DIVERSE SEXUAL ORIENTATIONS, GENDER IDENTITIES AND GENDER EXPRESSIONS

Background

The Division is committed to providing a welcoming, caring, respectful, safe and healthy learning and working environment that respects diversity and fosters a sense of belonging for all students and staff (Board Policy 19).

These procedures support lesbian, gay, bi-sexual, transgender, two-spirit, queer (LGBTQ), questioning, transsexual and gender non-conforming students and staff. Each student and staff member within the Division has the right to learn and work in an environment that promotes equality of opportunity, dignity and respect.

The Division embraces and mandates the *Canadian Charter of Rights and Freedoms* and the *Alberta Human Rights Act.* School staff is expected to ensure a welcoming, caring, respectful, safe and healthy learning and working environment for all staff, students and families with diverse sexual orientations, gender identities and gender expressions. Understanding issues related to gender identity is critical in creating safe, caring, welcoming, and inclusive schools and is vital in supporting the health and well-being of LGBTQ, transsexual and gender non-conforming staff, students and their families.

Definitions

<u>Gender Dysphoria:</u> The emotional discomfort an individual experiences due to internalized conflicts arising from the incongruity between one's natal (birth) sex and one's sense of gender identity (a personal sense or feeling of maleness or femaleness)

<u>Gender Expression:</u> Gender expression is the manner in which individuals express their gender identity to others. A person's gender expression is often based on the binary model of gender, which is either stereotypically male or female. However, some individuals choose to express themselves in terms of a multiple model of gender, mixing both male and female expressions since they do not see themselves as being either stereotypically male or female, but possibly some combination of both or neither genders.

<u>Gender Identity:</u> Gender identity is a person's internal sense or feeling of maleness or femaleness. Gender identity relates to how a person views oneself, and gender expression relates to how they may present their sense of gender, usually along stereotypical binary lines, to the larger society.

<u>Gender Non-conforming:</u> Behaviors which are different from those stereotypically expected of an individual's biological sex. Also used as a broad umbrella term for transgender, transidentified, and transsexual identities.

<u>Transgender:</u> Transgender refers to a person whose gender identity, outward appearance, or gender expression does not fit into conventional expectations of male or female. Also commonly used as an umbrella term referring to anyone who is gender variant. Transgender individuals normally identify with a gender that is different from the one they were assigned at birth.

<u>Transsexual:</u> A transsexual is an individual whose gender identity is not congruent with their natal sex. Many transsexual individuals frequently experience discomfort with the disparity between their physical body and sense of self (gender dysphoria) and, as a result, often begin transitioning with hormone therapy and may follow with surgery to make the body more closely aligned with their gender identity. All transsexual people are transgender, but not all transgender people are transsexual.

Procedures

The following are guiding procedures that should be used in supporting LGBTQ, transsexual and gender non-conforming students and staff in the school or learning or working environment.

- 1. Schools, in the area of leadership, shall work with students, staff and their communities to:
 - 1.1 Clearly communicate this administrative procedure to all staff, students, and families;
 - 1.2 Address all interactions involving the use of comments, behaviours and actions which display homophobic, transphobic, and sexist, whether they occur in person or in digital form;
 - 1.3 Make staff aware of their professional responsibility to identify discriminatory attitudes and behaviours, and create welcoming, caring, respectful, safe and healthy learning environments;
 - 1.4 Bring awareness and adherence to all Division procedures and policies with respect to equality of opportunity, dignity and respect:
 - 1.5 Encourage staff to utilize language and educational resources and approaches that are inclusive, age-appropriate, and respectful of diverse sexual orientations, gender identities, and gender expressions:
 - 1.6 Support the establishment of Gay-Straight Alliances (GSA) or Queer Straight Alliances (QSA), or similar student support groups in educational settings offered within the Division, where interest by students has been expressed;
 - 1.6.1 The Board supports student organizations and activities in accordance with section 35.1 of the *Education Act*:

Support for student organizations

- 35.1(1) If one or more students attending a school operated by a board request a staff member employed by the Board for support to establish a voluntary student organization or to lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall
 - (a) permit the establishment of the student organization or the holding of the activity at the school, and

- (b) designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity.
- (3) The students may select a respectful and inclusive name for the organization or activity, including the name "gay-straight alliance" or "queer-straight alliance", after consulting with the principal.
- (3.1) For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes "gay-straight alliance" or "queer-straight alliance".
- (4) The principal shall immediately inform the Board and the Minister if no staff member is available to serve as a staff liaison referred to in subsection (1), and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school.
- (6) The principal is responsible for ensuring that notification if any, respecting a voluntary student organization or an activity referred to in subsection (1) is limited to the fact of the establishment of the organization or the holding of the activity, and is otherwise consistent with the usual practices relating to notifications of other student organizations and activities.

