Parental Choice in Matters of Gender Identity, Human Sexuality and Sexual Orientation

Board Policy

The board believes that all children have the right to be safe and to receive appropriate care and support, whether at home, in school or in the community. At the same time, the board respects the critical role parents play in ensuring the education of their children and is therefore committed to creating a learning atmosphere characterized by transparency in parental communications. To this end, the board shall seek to ensure that parents have the information they need, along with the ability to choose to have their child(ren) “opt-in”, in advance of instruction and learning content related to curricular topics with primary and explicit references to gender identity, human sexuality and sexual orientation.

Legal References

- *Education Act*, Sections 18, 29, 30, 31, 32, 33.2, 35.1, 53, 58.1, 58.11, 58.12 and 58.2
- *Child and Family Enhancement Act*
- *Alberta Human Rights Act*
- *Personal Information Protection Act*

Administrative Procedure – Informed Consent Regarding Gender Identity, Sexual Orientation and Human Sexuality

Definitions

- **Child** – Means, in this administrative procedure, a person who is under the age of 18 years;
- **Consent Education** – Means, in this administrative procedure, curriculum content in the Alberta Education program of studies that aims to teach students about healthy relationships, bodily autonomy and the importance of clear communication and consent in all interactions, including sexual activity.
- **Gender Identity** – Means in this administrative procedure, a reference to a person's sense of one's own gender.
- **Human Sexuality Education** – Means in this administrative procedure, a significant component of the Alberta Education curriculum, taught in Physical Education and Wellness (Grades 3-9), Health and Life Skills (Grades 7-9), Career and Life Management (High School) and Career and Technology Studies (High School).
- **Independent Student** – Means in this administrative procedure, a student who is 18 years of age or older, or 16 years of age and living independently as determined by a board under section 6 of *the Education Act* or is a party to an agreement under section 57.2 of the Child, Youth and *Family Enhancement Act*.
- **Opt-In –** Means in this administrative procedure, a *requirement* for parents to proactively sign their children up for participation in instructional settings where programs of study, instructional materials, instruction or exercises includes subject matter that deals primarily and explicitly with gender identity, sexual orientation or human sexuality.
- **Parent** – Means, in this administrative procedure, the parent/guardian as defined in section 1(2) of the *Education Act*;
- **Parental Consent** - Means, in this administrative procedure, permission or agreement given by a parent or legal guardian for a child to participate in certain identified activities.
- **Primary and Explicit References** – Means in this administrative procedure, a direct reference to instructional content or materials dealing with gender identity, sexual orientation or human sexuality, including those references to learning outcomes identified by Alberta Education in its programs of study.
- **Sexual Orientation** – Means in this administrative procedure, a reference to the emotional, romantic or sexual attraction that a person may feel toward another person.
- **School Community** – means the parents, students, staff, Board members and others most invested in the success and well-being of the school.
- **Student** - Means in this administrative procedure, a person who is enrolled in a school or required under section 7 of the Education Act to attend school, but does not include a child younger than 6 years of age who is enrolled in an early childhood services program.

Procedures

In recognition of the best interests, safety and well-being of children, and with respect for the role of parents who are generally in the best position to support their child/children, the school is expected to develop and implement procedures to ensure parents are fully informed about school matters and classroom content that includes subject matter dealing primarily and explicitly with human sexuality, sexual orientation, or gender identity. To this end:

1. The principal is responsible for communicating with all staff and all parents the requirements of the *Education Act*, as they apply in this circumstance, to supporting students and families navigating complex conversations around gender identity, sexual orientation and human sexuality.

2. Regarding Gender Identity Related Preferred Names and Pronouns:
   2.1 If a student under the age of 18 requests that school staff use a new gender identity -related preferred name or pronoun, the school principal or the principal's designate must notify the parent.
   2.2 For students who are 16 or 17 years of age, school staff may use the new preferred name or pronouns when referring to the student, but only after parental notification has occurred.
   2.3 For students under 16 years of age, school staff shall use the new preferred name or pronouns when referring to the student only once parental notification has occurred **and** only after parental consent has been provided.
      2.3.1 Parental consent shall be indicated in electronic communication between the principal or the principal's designate and the parent.
   2.4 Where a staff member perceives that parental notification about a student's wish to use a new gender identify-related preferred name or pronoun is reasonably expected to cause psychological or emotional harm to the student, the staff member or principal or principal's designate shall make every effort to connect the student with access to community support services
   2.4.1 In exceptional cases where there are reasonable and probable grounds to believe that the welfare or security of a student is endangered, the terms of the *Child, Youth* and *Family Enhancement Act* continue to apply in school settings.
   2.5 For parents requiring help in supporting their child/children, the principal or principal's designate may recommend support services that could include Alberta's Family Resource Networks (FRN's) administered by Children and Family Services or other counselling resources.
   2.6 Notification of parents for students 16 years of age or older who are considered "independent students" under the *Education Act* is not required, as the independent student assumes all the rights, responsibilities and benefits under the Education Act that would otherwise belong to their parent.
   2.7 Where staff in the school were already using a gender-related preferred name or pronoun to refer to a student before the implementation date of this policy, the principal or principal's designate is not required to notify parents or to obtain parental consent for the student to continue using the preferred name or pronoun.

