

Use of Pronouns and Names in Saskatchewan Schools

Individual Case Study

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What is going on?

- In October 2023 the Saskatchewan government invoked the notwithstanding clause to pass **Bill 137; Parents' Bill of Rights**
- All educational staff must now seek parental/guardian consent for students 16 and under if the student wants education workers to use a different name and/or pronoun in the school environment
- The policy's intent states that education is a shared responsibility between educational staff and parents and this will help reinforce relationships
- The policy also states that this will help create a more welcoming classroom environment for all students

What's going on?

- The government's new policy states that:
 - students to have every opportunity to freely express who they are
 - they support students that wish to have their names and/or pronouns change to align with their gender identity
 - parents have an important role in protecting/supporting children as they grow and develop
- The Saskatchewan Teacher's Federation states that educational and mental health staff were not consulted in development of this bill
- Saskatchewan Human Rights Commissioner, Heather Kuttai, resigned from her post in protest of the bill

Potential Ramifications

- **Relationships and learning environments;** teachers are required to build relationships and create inclusive and safe learning environments; how to proceed now?
- **School to remain a safe place?** students may be in a dangerous situation at home and school is the only place they feel themselves; how to proceed now?
- **Using the notwithstanding clause to override Charter Rights and get the bill passed;** why else would you invoke this if it wasn't controversial?
- **Coming out;** this bill may force students to prematurely come out to their parents/guardians when they might not be ready

Potential Ramifications

- **Teacher discipline;** professional reprimands; will teaching licenses be in jeopardy if this new law is not followed?
- **Timing;** this has occurred during teacher provincial collective bargaining; attempt to divide the public against teachers
- **Other sectors work with vulnerable people;** why does this specifically apply to education?
- **Documentation;** using he/his, she/hers and they/them in report cards, IEPs, transcripts, personal reference letters, etc. how to proceed?

Ethical Questions

1. Under what circumstances is it appropriate to invoke the notwithstanding clause? Does this pronoun/name situation warrant this action?
2. Will this new legislation allow students to freely express themselves?
3. Will this new legislation build positive relationships among parents and education workers?
4. Should teachers follow their code of ethics or the rule of law?
5. Should a law like this be only limited to education?

References

Government of Saskatchewan. (2023). *Use of preferred first name and pronouns by students*. Retrieved from <https://publications.saskatchewan.ca/#/products/121841>

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Saskatchewan Teachers' Federation. (2023). *Saskatchewan Teachers' Federation response to the passing of bill 137*. Retrieved from https://www.stf.sk.ca/wp-content/uploads/2023/10/2023-10-20-STF-Response-to-Bill-137_mm.pdf