As a public body, Black Gold School Division is bound by the provisions of the *Freedom of Information and Protection of Privacy Act*. Any disclosure of personal information will be done in accordance with this Act.

- 1.7 Identify a staff member to serve as a safe contact for sexual and gender minority students. The Principal will inform the school community about the location and availability of this safe contact resource person;
- 1.8 Address discriminatory behaviours and complaints;
- 1.9 Respect the confidentiality of the sexual orientation and gender identity of all students, except where disclosure is required to protect the safety of the student;
- 1.10 Encourage a plan of support (transition plan) to be developed but allow for flexibility and change in the plan to occur if circumstances warrant (Refer to Appendix).

- 2. The Division is a safe and respectful working environment, where diversity is valued and staff is treated with respect. All staff share responsibility for creating and maintaining a welcoming, caring, respectful, safe and healthy learning and working environments that are free of discrimination and harassment.
- 3. To assist all staff in becoming more knowledgeable about sexual and gender minority identities, cultures, and communities, the Division will provide professional learning opportunities to assist all staff in acquiring the knowledge to create welcoming, caring, respectful, safe and healthy schools free from discrimination based on a student's actual or perceived sexual orientation, gender identity and/or gender expression.
 - 3.1 Teaching and learning resources are available and catalogued in the Division's Destiny Library System.
- 4. Regarding school-community partnerships, schools may choose to utilize outside agencies and resources to support students, staff, and families with diverse sexual orientations, gender identities and gender expressions.
- 5. To support the safety, health, and educational needs of students and staff who identify as LGBTQ, transsexual and gender non-conforming, the following gender identity and gender expression procedures and themes should be considered:
 - 5.1 Confidentiality
 - 5.1.1 Sexual and gender minority students and staff have the right to discuss their sexual orientation, gender identity, and gender expression openly and to decide when, with whom, and how much personal information to share with others.
 - 5.1.2 Respect the confidentiality of the sexual orientation and gender identity of all students and staff, except where disclosure is required to protect the safety of the student (refer to Appendix).
 - 5.2 Names and pronouns
 - 5.2.1 A student or staff member has the right to be addressed by their chosen name and to choose a pronoun that aligns with their gender identity and/or gender expression.
 - 5.3 Official records and communications
 - 5.3.1 It is important to let staff, students and families (where appropriate) know that students and staff may be addressed by the name they have chosen; however, all official school records that require legal name designation will be in their legal name.
 - 5.3.2 Parents can access information on changing one's name legally through Service Alberta: Ordering a Legal Change of Name Document.
 - 5.4 Gender-segregated activities
 - 5.4.1 In classroom activities or school programs where students are segregated by gender, all students should be given the option to be included in the group that reflects their consistently asserted gender identity and expression.

- 5.5 Physical education and gender expression
 - 5.5.1 All students, regardless of sexual orientation, gender identity and gender expression, have the right to participate in interscholastic athletic activities and physical education in a safe, respectful, inclusive and non-judgmental environment, in ways that are supportive of students' sexual orientations, gender identities and gender expressions.
 - 5.5.2 The Division will work toward accommodating and aligning with governing sports groups.
- 5.6 Washroom, locker room, change room accessibility and accommodation
 - 5.6.1 In washrooms, locker rooms and change rooms, any student or staff who has a need or desire for increased privacy, regardless of the reason (e.g., medical, religious, cultural, gender identity, gender expression, etc.), should be provided with reasonable accommodations that best meet their individual needs and privacy concerns.

5.7 Dress code

5.7.1 All students and staff have the right to dress in a manner consistent with their gender identity or gender expression in accordance with the school dress code.

Reference: Se

Section 33.1 and 35.1 Education Act

Alberta Human Rights Act

Alberta Teachers' Association Code of Professional Conduct

Alberta Teachers' Association Declaration of Rights and Responsibilities

Board Policy 19 - Welcoming, Caring, Respectful, Safe and Healthy Learning and Working Environments

Canadian Charter of Rights and Freedoms

Guidelines for Best Practices: Creating Learning Environments that Respect Diverse Sexual Orientations, Gender Identities and Gender Expressions, Government of Alberta, 2016 PRISM: Toolkit for Safe and Caring Discussions About Sexual and Gender Minorities; Elementary Edition, The Alberta Teachers' Association

Sexual Orientation and Gender Identity: Recommended Fiction and Non-Fiction Resources for K-12 Schools, Edmonton Public Schools and Edmonton Public Libraries

Supporting Transgender and Transsexual Students in K-12 Schools: A Guide for Educators, Canadian Teachers' Federation. 2012

Transgender and Gender Non-Conforming Youth: Recommendations for Schools, Transgender Law Center, 2015

United Nations Convention on the Rights of the Child

Form:

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168-1 Diverse Sexual Orientations, Gender Identities and Gender Expressions Transition Plan