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Chroma NB urges the Minister of Education and Early Childhood Development, and the Department of Education and Early Childhood Development to re-examine the adjustments made to Policy 713 on August 23rd and to ensure that all students, regardless of gender identity, have the same rights in schools. The revised policy violates the fundamental human rights of trans and gender-diverse youth and violates their rights related to privacy.

The policy that was originally created to support the 2SLGBTQ+ school community now directly discriminates against them, infringing on their fundamental rights, which could result in long-lasting damage to their overall well-being. One of the largest studies of transgender youth to date recently published that 'when transgender youths are allowed to use their chosen name in places such as work, school and at home, their risk of depression and suicide drops.'¹ Placing restrictions on who and at what age a youth can be affirmed is unnecessary and cruel. There is a clear consensus among various professional groups and organizations that supporting 2SLGBTQ+ rights is crucial to safeguarding the rights, liberties, and safety of 2SLGBTQ+ individuals and the new adjustments do not provide that safeguarding. The New Brunswick Women's Council notes that "changes to Policy 713... are an alarming rollback of protections for trans students",² while the New Brunswick Teachers Association expressed its disappointment regarding the policy, noting "it is unfortunate that Minister Hogan has dismissed the advice of medical professionals and legal experts regarding Policy 713."³

Furthermore, Kelly Lamrock, the NB Child and Youth Advocate, states that "Children have human rights from the moment they are born. Their need for adult support may lead to reasonable limits upon those rights, but the Department cannot simply wave them aside because of parental discomfort or disapproval, or to appease voting-age constituents,"⁴ emphasizing that fundamental rights are not reduced because of age.

The policy directly contradicts itself as it states 'all members of the school environment have the right to self identify and to express themselves without fear of consequences and with an expectation of dignity, privacy and confidentiality'⁵ as one of its goals (5.1) however section 3.0 singles out transgender and non-binary students in its definitions of formal and informal uses of 'preferred' first name. Taken together, all these changes result in a policy that can no longer meet its own principals and goals.

In conclusion, we urge the Minister of Education and Early Childhood Development and the Department of Education and Early Childhood Development to accept the recommendations put forward by the Child and Youth Advocate to ensure that all students, regardless of gender identity, have the same rights in schools.

Alex Ash
Board President
On behalf of Chroma: Pride, Inclusion, Equality Inc.

¹ <https://news.utexas.edu/2018/03/30/name-use-matters-for-transgender-youths-mental-health/>

² https://www.nbwomenscouncil.ca/content/dam/vnbw-vfmb/pdf/briefs_submissions/review-of-changes-to-policy-713.pdf

³ <https://www.facebook.com/photo/?fbid=818215873491073&set=a.572108001435196>

⁴ Office of the Child and Youth Advocate, On Balance, Choose Kindness: The Advocate's Review of Changes to Policy 713 and Recommendations for a Fair and Compassionate Policy, August 15, 2023

⁵ <https://www2.gnb.ca/content/dam/gnb/Departments/ed/pdf/K12/policies-politiques/e/713-2023-07-01.pdf>