

Administrative Procedure 168

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 two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, and gender non-conforming (2SLGBTQIA+) 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 are 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 gender nonconforming 2SLGBTQIA+ staff, students and their families.

Definitions

Cisgender: A term for people whose gender identity aligns with their sex assigned at birth.

Gender Expression: 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, blending both male and female expressions as they do not identify themselves as being stereotypically male or female, but rather as a combination of both or neither gender.

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

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

Homophobia-Prejudice: negative attitudes, or discriminatory behaviours directed at people who are, or are perceived to be, gay, lesbian, or bisexual; includes acts such as exclusion, slurs, harassment, or violence.

Sexism: Prejudice, stereotyping, or discrimination based on sex or gender, including beliefs or practices that privilege one sex or gender and disadvantage others; expressed through attitudes, language, policies, or conduct.

Sexual Orientation: An enduring pattern of romantic and/or sexual attraction to others (e.g., heterosexual, gay, lesbian, bisexual, asexual, pansexual).

Transgender: 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.

Transphobia: Prejudice, negative attitudes, or discriminatory behaviours directed at people whose gender identity or gender expression differs from their sex assigned at birth; includes acts such as exclusion, misgendering, harassment, or violence.

Two-Spirit: A term used by some Indigenous Peoples to describe a person who embodies diverse sexualities, gender identities, roles, and/or expressions; meanings vary across Nations and cultures and should be respected in the local context.

Procedures

The following are guiding procedures that should be used to support 2SLGBTQIA+ and gender non-conforming students and staff in the school, learning or working environment.

1. Schools will 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 homophobia, transphobia, and sexism, whether they occur in person or in digital form;
 - 1.3 Ensure all staff are aware of their professional responsibility to identify discriminatory attitudes and behaviours, and create welcoming, caring, respectful, safe and healthy learning and working environments;
 - 1.4 Promote awareness and adherence to all Division procedures and policies with respect to equality of opportunity, dignity and respect;
 - 1.5 When instruction deals primarily and explicitly with gender identity, sexual orientation and human sexuality topics, schools will follow Administrative Procedure 207 Gender Identity, Sexual Orientation & Human Sexuality Topics.
 - 1.6 Consistent with section 35.1 of the Education Act, principals will, upon student request, permit and support a GSA/QSA or similar student group, designate a staff liaison, and safeguard student privacy regarding participation.
 - 1.7 As a public body, Black Gold School Division is bound by the provisions of the Protection of Privacy Act (POPA) and Access to Information Act (ATIA). Any disclosure of personal information will be done in accordance with these Acts.

2. 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. This professional learning will include support strategies for students and staff, and the application of Administrative Procedure 207 boundaries for instruction and external presenters.
3. Alberta Education-approved 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.
 - 4.1 Regarding school-community partnerships in classrooms for the purpose of teaching and learning, schools must utilize Alberta Education-approved outside agencies and resources to support the topics of gender identity, sexual orientation and human sexuality.
5. To support the safety, health, and educational needs of students and staff who identify as 2SLGBTQIA+ 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 all students, except where disclosure is legally required or necessary to prevent significant risk of harm; in such cases, involve administration, follow duty-to-report obligations, and document actions.
 - 5.1.3 Respect the confidentiality of all staff, except where disclosure is required to protect the safety of the staff member or others.
 - 5.2 Names and pronouns
 - 5.2.1 A student shall be addressed by their preferred name and preferred pronoun(s) that align with their gender identity if:
 - 5.2.1.1 Under 16 parental/ legal guardian consent is provided, and Form 168-1 is completed.
 - 5.2.1.2 Age 16/17 parental/legal guardian notification is provided, the interaction is documented, and Form 168-1 is completed.
 - 5.2.1.3 Age 18+ parental/legal guardian notification is not required, and Form 168-1 is completed.

5.2.1.4 If disclosure to parents is reasonably expected to cause emotional or psychological harm, provide counselling/assistance before notifying the students' parents.

5.2.2 A staff member has the right to be addressed by their preferred name and preferred pronoun that aligns with their gender identity.

5.3 Official records and communications

5.3.1 In accordance with 5.2.1, it is important to let students and staff know that students shall be addressed by their preferred name and pronouns; 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 their child's name legally through Service Alberta: Ordering a Legal Change of Name Document.

5.4 Gender-segregated activities

5.4.1 In classroom activities 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 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.

5.6 For interscholastic athletics eligibility and competition, see Administrative Procedure 366 Fairness & Safety in School Athletics.

5.7 Washroom, locker room, change room accessibility and accommodation

5.7.1 In washrooms, locker rooms and change rooms, any student or staff member 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.

5.8 Dress code

5.8.1 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: 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
Administrative Procedure 207 Gender Identity, Sexual Orientation & Human Sexuality Topics
Administrative Procedure 366 Fairness & Safety in School Athletics

Form:
168-1 Consent for Preferred Name Use
168-2 Diverse Sexual Orientations, Gender Identities and Gender Expressions Transition Plan
207-1 Gender Identity, Sexual Orientation & Human Sexuality Topics Opt-In Form