



ANGLOPHONE EAST SCHOOL DISTRICT

POLICY TYPE: ENDS

POLICY NO: 1.8- District Policy re Implementation of Provincial Policy 713:
'Sexual Orientation and Gender Identity' (Replaces Policy 1.7)

APPROVED: April 24, 2024

POLICY: FOR GREATER CERTAINTY, through the Superintendent, the following guidelines will apply to schools when implementing the provisions of Policy 713:

1. Regarding Section 6.1.2, schools will not release a student's personal information, including the name and biological sex, contained in the student's official record without the student's consent as defined in the *Right to Information and Protection of Privacy Act*.
2. Regarding Section 6.3.2, "obtaining consent to talk to the parent" means obtaining the student's informed consent to talk to the parent.
3. Regarding Sections 5.1, 6.1.2 and Section 6.3.2, school personnel shall respect the direction of the student in regard to the name and pronouns they wish to be called in daily interactions with school personnel and other students. The student does not have to provide reasons for the change. For greater certainty, daily interactions include but are not limited to classroom communication, extracurricular and co-curricular activities, free time, and social conversation. This respect for the student's wishes will be extended while efforts to "obtain consent to talk to the parent" are being made as per Section 6.3.2. School personnel may not withhold use of the student's preferred name and/or pronouns as a means of "obtaining consent to talk to the parent". The use of the student's preferred name and/or pronoun, consistent with their gender identity is an accommodation consistent with the *Education Act, Sections 1.1(a), 27(1)(b.1), 28(2)(c); Human Rights Act, Sections 2.1(n), 6(1); and the Charter of Rights and Freedoms, Section 15*.
4. Regarding Section 6.3.2, "encouraged" means that students wishing to have assistance in speaking with parents for the purpose of obtaining their consent will be advised that appropriate professionals are available and told how to obtain those services. "Encouraged" will not be interpreted as requiring students to consult those professionals, or as applying undue pressure for the student to do so.
5. Section 6.3.3. is understood to apply to preferred names *and/or pronouns*. Regarding Section 6.3.3., when determining whether the student is communicating with appropriate professionals in the development of a plan to speak to their parents, the student's self-reporting shall be accepted as sufficient. Where there is a shortage of appropriate professionals, such that the student must wait to communicate with such professionals, the student's self-reported good-faith attempt to contact an appropriate professional shall be accepted as sufficient. The student shall be under no obligation to disclose the

details of the communication or the plan.

6. Regarding Sections 5.1, 6.1.2 and Section 6.3.2, school personnel shall not disclose a student's gender identity, gender expression, or requests for use of names and pronouns without that student's request. Teachers may not misinform or deceive parents but may advise parents of the student's rights under the *Right to Information and Protection of Privacy Act*, and provide reasonable consultation with the parent on the parent's options consistent with the *Education Act, s. 13(2)*. Schools are encouraged to proactively communicate with parents regarding this policy.
7. Regarding Section 6.1.5, "safe and welcoming" activities are those that allow every student to participate in a manner consistent with their gender identity. Schools should ensure that competitive, interscholastic sports at the middle and high school levels are regulated by arms-length bodies which can ensure universal participation, fair play and competitive balance.
8. Regarding Sections 6.4.2 and 6.4.3, schools will make best efforts to ensure that gender-neutral washroom and changing facilities are safe and of a quality and accessibility consistent with other such facilities. School personnel will use best efforts to accommodate all students' use of private washroom and change facilities on school trips and extracurricular activities occurring off the school campus.
9. In the event of a conflict between the Requirements and Standards in Section 6 of Policy 713, and the Goals and Principles in Section 5 of Policy 713, the latter shall prevail. In the event of a conflict between any portion of Policy 713 and the *Canadian Charter of Rights and Freedoms* or the *Human Rights Act*, as referenced in Section 9 of Policy 713, those statutes shall prevail.
10. **Resources:**
The **Provincial Policy 713 Section 8.0** provides the following authority for these guidelines:

A District Education Council may develop policies and procedures that are consistent with, or more comprehensive than, this provincial policy. Their policy must be posted on the school district website and shared with all members of the school environment at the beginning of every school year.

Method: Reported by the Superintendent/CEO

Frequency: Annually

Month: June