



AP 3 - 27 Sexual Orientation and Gender Identity

Classification: General Administration

Effective Date: 2016 March 23

Sponsor/Contact: Superintendent

Last Reviewed: 2016 March 23

Exhibits: none

PURPOSE

To promote and maintain welcoming, caring, respectful, safe and inclusive learning environments for all staff, students and families regardless of gender, sexual orientation, gender identification or gender expression.

SCOPE

This procedure applies to all Chinook's Edge School Division students, staff, and parents/guardians.

DEFINITIONS

Discrimination: Negative differential treatment of a person or group on the basis of race, religious beliefs, color, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, sexual orientation, gender identity or gender expression.

Gender Expression: How a person publicly represents or expresses their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language, and voice. A person's chosen name and pronoun are also common ways people express their gender.

Gender Identity: A person's internal sense or feeling of being male or female, which may or may not be the same as one's biological sex. It is a person's sense of being a woman, man, both, neither, or anywhere along the gender spectrum. For most people, their sex and gender align. For some, it does not.

Intimidation: Behaviour which is reasonably known to cause fear of injury or harm.

LGBTQ: Lesbian, Gay, Bisexual, Transgender, Queer

Queer: Historically, a negative term for homosexuality, but more recently reclaimed by the sexual and gender minority (LGBTQ) community to refer to itself.

Sexual Orientation: A person's affection and sexual attraction to other persons. Like gender, sexual orientation can be expressed along a continuum.

Transgender: A person whose gender identity, outward appearance, or gender expression does not fit into the conventional expectations of male or female. Transgender individuals normally identify with a gender that is different from the one they were assigned at birth.

Transsexual: A person whose gender identity differs from the sex assigned at birth. 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 their body more closely align with their lived gender identity.

PROCEDURES

1. The Superintendent or designate shall:

- 1.1 Define appropriate expectations, behaviours, language, and actions in order to prevent discrimination, and harassment through greater awareness of, and responsiveness to, their harmful effects.
- 1.2 Ensure that all complaints of discrimination or harassment will be taken seriously, documented, and dealt with expeditiously and effectively through consistently applied procedures.
- 1.3 Support understanding of the individual lives of LGBTQ individuals and their families.
- 1.4 Develop, implement, and evaluate inclusive educational strategies, professional development opportunities, and administrative guidelines to ensure that LGBTQ individuals and their families are welcomed and treated with respect and dignity in all aspects of the school division's operations.
- 1.5 Ensure employment practices are free of discrimination.

2. The Principal shall:

- 2.1 Ensure all aspects of this regulation are clearly communicated to all staff, students, and families.
- 2.2 Ensure staff know their professional responsibility to identify discriminatory attitudes and behaviours, and create caring, respectful and safe learning environments.
- 2.3 Ensure staff address and provide appropriate remedial consequences for all behaviours which are not in compliance with this Administrative Procedure, whether they occur in person or in digital form, to the extent that dealing with such behaviours is within the legislated mandate of the School Division.
- 2.4 Ensure awareness and adherence to all School Division policies and administrative procedures with respect to diversity, equity, human rights, sexual orientation, gender identity, gender expression, discrimination, prejudice, and harassment, particularly but not limited to Administrative Procedure 3 – 26 Welcoming, Caring, Respectful, Safe and Inclusive Schools.
- 2.5 Ensure staff utilize language and educational resources and approaches that are inclusive, age-appropriate, and respectful of diverse sexual orientations, gender identities, and gender expressions.
- 2.6 Provide access to inclusive and respectful services and supports to LGBTQ individuals and families.
- 2.7 Ensure staff work proactively to eliminate systemic inequities and barriers to learning for LGBTQ individuals and families.
- 2.8 Support the establishment of student support groups for LGBTQ individuals/groups within the School Division, where interest by students has been expressed. (eg: Gay-Straight Alliances (GSAs) or Queer-Straight Alliances (QSAs))
- 2.9 Identify a staff member who is willing to serve as a safe contact for LGBTQ students. The Principal will inform all students about the location and availability of this contact resource person.
- 2.10 Ensure staff will not refer students to programs or services that attempt to change or repair a student's sexual orientation or gender identity.
- 2.11 Ensure complaints about discrimination are taken seriously, documented and dealt with expeditiously.
- 2.12 Ensure all staff recognize the confidentiality of the sexual orientation and gender identity of all students and staff; and protect them from unwanted disclosure of such information subject to the requirements of any relevant legislation.
- 2.13 Deal with disputes that may arise with regard to any student's participation in educational or athletic activities.
- 2.14 Ensure the resolution of any conflict results in reasonable accommodation, maximizes inclusiveness, and always strives towards the best interests of students. If resolution is not achieved, the Principal may follow the typical process of accessing support from their liaison superintendent or superintendent of student services.

