

Premier Smith's Parents' Rights Policies, 31 Jan 2024

The Facts and Needed Clarifications Speak for Themselves

This document analyzes Premier Smith's "Parents' Rights" policies released on 31 January 2024. The review follows this structure:

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Alberta parents, regardless of political and/or ideological viewpoints should commend Premier Smith for finally facing the need of parents to have an assured and effectual voice in the sexual and gender development of their children. Throughout this document the Premier's announcements are quoted in bold italics. Needed clarifications are highlighted in yellow.

1 – Background on Why Now and the Way Ahead

Relevant milestones leading to Premier Smith's policy release include:

- (1) Oct 2022, UCP AGM Policy Resolutions:
 - "Affirming that the family is the basic unit of society and is entitled to protection by society and the State to ensure that parents, legal guardians and caregivers have the right and responsibility to oversee the healthcare and education of their own children, including but not limited to the cultural, linguistic, religious, spiritual and moral upbringing and heritage of their children."
 - "Affirm the freedom of religion and conscience rights of parents and their children, ensuring the government does not interfere with the teaching and training of their children as such, including in matters with respect to identity, sexuality, and morality."
- (2) Jun 2023, Premier Higgs' New Brunswick government, declared Policy 713 requiring students under age 16 to require parental consent to change their name or pronouns at school. He said, "The changes will ensure secrets aren't being kept from parents."
- (3) Aug 2023, Ontario's Education Minister, Stephen Lecce, outlined that schools must seek parent/guardian permission when changing the preferred name and pronouns. Lecce said, "I think we understand that parents must be fully involved and fully aware of what's happening in the life of their children."
- (4) Oct 20, 2023, Premier Moe's Saskatchewan government passed [*The Education \(Parents' Bill of Rights\) Amendment Act*](#) listing 13 specific clarifications to parents rights in their children's education. He claims the Bill is required to give parents assurance and confidence that they will be involved in key decisions their children face no matter the school they attend.

- (5) Nov 2023, UCP AGM overwhelmingly passed Proposal 17: “Support a comprehensive Bill of Parental Rights which ensures that all legislation will recognize and support parents’ rights to be informed of and in-charge of all decisions to do with all services paid for by the province, including education and health care.”
- (6) Jan 31, 2024, Premier Smith announced her policy plans regarding Parents’ Rights.
- (7) Feb 1, 2024, Premier Smith clarified in a Q&A conference that the UCP, by the Fall 2024, will decide what declarations need to be ratified through legislation.

2 – New or Existing Restrictions Applicable to Self-Identifying Transgender Youth

2A – “For minors aged 17 and under (top and bottom) surgeries will not be permitted”. Alberta Health currently provides funding for eligible Albertans diagnosed with gender dysphoria who meet program criteria for [phalloplasty](#), [metoidioplasty](#) and [vaginoplasty](#), which is provided at Centre Metropolitain de Chirurgie in Montreal. Unlike the USA, all clinics in Canada that currently perform reassignment surgery conform to the World Professional Association for Transgender Health (WPATH) [Standards of Care](#) (Version 8). WPATH recommends persons reach the age of adulthood before permitting gender reassignment surgery, i.e. one must be 18 or older to have “bottom” surgery at Centre Metropolitain de Chirurgie. “Top surgery” is also an existing insured service under Alberta’s Schedule of Medical Benefits. Patients are referred by their primary care provider to an Alberta surgeon. Until this specific Premier’s announcement (e.g. age 18) the Alberta Ministry of Health required age for masculinization of the torso surgery (mastectomy) has been 16 years. Note in most provinces genital reconstruction surgery is not necessary to change your gender status in legal documents.

