Recommendations on Repealing SOGI

A submission from the Association for Reformed Political Action (ARPA) Canada

to

the incoming Government of British Columbia

Introduction

Ever since the revival of the BC Conservative Party in 2023, removing SOGI from education has been a consistent priority. In the recent election, the party promised in its platform to: "*Increase parental transparency and choice, including access to curriculum materials, appropriate notification and opt-out rights, and repeal of SOGI 123*."

SOGI 123 is the brainchild of the ARC Foundation. The first part of SOGI 123 promotes schools to "protect" students who identify as LGBTQ. The provincial government supported this endeavour in 2016 by requiring that all schools, both public and independent, include references to sexual orientation and gender identity in their school's anti-bullying policies.

Part two of SOGI 123 explains how to create "inclusive environments" for students of any gender identity or sexuality. This might include filling schools with rainbow flags, organizing LGBTQ clubs, or celebrating Pride Month. Local boards, school administrators, and teachers are primarily responsible for creating such environments, but the Ministry of Education has passed its own inclusive school policies that all school districts must abide by as well.

The final part of SOGI 123 – teaching resources and active promotion of SOGI in the classroom – has received the most attention. The ARC Foundation developed 147 teaching resources and lesson plans in both English and French for kindergarten to grade 12 students to promote alternative gender identities and sexual orientations. While the provincial government does not mandate the use of these resources, the previous government boasted that all 60 public school districts across the province used them voluntarily.

And so "repealing SOGI" is not a straightforward task. But it is one that the incoming government should still prioritize, both because of its long-standing commitment and because it is the right thing to do.

However, there are better and worse ways to go about it. We encourage the government **to eliminate references to SOGI throughout its curriculum and policy documents and require**

parents to actively opt their children into classes where teachers discuss SOGI, but **not** **to require all materials touching upon gender and sexuality to be first reviewed and approved by the Ministry of Education.**

Recommendations

Here's how the incoming government can do its best to expunge SOGI while respecting the freedom of parents, teachers, and schools:

1. Require teachers to notify parents if they will discuss sexual orientation, gender identity, and gender expression in the classroom and require parents to opt their children into such classes
2. Require schools to notify parents if their child is socially transitioning at school and obtain parental consent to use a student's new gender-preferred name or pronouns
3. Amend Ministry policies mandating SOGI and guides promoting SOGI
4. Withdraw support for learning resources that promote SOGI in the classroom
5. Remove the handful of references to gender and sexual orientation in the curriculum

Require parents to opt their children into any classes discussing sexual orientation, gender identity, and gender expression

A template for this is found in Section 11-13 of Alberta's *Education Amendment Act*. This *Act* requires that school boards notify parents if "course, programs of study or instructional materials, or instruction or exercises [will] include subject matter that deals primarily and explicitly with gender identity [or] sexual orientation." This notification must be at least 30 days in advance of this subject matter being introduced in the classroom. Parents may then consent in writing for a student to be present during the discussion of gender identity or sexual orientation. If parents do not consent for their child to be present, the teacher must arrange for "alternate instruction or supervision for the student outside of the classroom."

This approach has three main benefits.

First, it discourages teachers from discussing SOGI in the classroom. Getting permission slips from parents for students to attend such a class is a bureaucratic hurdle that many teachers would rather avoid. In other words, making it administratively cumbersome to teach SOGI will prevent most teachers from doing so.

Second, it preserves teachers' freedom to teach subject matter in alignment with their professional judgement. In this approach, the provincial government does not promote or ban any perspectives in the classroom. Rather, teachers will be held accountable by local school boards, administrators, and parents.

Third, it respects parents' rights and wishes. Any parent who has objections to SOGI – for any reason – will have the ability to safeguard their students from such gender ideology, while parents who approve of SOGI being taught to their children may continue to do so.

