

172 SEXUAL ORIENTATION AND GENDER IDENTITY

Background

The Division is committed to establishing and maintaining a safe and positive learning environment for all students and employees including those who self-identify as a member of a sexual and gender minority (including but not limited to those who identify as lesbian, gay, bisexual, transgender, transsexual, two-spirit, queer or who are questioning their sexual orientation, gender identity or gender expression). The Division recognizes and reaffirms its commitment to the anti-discrimination principles and values contained in the Alberta Human Rights Act, Canadian Human Rights Act, Canadian Charter of Rights and Freedoms. It also recognizes the need to provide a safe environment, free from harassment and discrimination, while ensuring that sexual and gender minority students, employees, and families are treated with respect and dignity while being welcomed and included in all aspects of education and school life.

Procedures

1. Conduct

All students, employees, contractors, visitors, or any other persons who use Division facilities shall be expected to conduct themselves in accordance with the Division's commitment to non-discrimination, human rights, and cross-cultural understanding as set out in Administration Procedure 351, CRPS Code of Conduct and this Administrative Procedure.

In order to reflect the District's commitment to supporting anti-homophobia, anti-transphobia non-discrimination, human rights, and cross-cultural understanding, the District shall expect:

- a. all employees will be sensitive to individual discriminatory attitudes and behaviors towards individuals who self-identify as a part of a sexual or gender minority so that all students are treated with fairness and respect;
- b. allegations of homophobic or transphobic language, behavior, or discrimination will be reported to the Teacher/Principal in the case of students, and to the immediate supervisor in the case of employees;
- c. schools will discuss age appropriate language and behavior with students and staff;

- d. school and classroom environments are free of homophobia, transphobia and heterosexism;
- e. staff and students will use language and behaviour that does not degrade, label, stereotype, and incite hatred, prejudice, discrimination or harassment towards others on the basis of their real or perceived sexual orientation, gender identity or gender expression.

2. Maintaining School Records

- a. Official school records must reflect student's legal name as registered under the Vital Statistic Act.
- b. The school staff, upon request of a student, can use a student's chosen (i.e. preferred name) on report cards, Individual Program Plan and other school issued documents.

3. Self - Identification

Students:

- a. have a right to be addressed by chosen name/pronoun
- b. peers consistently use chosen name and pronouns in the way student has requested

Staff:

- a. consistently use chosen name and pronouns in the way student has requested

Division:

- a. will inform students about limitations around requirement to use legal name designation in specific circumstances
- b. will be aware of protection of privacy and personal information including, where possible, having a student's explicit permission before disclosing information to peers, parents, guardians or other adults in their lives
- c. will ensure gender designation is not included beside individual names when creating student/staff/school lists

Dress Codes:

- a. Schools and school authorities will ensure existing dress codes are flexible, gender inclusive and respectful of the fact that all students and staff have a right to dress in a manner that is consistent with their gender identity or gender expression.

4. Curriculum

The Division will encourage staff to:

Adapt and include current learning resources and strategies to provide opportunities for all students and staff to develop positive awareness with respect to human rights, anti-discrimination and cultural diversity related to sexual and gender minorities.

Schools will reduce gender-segregated activities to the greatest extent possible.

- a. all students participate in curricular/extra-curricular activities that are comfortable and supportive of diverse sexual orientations, gender identity and gender expressions:

For example:

- i. students are not gender separated for human sexuality instruction
- ii. students can participate on sport teams divided by gender that best reflects their gender identity and expression
- iii. students can choose to participate in extracurricular activities, including competitive and recreational athletic teams that best reflects their gender identity and expression
- iv. phys ed classes: all students participate in all curricula in ways that are comfortable and supportive of their diverse sexual orientation, gender identities and gender expressions

5. Washrooms/Change Rooms

- a. Students/staff have access to a single stall washroom
- b. Students/staff will be offered privacy options in relation to change rooms
- c. When travelling for outside events, staff should ensure accommodations for changing, showering and washroom facilities for students and staff

6. Overnight Trips

All students are to be included on school field trips and overnight field trips and shall be housed in a safe and respectful manner. Accommodation arrangements for overnight field trips shall be addressed on a case by case basis and numerous factors may be considered.

7. Staff and Student Training

- a. The Division will provide staff with support and opportunities for training so that they are informed and familiar with expectations pertaining to human rights, anti-homophobia, anti-transphobia, discrimination, cultural diversity, and harassment as well as to be sensitive to sexual and gender minority students and those with sexual and gender minorities in their families.
- b. The Division will provide support and opportunities for training for all staff, elected trustees, and School Councils to develop their knowledge, skills, awareness and behaviors to identify and eliminate homophobic, transphobic, and heterosexist practices and to foster dialogue that creates understanding and respect for diversity, equity, and human rights.

