professionals, who are employed or retained by the school, to support and assist the pupil in developing a plan to address the pupil’s request with the pupil’s parent or guardian.”





## **SASKATCHEWAN BILL 137**

(3) Pursuant to subsection 33(1) of the Canadian Charter of Rights and Freedoms, this section is declared to operate notwithstanding sections 2, 7 and 15 of the Canadian Charter of Rights and Freedoms.

(4) Pursuant to section 52 of The Saskatchewan Human Rights Code, 2018, this section operates notwithstanding The Saskatchewan Human Rights Code, 2018, particularly sections 4, 5 and 13.





## **SASKATCHEWAN BILL 137**

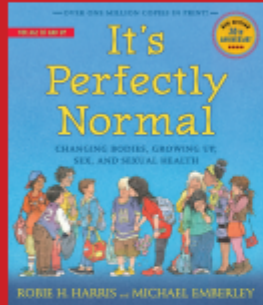
(5) No action or proceeding based on any claim for loss or damage resulting from the enactment or implementation of this section or of a regulation or policy related to this section lies or shall be commenced ...

(6) Every claim for loss or damage resulting from the enactment or implementation of this section or of a regulation or policy related to this section is extinguished

## Did you know?

SOGI 123 (Sexual Orientation and Gender Identity) is a Trojan horse, brought into schools under the guise of anti-bullying, but is really intended to sexualize children at the earliest age possible.

Example of explicit books available to grades K-12 in our schools and public libraries.



"Sexual intercourse - 'having sex' - can involve the penis and the vagina, or the mouth and the genitals, or the penis and the anus."



The Canadian government, as well as the education system, has been infiltrated by radical LGBTQ activists who are using the SOGI 123 learning resource **to promote homosexuality and transgender ideology, and normalize sexual deviancy.**

The SOGI learning resource promotes and endorses **vile sexually explicit and pornographic books** which are available to children and youth through the schools, as well as in public libraries and online. This is resulting in many young people being exposed to pornographic materials and websites, being encouraged to masturbate, and experiment sexually with the same sex.

They are also being indoctrinated into believing their gender is fluid and non-binary. As a consequence, a growing number of young people are **tragically experiencing rapid onset dysphoria** and the only treatments offered are puberty blockers and/or surgeries that permanently mutilate their bodies and sterilize them.

The LGBTQ/Trans activists are manipulating society to accept their agenda by victimizing trans people and saying that kids who struggle with gender identity are at a heightened risk of suicide and, therefore, we need to support them in order to help them feel accepted. The reality is that **there is a 20% increase in suicide for those who transition** and transgender regret is exploding as individuals realize they were deceived into following this path.

# Public Criticism & Counter-Speech







***Gillies v. Bluewater District School Board, 2023  
ONSC 1625***

“To understand the rationale for the Board’s decision, it is only necessary to imagine a trans student in attendance in the audience at the Board meeting where the applicant was making the presentation, and hearing it publicly declared that they do not, in fact, exist, but are instead the construct of a “harmful transgender ideology”. How could that meeting possibly be described as being part of a “positive school climate that is inclusive and accepting of all pupils, including pupils of any ... sex, sexual orientation, gender identity, [or] gender expression...”?

Suppose a delegation proposed to make a presentation advocating that BIPOC (Black, Indigenous, People of Colour) be taught in classrooms segregated from those where white students are taught. How many words of explanation would need to be expended in order to make it clear that such a presentation is repugnant and racist, and is being rejected on those grounds? “

**Decision not to allow  
parent to make  
presentation on  
transgender issues not  
violation of Charter**