2B – “For children aged 15 and under, puberty blockers and hormone therapies for the purpose of gender reassignment or affirmation will not be permitted, with the exception of those who’ve already commenced their treatment at this time. Minors aged 16 and 17 will be permitted to commence hormone therapies for gender reassignment and affirmation purposes, so long as they are deemed mature enough to make these decisions and have parental, physician, and psychological approval.” This policy mirrors the British High Court 2020 decision that children 15 or younger could not understand and properly weigh the long-term risks and consequences of taking puberty blockers. Note also in a Joint Letter [WPATH and USPATH](#) write: “[We] stand behind the appropriate care of transgender and gender diverse youth, which includes, when indicated, the use of “puberty blockers,” hormone analogs and other medications to delay puberty, and when indicated, the use of gender-affirming hormones such as estrogen or testosterone. Guidelines for the assessment of transgender and gender diverse youth, as well as for the use of pubertal delay and gender affirming hormone medications have been published by reputable professional bodies, including the Endocrine Society, WPATH, and the American Psychiatric Association.” Furthermore WPATH/USPATH write “individual decisions about gender-affirming interventions and treatments for transgender and gender diverse youth should be made only among the patient, their parent(s) or guardian(s), their medical and mental health provider(s), and any other identified stakeholders on a case-by-case basis, and opposes any attempts to dictate or restrict, by statute, judiciary, or otherwise, access to such treatment when recommended according to accepted standards and guidelines.”

2C – “For a minor aged 15 and under, the government will require parental notification and consent for a school to alter the name or pronouns of a child. For 16 and 17-year-olds who choose to alter their name or pronoun, parents do not need to give consent but must be notified.” The utility of this restriction as a new “parental rights” advisory/consent trigger, informing parents of their child’s transgender identity status at school is low at best:

- (1) Children may identify as transgender, pansexual, transexual, genderqueer, intersex, bigender, gender fluid, polygender, bisexual, non-binary, asexual, queer etc. without wanting or needing to change their name or pronoun usage.
- (2) The UCP AGM 2023 rationale for the name/pronoun change policy reads in part: “Schools should not be in the business of going behind parents’ backs.” If no name change is requested, the policy still leaves parents in the dark and teachers/school staff empowered to deceive parents about their child’s gender identity, e.g. still “*going behind parent’s backs.*”

The [Alberta Change of Name Act](#) states the individual applicant must be at least 18 years of age. Rules for parents/guardians to change a child’s (minor’s) name are provided. This announcement is not about a timely advisory to parents revealing the transgender-trending status of their child. Rather it is a political solution to the clear ethical/legal/liability dilemma of the State authorizing teachers to deceive parents about their child’s name change and thus about the official transgender self-identity at school. **Please clarify who is liable should a child be harmed at school related to a transgender identity, kept secret from the parents?**

Related to transgender students in our schools (whether with a name change or not), **there is no governance clarity on who in the above list of identities (2C(1)), and at what ages, students will be given access to male or female washrooms and change facilities, in contrast to their birth biological sex. Will parents be informed or asked for their consent to approve a son or daughter using opposite sex facilities?**

3 – Third-Party Presentation Assurances and New Consent Rights for Parents

3A – “Furthermore, all third-party resource materials or presentations related to gender identity, sexual orientation or human sexuality in our K-12 school system will need to be preapproved by the Ministry of Education to ensure that the materials are age appropriate.” **There is no clarity on whether Alberta Education will now oversee and take responsibility for the resource materials or presentations given by the Gay-Straight Alliance (GSA) Network and associated LGBTTTTPQQAI+ affinity agencies and activists.** **Currently the “adult-run” province-wide GSA Network and their “adult” associates have free conduct reign and unfettered access to Alberta youth through GSA clubs.** The “GSA club – GSA Network – LGBTTTTPQQAI+ Agency chain” acts as a biased/unregulated influence portal into our education system. The GSA Network has no government terms of reference and is nowhere referenced in the [Education Act](#). This “chain/portal” of third-party access/influence in our schools is also not responsive to Alberta parents. Like GSA clubs, the “chain” operates with very limited public transparency/scrutiny. No equivalent advocacy instrument exists to promote or affirm heteronormative sexuality/gender development of our youth. [Click here](#) for information on the Alberta GSA Network and visit www.altview.ca for a typical unaccountable third-party agency.