8. School and Community Relations

- a. The Division will continue to develop partnerships that promote effective participation in the education process by representative organizations and sexual and gender minority communities that are committed to the mission of the Board.
- b. The Division will continue to support the existence of Gay/Straight Alliance Clubs (GSAs) in schools.

9. Employment

- a. Conduct consistent with this Administrative Procedure is considered to be a term and condition for employment for all staff.
- b. The Division is committed to taking reasonable steps to ensure that Division employees responsible for personnel selection shall be provided with training to enhance their sensitivity to human rights issues, including sensitivity to sexual and gender minority issues.
- c. The Division will ensure that the confidentiality of the sexual orientation and gender identity of staff will be protected. Employees who self-identify as a sexual or gender minority will be given the support they require to do their work in a safe, inclusive and respectful environment.

Resources to Support the Inclusion of Students and Staff

The Walk Around: A School Leader's Observation Guide	https://education.alberta.ca/media/142736/the-walk-around_school-leader.pdf
The Walk Around: Teacher Companion Tool	https://education.alberta.ca/media/142742/the-walk-around_teacher.pdf
Gay-Straight or Queer Straight Alliances in Schools	https://education.alberta.ca/media/142740/gay-straight_alliances_in_schools.pdf
Starting a Gay-Straight or Queer Straight Alliance in your School: A Tip Sheet for Students	https://education.alberta.ca/media/142741/starting-a-gay-straight-alliance-in-your-school.pdf
Role of School and School Authority Leaders in Supporting Gay-Straight/Queer Straight Alliances	https://education.alberta.ca/media/142739/gs-qsa_role_of_leaders.pdf
The Role of Gay-Straight/Queer Straight Alliances in Supporting Student Learning and Well Being	https://education.alberta.ca/media/142738/role_of_gs-qs_alliances.pdf
Gay-Straight/Queer Straight Alliances in Faith-Based Schools	https://education.alberta.ca/media/142737/gs-qsa_in-faith-based_schools.pdf
Alberta's Plan for Promoting Healthy Relationships and Preventing Bullying	http://humanservices.alberta.ca/documents/promoting-healthy-relationships-and-preventing-bullying.pdf
Transphobic Bullying	http://humanservices.alberta.ca/documents/transphobic-bullying.pdf
Homophobic Bullying: Tips for Youth	http://humanservices.alberta.ca/documents/homophobic-bullying-prevention-tips-for-youth.pdf
Homophobic Bullying: Tips for Parents	http://humanservices.alberta.ca/documents/homophobic-bullying-prevention-tips-for-parents.pdf
LGBTQ Supports Infographic	http://humanservices.alberta.ca/documents/LGBTQ-supports-infographic.pdf
Sexual Orientation and Gender Identity Policy Brochure	http://www.teachers.ab.ca/SiteCollectionDocuments/ATA/For-Members/Professional%20Development/Diversity,%20Equity%20and%20Human%20Rights/PD-80-10%202010%20SOGI.pdf

GSA's and QSA's in Alberta Schools: A Guide for Teachers	http://www.teachers.ab.ca/SiteCollectionDocuments/ATA/Publications/Human-Rights-Issues/PD-80-6_GSA-QSAGuide2015_Web.pdf
Here Comes Everyone	http://www.teachers.ab.ca/SiteCollectionDocuments/ATA/Publications/Human-Rights-Issues/MON-3%20Here%20comes%20everyone.pdf
PRISM Toolkit (Elementary Edition)	http://www.teachers.ab.ca/For%20Members/Professional%20Development/Diversity%20and%20Human%20Rights/Resources/Pages/PRISM-Toolkit.aspx
Sexual Orientation and Gender Identity: Recommended Fiction and Nonfiction Resources for K-12 Schools	http://www2.epl.ca/public-files/booklets/ep-sb-recommended-resources-sexual-orientation_2014.pdf
Safe and Caring Schools LGBTQ Students: A Guide for Counsellors	http://resources.safeandcaring.ca/wp-content/uploads/2014/05/LGBTQ-Students-for-Counsellors.pdf
Safe and Caring Schools for Two-Spirit Youth	http://resources.safeandcaring.ca/wp-content/uploads/2014/05/Two-Spirit-Youth.pdf
Safe and Caring Schools for Transgender Students	http://resources.safeandcaring.ca/wp-content/uploads/2014/05/Two-Spirit-Youth.pdf
Safe and Caring Schools for Lesbian and Gay Youth	http://resources.safeandcaring.ca/wp-content/uploads/2014/05/Lesbian-and-Gay-Youth.pdf
Alberta Civil Liberties Research Centre (2007). Freedom to be: A teachers' guide to sexual orientation, gender identity and human rights. Calgary, Alberta: Faculty of Law, University of Calgary.	http://www.aclrc.com/lgbt/
Trans Equality Society of Alberta: School Inclusion in Alberta	http://www.tesaonline.org/school-inclusion-in-alberta.html

