

Press Release - June 8, 2023

The PEI Human Rights Commission is concerned about recent efforts by an anonymous group who appear to be opposed to the Department of Education's December 2021 "Guidelines for Respecting, Accommodating and Supporting Gender Identity, Gender Expression and Sexual Orientation in our Schools" (the "Guidelines").

Schools, education authorities such as the Public Schools Branch and the French Language School Board and the Department of Education and Early Years provide a public service. As such, they are required to be inclusive and respectful of all students' rights. The PEI Human Rights Act specifically states that people, including children, are not to be discriminated against because of their gender identity, their gender expression or their sexual orientation. While the Commission respects a parent's ability to choose what they teach their children, those teachings do not dictate a school's responsibility to ensure respectful treatment of students and the prevention of discriminatory actions within the context of Island schools.

While at school, if a child indicates that their gender identity does not match their birth-assigned sex, staff at the school are required to respect that information and act accordingly or the school could be subject to a complaint of discrimination pursuant to the PEI Human Rights Act. Children have the right to be addressed by the name and pronouns they believe best represent their gender identity. Ideally, all parents and caregivers would also respect how a child chooses to identify. However, in circumstances where a child feels unsafe or unsupported at home, or for any other reason, they chose not to disclose their gender identity outside of school, the school remains obliged to respect their identity. To deliberately out a child as 2SLGBTQIA+ to parents or caregivers who are not ready to accept that identity could negatively impact a child.

While there is always more work to be done, implementation of the "Guidelines for Respecting, Accommodating and Supporting Gender Identity, Gender Expression and Sexual Orientation in our Schools" is a positive step to ensuring that all children in PEI schools are treated with respect and provided with an education which is free of discrimination in accordance with the PEI Human Rights Act.