Require schools to notify parents if their child is socially transitioning at school and obtain their consent to use a student's new gender-preferred name or pronouns

This approach emulates the policy of two provinces: Section 9 of Alberta's *Education Amendment Act* and Section 4 of Saskatchewan's *Education (Parents' Bill of Rights) Amendment Act.* Both pieces of legislation require schools to obtain parental *consent* to use a child's new gender-related preferred name or pronouns at school if the child is under 16. Furthermore, Alberta requires parental *notification* for such name and pronoun uses for students aged 16 or 17 (e.g. mature minors).

This policy restores parental rights in education. Something as fundamental as their child's identity is not something schools should keep hidden from parents. Of all the people in a child's life, a child's parents have the right – in both natural law, provincial law, and international law – to guide the education and formation of their children.

Amend Ministry policies mandating SOGI and guides promoting SOGI

The Ministry of Education has many policies and regulations governing schools. A couple touch on SOGI.

One such policy is the *Safe and Caring School Communities* policy. This policy is the province's primary anti-bullying policy for schools. While such a policy serves an important purpose, it was also the justification for the entire SOGI program. This policy was touted as a way to prevent students identifying as LGBTQ from being bullied.

Of course, British Columbians oppose bullying of all forms, for all reasons. However, the policy requires boards of education to establish codes of conduct that reference each of the prohibited grounds of discrimination set out in the BC *Human Rights Code*. The *Code* forbids discrimination based on "Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, *sexual orientation, gender identity or expression*, or age" (emphasis added). As if the SOGI reference in *Code* wasn't enough, the policy singles out "sexual orientation and gender identity or expression" a second time as worth of particular concern.

The government should remove the requirement that these codes of conduct contain any list of prohibited grounds of bullying. All bullying is wrong and should be prevented.

Governments and schools should not condemn bullying based on, for example, race or sex, but be silent about bullying based on body shape or intelligence. The solution is not to add these characteristics to an ever-growing list of prohibited grounds for bullying. Rather, a better solution is to have a zero-tolerance policy for bullying for any reason. In this case, such a policy reform would have the added benefit of removing the language of SOGI and, indeed, the entire justification for the SOGI program in the first place.

Similar logic applies to the Ministry's *Diversity in B.C. Schools* policy. This policy lists certain forms of diversity in particular that must be addressed: "beliefs, customs, practices, languages, behaviours, *sexual orientation, gender identity and expression*, and physical differences of individuals and cultural groups" (emphasis added).

At minimum, the **references to "sexual orientation, gender identity and expression" should be removed from the policy**. The new government may wish to repeal this policy in full, given that it drips with progressive ideology about diversity, equity, and inclusion.

Beyond these general policies, the Ministry has an Erase program to promote SOGI among students, parents, and school staff, including by providing a list of classroom resources. It has published a SOGI Policy Guide that recommends ten best practices to create a "SOGI Inclusive Education." This three-page policy was expanded to a more detailed 20-page SOGI-Inclusive Education Resource Guide created by the BC K-12 SOGI Collaborative, led and financed by the provincial government. **All of these SOGI-related programs and guides should be rescinded.**

Remove references to gender and sexual orientation in the curriculum

Thankfully, the official British Columbia curriculum contains very little SOGI language. For example, it contains zero explicit references to "gender identity." However, a curricular competency in several courses (New Media 11, Literary Studies 11, and Writing 11, New Media 12, Literary Studies 12, English Studies 12, and English First Peoples 12) is for students to be able to identify "personal, social, and cultural contexts, values, and perspectives in texts, including *gender, sexual orientation*, and socio-economic factors" (emphasis added).

Again, we recommend removing the final phrase in this curricular competency ("including *gender, sexual orientation*, and socio-economic factors") in these courses. For the same reason outlined above, there is no reason to explicitly require students to learn to view texts in light of these factors and not others (e.g. race, religion, philosophical perspective, historical period).