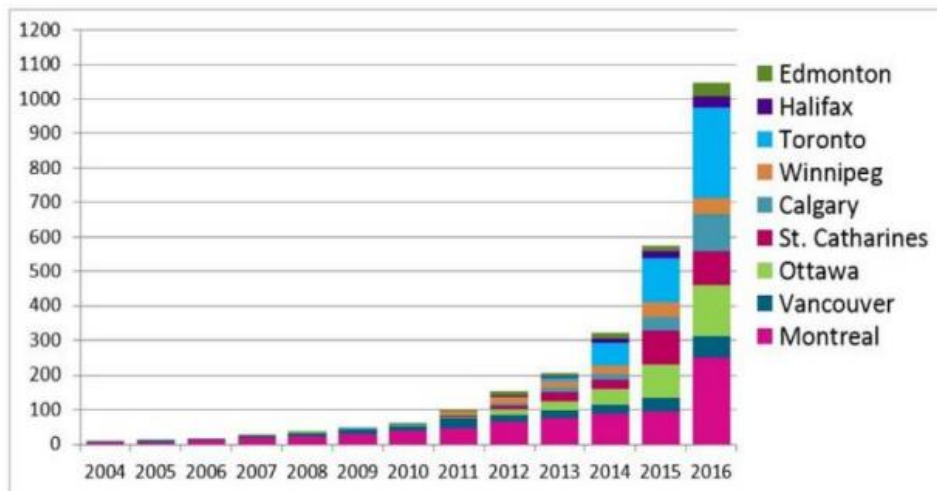
In a December 2018 Calgary Herald article titled “Corbella: Some alarming revelations about two GSAs at Alberta Court of Appeal,” Licia Corbella reports (in part): “Jay Cameron,... the appellant in this case, revealed evidence that shows children in one GSA were taken off school grounds by an adult ‘facilitator’ who is not a staff member at the school and doesn’t even have children attending the school. The facilitator took children to the facilitator’s home and to other schools with GSAs, driving them in a personal vehicle without the parents’ consent or knowledge.”

An impact of GSA law is that parents no longer know who is influencing their children’s sexual development, where and when this is happening, and what their children are being told and doing while at school. This is true, whether

the child joining the “club” is gay, lesbian, straight, queer or sexually wavering/confused. School authorities also don’t know what is happening. **Will the UCP remedy this glaring parental rights matter by refining GSA law?**

3B – “For a minor aged 15 and under, the government will require parental notification and consent for a school to alter the name or pronouns of a child. For 16 and 17-year-olds who choose to alter their name or pronoun, parents do not need to give consent but must be notified.” As raised at (2C) above, should a name change be requested, it is likely far too late in the child’s gender identity development to be a safe/appropriate trigger point for notifying the parents. Current Alberta governance, now spanning Prentice PC, Notley NDP, Kenney UCP and Smith UCP administrations empowers students, starting at age five, to create/join GSA clubs, and/or to declare a sexual orientation/gender identity to their school, secretly and independently from parental knowledge and consent. Moreover, teachers and school staff are empowered to continue the secrecy/deception of uninformed parents. **The Premier needs to clarify why she continues with GSA and SOGI secrecy yet insists uninformed parents must be involved in any name or pronoun change.**

Is the government concerned about the rising clinic referral rates? A [national study](#) on transgender youth by Trans Youth Can shows the increase in referrals for transgender teens at clinics across Canada (2004 to 2016):



Dr. Margaret Lawson of the Children’s Hospital of Eastern Ontario (CHEO) states: “A decade ago, there was an equal number of boys and girls coming to the clinic. Now, 75 per cent of the patients at CHEO are trans male, meaning they were born female but now identify as male.”

Later in Section 5, titled “New Steps to Improve Access to Transgender Medical Counselling and Related Surgery,” the Premier outlines her plan to improve/increase access and medical support that takes the patient down the transgender path. Good governance needs to be supportive to the medical needs of gender dysphoric youth. This said, many parents are certain that the 1,000s of percent increases in referral rates (75% being trans male) are the result of non-curriculum, non-age appropriate, ideological indoctrination of our children. **Will the government investigate and clarify why gender clinic referrals are skyrocketing among our youth?**

The government needs to learn from past warning signs in developing policies. Read Lucia Corbella, Calgary Herald, “[Corbella: Couple warns their daughter could have died under new GSA law,](#)” and Theresa Ng, informed Albertans, “[Albertans, will you take a stand to protect our children?](#)” As part of Edmonton Public Schools’ [Anti-racism and Equity Action Plan](#) the schools asked students Grades 4 (age 9) to 12 to describe their gender identity. In June 2023, Kent Pharis, Assistant Superintendent of Edmonton Public Schools, announced the [survey results](#). Of the 55,484 students completing the survey 18.8% or 10,430 responded as other than male or female. Some 3,051 students responded, “Not sure yet.” [Click here](#) for an analysis of the root causes for escalating levels of gender clinic referrals,

sexuality confusion, and LGBTTPQQAI+ identification among Alberta youth. **Will the government take needed measures to eliminate the impact of harmful inappropriate indoctrination of Alberta youth?**

3C – “When it comes to classroom instruction on subject matter involving gender identity, sexual orientation or human sexuality, we will be requiring parental notification and an opt-in requirement for each instance a teacher intends to give formal instruction on these subjects.” If the government adequately enforced the existing Parental Notice opt-out legislation ([Education Act](#), Sections 58.1) in our schools this new declaration would be unnecessary ([click here](#) for more details). If the “opt-in” protocol is not widely enforced, it too will be low utility.