2.8 Student participation in voluntary organizations intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, is unaffected by the notification requirements named above.

3. Regarding Parental Opt-In Requirement When Subject Matter Deals Primarily and Explicitly with Gender Identity, Sexual Orientation or Human Sexuality:
   3.1 Prior to a student beginning any module that includes subject matter dealing primarily and explicitly with gender identity, sexual orientation, or human sexuality, parents shall be notified through electronic communication and provided the opportunity to opt-in for their child/children to access the instructional materials. Students will not be able to access the affected module(s) until parental consent has been received electronically. This requirement to opt-in applies to parents of all children under the age of 18 years, except those 16 years and older identified as *independent students* under the Act.
      3.1.1 As part of the notification process, the parents will be provided with a description of the intended learning outcomes and permit the viewing of pertinent resources.
   3.2 The principal and teachers shall understand and communicate to parents that the opt-in requirement for parents relates to direct curriculum references and learning outcomes as identified by Alberta Education, in the following areas:
      - Career and Life Management
      - Career and Technology Studies – Reproduction and Readiness for Parenting
      - Career and Technology Studies – Developing Maturity and Independence
      3.2.1 For indirect or incidental references to the topics in 3.1 above (Example-. anatomy and physiology of human reproduction in Biology 30), parental consent is not required.
   3.3 A parent's decision to opt-in their child must be communicated electronically before the student is granted access to any module containing subject matter that deals primarily and explicitly with gender identity, sexual orientation, or human sexuality. A student may not access or participate in the affected module(s) until the parent has provided consent.
      3.3.1 To establish informed consent from the parent, the school shall provide electronic notification, in the form and manner identified for this purpose by the principal.
      3.3.2 The parent's response may indicate consent for full participation or partial participation in the identified module(s).
      3.3.3 Where the parent consents to partial participation, unapproved lessons or modules will remain locked and inaccessible to the student. The school will communicate the resulting participation expectations directly to the parent and student.

4. Where a parent has not provided opt-in consent for their child/children, the affected lessons or modules will remain locked and inaccessible to the student. The school will ensure that the student may continue with other available course content without academic penalty.

5. The school principal shall be responsible for ensuring that only ministry approved learning and teaching resources are used by teachers in instructional topics related to gender identity, sexual orientation and human sexuality.
   5.1 Teachers and principals will find lists of approved learning and teaching resources updated quarterly on the Alberta Education website www.New.LearnAlberta.ca.
   5.2 Where a school teacher wishes to use an identified local resource that deals with gender identity, sexual orientation or human sexuality, it must first be submitted for Ministerial approval and approval will be subject to review criterial set out in the Alberta Education *Provincial Resource Review Guide*.
   5.3 Where an external group or party is recommended for supporting school instruction in topics related to gender identity, sexual orientation or human sexuality, the external party must first be approved under the Alberta Education *External Party Review Guide* where criteria include developmentally appropriate instructional approaches, commitment by the party to conduct itself in a developmentally appropriate way and the use of approved learning and teaching resources.
   5.4 Notwithstanding 5.2 above, the Minister's approval is not required for materials that deal primarily and explicitly with gender identity, sexual orientation or human sexuality where these materials are used for religious instruction.

References

- Alberta Education: www.LearnAlberta.ca (Learning Outcome Fact Sheet)
- Alberta Education: Provincial Resource Review Guide
- Alberta Education: External Party Review Guide

RESPONSIBLE FOR:	
APPLIES TO:	

VERSION	**DATE**	**WRITTEN BY**	**APPROVED BY**	**CHANGES**
1.0.0	*June 2025*	AISCA	DRAFT	
1.0.1	*August 2025*	*Charles Hiles*		