3. Staff shall:

- 3.1 Support the safety, health and educational needs of students who identify as LGBTQ individuals.
- 3.2 Adhere to the following recommended BEST PRACTICES wherever possible and appropriate:
 - a) **Official Records and Communication** – Subject to any relevant legislation, when requested by an independent student, or the parent/guardian, the student's official record (PASI-aka) will be changed to reflect their preferred/chosen name, sex, or gender.
 - a. All school forms and records shall be changed to ensure that a student's preferred/chosen name and sex or gender is current on class lists, timetables, student files, identification cards, etc.
 - b. To change a student's name on Alberta Education official documents (high school diploma, transcripts, etc.) the parent/guardian will show the Principal evidence of documentation showing their child's new legal name. The parent/guardian can access 'Service Alberta' (<http://www.servicealberta.gov.ab.ca/changing-a-name.cfm>) to assist with this process.
 - c. Upon receiving this documentation, the Principal can change the Legal Name for the student in PASI.
 - b) **Gender-Segregated Activities** - Schools should take into consideration and be thoughtful of the impact on all students if and when segregating students by gender. In classroom activities, school programs, or sport's teams, where students are segregated by gender, all students should be given the option to be included in the group or team that corresponds to their lived gender identity.
 - c) **Restroom Accessibility, Locker Rooms, and Change Rooms** - Students have a right to accommodation when it comes to the use of washroom facilities that are congruent with their gender identity. This applies during school time and school-related activities on and off school property (such as field trips and athletic events). As part of a comprehensive whole-school approach, strategies should be in place to ensure all areas of the school are safe for all students, all of the time.

Requests for support and/or accommodation are addressed on a case-by-case basis and solutions are evidence-informed and individualized to best meet the needs of the student making the request.

School administration shall contact the Associate Superintendent Student Services before putting support and/or accommodation into practice.

- d) **Field Trips** – Students shall be allowed to participate in accordance with their lived gender identity. In order to address confidentiality and privacy requirements, activities that include overnight accommodations will be addressed on a case-by-case basis. All students on field trips need to be housed in a manner that is safe, inclusive, and respectful. No student shall be excluded from participating in a field trip, or asked to pay more because of their gender identity or gender expression. In some cases this may require offering private accommodation to students. Taking into consideration all students and staff, field trip chaperones and/or supervisors should plan ahead to respectfully consider the needs of transgender students and staff members.

REFERENCE AND LINKS

Alberta Human Rights Act

Canadian Charter of Rights and Freedoms

Preamble, *School Act*

Student Record Regulation A.R. 71/99

Alberta Education Policy 2.1.5: Teacher Growth, Supervision, and Evaluation

Alberta Education Policy 3.4.1: Review by the Minister

Teaching Quality Standard (Ministerial Order 016/97)

Guide to Education: ECS to Grade 12

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

<http://gendercreativekids.ca/wp-content/uploads/2013/10/Supporting-Transgender-and-Transsexual-Students-web.pdf>

ATA Code of Professional Conduct

Chinook's Edge Technology Use Agreement

POL 2 - 18 Welcoming, Caring, Respectful and Safe Learning Environments

<http://www.chinooksedge.ab.ca/documents/general/POL%20%20-%202018%20Welcoming%20Caring%20Respectful%20and%20Safe%202016%20Jan%202013.pdf>

AP 3 - 26 Welcoming, Caring, Respectful, Safe and Inclusive Schools

<http://www.chinooksedge.ab.ca/documents/general/AP%20New%20Safe%20and%20Caring%20Schools%202014%20Oct%2007.pdf>

Manitoba High Schools Athletic Association: Policy on Transgender Students

<http://www.mhsaa.ca/about/page-id-487/Policy-on-Transgender-Students/>

Ottawa-Carleton District School Board: Gender Identity and Gender Expression Guide to Support our Students

<http://www.ocdsb.ca/calendar/AGENDA%20DOCS/2015%20DOCS/June%202015/PIC%2010%20June/07%20Gender%20Identity%20and%20Gender%20Expression%20-%20draft%20for%20feedback.pdf>

Service Alberta

<http://www.servicealberta.gov.ab.ca/changing-a-name.cfm>

Trans Equality Society of Alberta

<http://www.tesaonline.org/alberta-identity-documents.html>

Birth Certificate Changes

<http://www.servicealberta.gov.ab.ca/birth-certificates.cfm>