4 – Bullying Vigilance and Child Welfare Laws to Protect Transgender Identifying Children

“We encourage all teachers, parents, classmates, and youth volunteers to be on the watch for any instances of bullying of youth or children for any reason so adults can assist with putting a stop to it the moment it is detected. We know that nearly all parents, even those who may disagree with the decision of their children, will love and care for their children no matter what choices they make. However, in a handful of rare situations where one or both of the parents reject or become abusive to a child who identifies as transgender, we have child protection laws that will be strictly enforced.” Bullying in all forms always need to be exposed and stopped. **Is the government equally committed to ending negative peer pressure in our schools?** Once again Lucia Corbella’s article in the Calgary Herald, [“Corbella: Couple warns their daughter could have died under new GSA law”](#) is an excellent read for a lesson in harmful unsupervised peer pressure inside a GSA club. Dr. Lisa Littman, specialist in gender dysphoria at Icahn School of Medicine at Mount Sinai, New York, reports on a phenomenon she titles [“Rapid Onset of Gender Dysphoria \(GD\) in Adolescents and Young Adults \(AYAs\).”](#) The development occurs in the context of being part of a peer group where one, multiple, or even all friends have developed gender dysphoria and come out as transgender during the same timeframe. She comments on why this is happening: “The worsening of mental well-being and parent-child relationship, peer group dynamics, and behaviors that isolate teens from their parents, families, non-transgender friends and mainstream sources of information are particularly concerning.” Note GSA clubs are peer-led and require no constitution, no transparency, no supervision, and no limitation on the age spread among members.

GSA clubs are ripe for peer pressure and bullying. **Who in the “Minister - School Board – Superintendent – Principal – Club Liaison - Teacher chain” has accountability and oversight authority regulating the peer-led GSA clubs and adult-run GSA network?** The staff “liaison” as detailed in ([Education Act](#), Sections 35.1) is not this person. He/she is only an aide/facilitator upon request of the students. The conflict between secret GSA/SOGI rights for children and time-proven parenting oversight rights is evident. As a result, most of Alberta’s 766,000 students, those ages 5 to 15 and the psychologically or cognitively vulnerable (like Jane in the [Corbella article](#) and perhaps 40,000 Alberta students) are at risk.

Regarding child protection laws, parents are entitled to due legal process and issuance of a court order before the State intervenes in parent-son/parent-daughter child rearing dynamics or over-rides normal family autonomy. GSA Law (the independence/secretcy aspect) is predicated on a view opposite to **“Nearly all parents will love and care for their children no matter what choices they make.”** In effect the government circumvents parents’ rights to due legal process in critical disputes related to SOGI matters of their children. GSA law sends clear messages to parents and children: (1) in SOGI matters parents can’t be trusted, hence a need for secrecy; and (2) the State knows better than parents what is in the child’s best interest, hence the institutional right to deceive parents. The sound function, solidarity, and autonomy of the Alberta family have traditionally rested on child welfare “due legal process” and numerous legal parental consent thresholds regulating parent-child relations. Giving secret and full

independence to kids, starting at age five, in the domains of GSA membership and SOGI self-identification is harmful, experimental, and egregious to most loving responsible parents. **Will Premier Smith clarify what she is willing to do toward correcting the flaws in GSA law?**

5 – New Steps to Improve Access to Transgender Medical Counselling and Related Surgery

