

Barbara Kay: B.C. school official protests 'transgender education' — and pays the price

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Barry Neufeld, a long-time trustee of British Columbia's Chilliwack School District, hadn't planned to find himself at the centre of a legal battle, whose outcome could have far-reaching consequences for gender-related teaching programs across Canada. But on Jan. 22, the Justice Centre for Constitutional Freedoms (JCCF, on whose board I sit), announced it will be defending Neufeld against a human rights complaint laid on behalf of Chilliwack School District employees. Complainant CUPE Local 411 bases its grievance on a school district policy stating staffers have the right to "operate, work or learn in an environment free from harassment." Here "harassment" refers to Neufeld's outspoken public criticism of curriculum supplements now in district use, known as SOGI 123 (Sexual Orientation and Gender Identity). These materials promote, among other things, the concept that gender is fluid, untethered from biological sex, tenets Neufeld has, since the fall of 2017, publicly criticized as unscientific theory. CUPE 411 also named the Chilliwack School District as a respondent for having violated Sec 13(1)(b) of the B.C. Human Rights Code, in failing to have censured or removed Neufeld for creating an "unsafe" and "discriminatory" working environment for their members. Letting little children choose to change gender is nothing short of child abuse (--image--)

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Last October, the chair of the school board called on Neufeld to resign and the province's education minister condemned him, when Neufeld wrote on Facebook calling members of B.C.'s education system "radical cultural nihilists" for their policies on gender rights and education. He also wrote that "letting little children choose to change gender is nothing short of child abuse" and included a photographic internet meme juxtaposing a father in 1997 telling a little boy he wouldn't allow him to get his ear pierced with a mother in 2017 responding to her child wondering if he should be a girl by telling him "we'll start hormone treatment immediately." Rob Fleming, the education minister, said Neufeld had "jeopardized student safety, divided his school community and acted against board and ministry policies" with his comments, and said his comments were working to "undermine" goals of the district and the ministry. Neufeld later apologized. Following announcement of the human rights complaint, on Jan. 18 the Chilliwack School District board urged Neufeld to resign. On Jan. 19, so did Fleming, the education minister. But Neufeld is hanging tough. In a published response, he states that he supports the principle of inclusion for LGBT children, but "I have simply taken issue with one facet of the SOGI 123 learning resources, the teaching of the controversial gender-fluid theory as fact." I have simply taken issue with one facet of the SOGI 123 learning resources (--image--)

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This is an important freedom-of-speech case. Section 13 (1) of the B.C. Human Rights Code states that a person must not (b) "discriminate against a person ... because of the ... gender identity or expression ... of that person." But Neufeld has not discriminated against a person; his criticisms are directed at a hypothesis being presented as settled, anodyne fact, its purposeful omission of well-documented caveats, and the politicized environment surrounding SOGI 123's rushed implementation (the board of trustees was not consulted beforehand, for example, nor did SOGI follow the normal route of pilot project followed by assessment, nor were all CUPE members consulted regarding the complaint). He argues that on the contested terrain of children's "best interests" in transgender education, his role is that of proxy for parents' rights to deal with their children's sensitive health issues as they see fit. Neufeld's opinions — which are not religion-based, it should be emphasized — will seem cogent and reasonable to many Canadians. They are rooted in respect for evidence-based knowledge, and deference to the School Board Act's mandate to provide "non-sectarian" education to children. Neufeld believes that SOGI 123 represents a sectarian belief system, whose advocates seek normalization of the statistically rare phenomenon of irreversible gender dysphoria through an unproven concept — despite the assertions of transactivist militants, there is no scientific evidence to suggest that biology and gender are unlinked — that can cause psychological harm to children. Barbara Kay: Parents face scorn for worrying about letting their children change genders Barbara Kay: Campus free speech advocates owe pro-life students their help I spoke with Neufeld, who told me he is supported by many district parents and teachers too scared to go public. I spoke with one such teacher, who must remain anonymous for obvious reasons. He is indignant about the way most media and organizational representatives are treating Neufeld for his non-conforming views. He wrote me: "Regarding SOGI 123, there appears to be a great many people afflicted with doublethink. They use words like 'inclusion' to justify exclusion, and 'diversity,' to compel conformity, and they seem to imagine that being 'safe' equates to being shielded from offensive ideas or opinions. They are fighting against bullying while behaving as bullies ... If there is credible scientific evidence that Neufeld is wrong, then let us see it. Let us examine

it on its merits.”They are fighting against bullying while behaving as bullies (--image--)

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On its merits, Neufeld’s case seems solid. Unlike the school district, Neufeld’s speech is protected by the Charter. Ultimately, as an elected official, his fate should rest with the voters. And he has the right to express beliefs that may offend certain CUPE employees. However strong his legal case, however, one never knows what novel interpretations judges inclined toward social justice may “discover” in the Charter. So we must hope that actual justice prevails, and that Barry Neufeld wins this case. If he doesn’t, I predict a surge toward home-schooling by parents who refuse to allow their children’s minds to be exploited as pedagogical guinea pigs. And more power to them if they do. • Email: kaybarb@gmail.com