Definitions

Ally

A person, regardless of their sexual orientation or gender identity, who supports the sexual rights of sexual and gender minority.

Gender

A system that operates in a social context to classify people, often based on their assigned sex. In many contexts this takes the form of a binary classification as 'man' or 'woman' and in other contexts this includes a broader spectrum.

Gender Expression

The way a person represents/expresses gender in a particular context. This includes but is not limited to clothing, speech, body language, hairstyle, voice and/or emphasis or de-emphasis of bodily characteristics which are often associated with masculinity or femininity. The ways gender is expressed are culturally specific and may change over time. Synonymous terms are gender presentation or gender performance.

Gender Identity

A person's internal experience of gender. This includes a person's internal sense of being a man, woman, androgynous, neither or some other gender. A person's gender identity may or may not correspond with social expectations associated with the sex they were assigned at birth.

Gender Minority

Individuals who do not identify as either male or female.

Gender nonconforming

An individual who demonstrates a range of gender expression. It reinforces the notion that gender is not binary, but a continuum, and many individuals express their gender identity in multiple ways. Other synonymous terms are gender variant, gender creative and gender nonconforming.

Gay Straight Alliance (GSA)

Student organized termed GSA are clubs or support groups and typically involve teacher(s) who serve as faculty advisors providing support for LGBTTQ students.

Heterosexism

The belief that everyone is, or should be heterosexual. This includes assuming others are heterosexual, and that heterosexuality is superior to other sexual orientations.

Homophobia/Biphobia/Transphobia

Fear and/or hatred of any gay and lesbian people (homophobia), bisexual people (biphobia), and transgender people (transphobia).

Intersex

A term used to describe biological variations in sexual and reproductive development in which a person is born with that does not fit the typical definition of male or female.

LGBTQQ*

An acronym for Lesbian, Gay, Bisexual, Transgender, Two-Spirit and Queer/Questioning. The asterisk represents other minority gender identities and sexual orientations.

Preferred Gender Pronoun

The pronoun a person prefers to use. Many transgender and gender nonconforming people may adopt gender neutral pronouns including, he/him/his; she/her/hers; they/them/theirs; xe/xem/xyr; ze/zhe; hir/hirs or no pronoun.

Queer

Deemed offensive historically but has been reclaimed by members of the LGBTQQ* community as a term of empowerment.

Sexual Orientation

A term that classifies a person's potential for emotional, intellectual, spiritual, intimate, romantic and/or sexual interest in other people, often base on their sex and/or gender.

Transgender

A person who does not identify either fully or in part with the gender conventionally associated with the sex assigned to them at birth. Transgender or 'trans' is an umbrella term to represent a wide range of gender identities and expressions.

Transition(ing)

The process in which a person goes from living and identifying as one gender to living and identifying as another gender.

Transsexual

A person who does not identify with the gender conventionally associated with the sex assigned to them at birth. This is most frequently associated with movement from one gender to another through medical procedures.

Two Spirit

An umbrella term that reflects the man words used in Indigenous languages to affirm the interrelatedness of multiple aspects of identity including gender, sexuality, community, culture and spirituality.

References

Section 3, 16, 31, 33, 52, 56, 196, 197, 222, 225 Education Act
West Vancouver Board of Education Administrative Procedures Manual, Administrative Procedure 171
Winnipeg School Division: Safe and Caring Policy Transgender and Non-Conforming Students and Staff
Alberta Schools' Athletic Association: Policy Handbook
Guidelines for Best Practices: Creating Learning Environments that Respect Diverse Sexual Orientations, Gender identities and Gender Expressions (Alberta Government)
Alberta Human Rights
Canadian Charter of Rights and Freedoms
Alberta Teachers' Association Code of Professional Conduct
Canadian Rockies Public Schools Administrative Procedures 170, 171, 351, 380, 409
Canadian Rockies Public Schools Code of Conduct
Bill 24 An Act to Support Gay-Straight Alliances

History

Developed: August 2003
Amended: May 2018
Amended: February 2020