“For transgender adults, our government is currently working to attract one or more medical professionals to practice in Alberta who specialize in transgender surgery to ensure those individuals transitioning have access to an expert in Alberta to assist with their extremely unique and complex medical needs, rather than going to Quebec, which is now the practice. We will build a private registry of medical professionals who specialize in this field to better support the lifelong healthcare needs of transgender Albertans, including access to needed hormones and surgery aftercare.” According to Premier Smith, in 2020-21, 104 had the surgery procedures (25 were aged 18-25). In 2021-22, 119 underwent surgery (27 were aged 18-25). None were minors. A recent article in The Atlantic titled [“A Teen Gender-Care Debate Is Spreading Across Europe,”](#) states in part: “Western Europe, where governments and medical authorities in at least five countries that once led the way on gender-affirming treatments for children and adolescents are now reversing course, arguing that the science undergirding these treatments is unproven, and their benefits unclear. The about-face by these countries concerns the so-called Dutch protocol [puberty suppression at age 12, subsequent cross-sex hormone treatment at age 16, and gender reassignment surgery at age 18], which has for at least a decade been viewed by many clinicians as the gold-standard approach to care for children and teenagers with gender dysphoria...But in Finland, Sweden, France, Norway, and the U.K., scientists and public-health officials are warning that, for some young people, these interventions may do more harm than good.” **Given this warning, will the Premier commit to a registry with a spectrum of choice for supporting medical professionals, including those willing to counsel very young gender dysphoric children (especially under the age of 16) and their parents on pathways to further test, confirm, manage through puberty, and where possible desist/overcome gender dysphoria? Do parents with gender dysphoric children have the right to seek out the medical/counselling/therapy services they deem in the best interests of their offspring? What is the government’s medical position on gender dysphoric desistance rates following puberty? What is the Premier’s policy of gender detransition?**

6 – Granting Girls Their Choice to Play in Women Only Sports

“The Alberta Government will work with sporting organizations active in our province to ensure that women and girls have the choice to compete in a women’s only division in athletic competitions.” According to the *Athletics Alberta Code of Conduct and Ethics* (2023-24), male-born transathletes must compete in the male category. Female-born transathletes have the option of competing as a male, irrespective of intervention strategy undertaken to alter sex, or as a female depending on the nature of intervention. Note *Athletics Alberta* coordinates athletes who have reached adulthood (aged 18 and older). The *Alberta Schools Athletic Association* (ASAA) manual at Section IV - Student Eligibility, Para 8 reads: “A student’s sexual orientation or gender identity will not be considered as a factor in determining eligibility to participate in inter-member school competition by the Compliance Officer or the Appeal Committee.” ASAA was asked to clarify the meaning of this clause. No response yet. The ASAA website has since gone down during the time of this writing. **How can gender identity not matter in school sports?** All transgender students under age 16 can only be in [social transition](#), i.e. same birth biology, but different appearance, clothing, expressions, and possibly name/pronoun change. As discussed at 2C, how is the ASAA to arbitrate the myriad of

gender identifies against the goal of fairness in competition. The ASAA position will surely need revision to something similar to *Athletics Alberta*.

7 – Conclusion: Missed Opportunities to Remedy Key Parenting Rights and Child-rearing Concerns

The past decade has witnessed unprecedented and experimental shifts in Parent-Child-State governance (i.e. roles, powers, and responsibilities), which have resulted in disenfranchised parental oversight and consent authorities. Premier Smith's Jan 31, 2024, pronouncements are to be commended in many aspects, yet most have little to do with parental rights, and more to do with affirmation of existing treatment protocols and reasonable restrictions on transgender rights for youth. It is the view of the undersigned that Albertans are due much more clarity from our government in these matters than our politicians have yet been willing to provide. Most of the heated debate between left and right is based on misinformed emotion, not fact. The pronouncements made are neither worthy of ardent praise from the right nor obsessive criticism from the left.

From a parenting rights perspective, there remains four key clarification matters missed in the Premier's announcements:

- (1) Must parents affirm a child's sexual orientation and gender identity (SOGI) self-identity regardless of the child's age, maturity, and psychological/medical history? Stated another way, do parents have the right to influence their children's SOGI development along a parent preferred path?
- (2) Do parents have the right to know who is influencing their children's sexual/gender development, where and when this is happening, and what their children are being told and doing while at school, including GSA club/Network activities?
- (3) At what age should children be given full secrecy and independence to associate with the "GSA club – GSA Network – LGBTTPQQAI+ Agency/Activist" chain?
- (4) At what age should children be given full secrecy and independence to decide and give a sexual orientation and/or gender identity to their school?

For the good governance of Alberta's parents, children, and families, Premier Smith must clarify by legal standards and well-defined rights her response to these crucial questions.

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