Withdraw support for learning resources that promote SOGI

According to the Ministry's *Learning Resources* policy, boards of education may only use educational resource materials (i.e. learning resources) that are approved by the school board, specified in an educational program guide, or recommended by the Ministry of Education.

Regarding the latter, the Ministry of Education promotes a K-12 Evaluated Resource Collection by Focused Education Resources that teachers may draw from to teach in the classroom. This collection currently includes 4,189 resources.

Many of these resources promote SOGI. (Indeed, one of the Collection's six categories is "LGBTQ"). For example, the entire SOGI 123 website – with its 147 lesson plans and other resources – is featured in the collection. Some of the more provocative titles for secondary students include:

- *Transphobia: Deal with It and be a gender transcender*

- *Queer: The Ultimate LGBTQ Guide for Teens*
- *Welcome to St. Hell: My Trans Teen Misadventure*

Many SOGI resources are also aimed at elementary students, often in the form of fictional stories of people, animals, or even anthropomorphized objects sorrowfully recounting how they're different and want to be accepted however they identify or feel. Such is the storyline for books such as *10,000 Dresses*, *I'm a Girl*, *Red: A Crayon's Story*, *Worm Loves Worm*, *And Tango Makes Three*, or *Introducing Teddy*.

The government could pump the brakes on SOGI by **directing Focused Education Resources to remove SOGI-related learning resources from their collection and/or ceasing to fund Focused Education Resources entirely**. The previous government already ceased funding the ARC Foundation, the organization responsible for creating SOGI 123.

The province should also amend its *Guidance on Learning Resource Selection* policy. The aim of this policy is to "provide a list of considerations that educators can access to support their review, selection and use of learning resources, both in the classroom and in the school library or school library learning commons." One section of the guidance speaks of "Equity, Inclusion, and Respectful Learning Environments," including the consideration of "how the resource portrays representations of… gender identity [&] sexuality." At minimum, **the government should remove the considerations of gender identity and sexuality from this policy**, though the government may want to consider cutting other progressive ideology as well.

What Not to Do: Require Ministerial Approval for All Resources

Alberta's *Education Amendment Act, 2024 (formerly Bill 27)* is the most comprehensive step taken by any provincial government to expunge SOGI from the education system. We cited various parts of Alberta's law approvingly above, but we discourage the new government from implementing one of its centrepieces: requiring that learning resources, teaching resources, and external presentations dealing primarily and explicitly with gender identity, sexual orientation, or human sexuality be approved by the Minister of Education.

Alberta's law allows the government to actively screen out any SOGI materials before they reach students. Revoking SOGI in this way would be an unprecedented step by the provincial government to veto learning resources dealing with a specific subject. British Columbia has arguably done the best job of any province in creating a curriculum that sketches out the contours of what students should be learning without requiring teachers to teach highly specific content or from a particular viewpoint. Whether in public schools or independent schools, local school boards and teachers should have wide discretion in how to teach in the classroom. Furthermore, a practice of ministerial review of all such resources could be misused in the future to *promote* SOGI and *prohibit* teaching a traditional view of gender and sexuality by a future government.

For these reasons, we recommend that the incoming British Columbia government not regulate learning and teaching resources by giving the Ministry of Education more power.

Conclusion

We thank the incoming government for its commitment to ending SOGI. Not only does it promote an ideological view of gender and sexuality that is not appropriate for the classroom, but a great proportion of parents object to it being taught to their children. The government must listen to the concerns of parents, cease endorsing SOGI and mandating it in ministerial policies, and make it the default position that teachers may not promote SOGI in the classroom without express parental consent.

At the same time, we caution the government from making the Ministry of Education the final arbiter of what teachers may teach regarding gender and sexuality and limiting the freedom of teachers in the classroom.

For these reasons, we encourage the government **to eliminate references to SOGI throughout its curriculum and policy documents and require parents to actively opt their children into classes where teachers discuss SOGI,** without requiring all materials touching upon gender and sexuality to be first reviewed and approved by the Ministry of Education.

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