



POLICY IHF – Safe and Caring Learning Environment (Diverse Sexual Orientation, Gender Identity and Gender Expression)

The Board is committed to creating a welcoming, caring, respectful and safe learning environment for all members of the school community. Specifically, the Board believes that discrimination or harassment on the basis of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation must not be tolerated.

PURPOSE

That the Board will provide an environment in which students with diverse sexual orientation, gender identity and gender expression feel welcome.

The Board is committed to:

- supporting inclusion of all students and staff in all aspects of school life, irrespective of their actual or perceived sexual orientation or gender identity;
- supporting all students and staff ~~with diverse~~ **regardless of their** sexual orientation, gender identity and gender expression based on their human rights ~~to enable the expression of their gender identity;~~
- improving understanding of sexual or gender minority individuals, communities and cultures;
- defining appropriate terms, behaviours and actions to promote greater awareness of, and responsiveness to, the harmful effects of harassment and exclusion;
- addressing acts of harassment, bullying, intimidation or discrimination on the basis of a person's actual or perceived sexual orientation, gender identity or gender expression.

The Board recognizes that many individuals have dissenting opinions pertaining to gender identity, gender expression and sexual orientation. These opinions shall be respected as long as these opinions do not transfer to become bullying, discrimination or harassment. Those with dissenting opinions should not be made to feel unwelcome, discriminated against or harassed because of their differing belief systems.

DEFINITIONS

In this policy, all references to persons with diverse sexual orientation, gender identity and gender expression will include, but are not limited to, “sexual or gender minority” persons or LGBTQ+ persons including lesbian, gay, bisexual, transgender, transsexual, two-spirited, intersex, queer or questioning persons, persons who are labeled as such (whether they are or not), and persons with immediate family members who identify as a sexual or gender minority.

Discrimination is the denial of individual rights and freedoms in a manner which contravenes the *Alberta Human Rights, Canadian Multiculturalism Act* and the *Canadian Charter of Rights and Freedoms*.

No person shall discriminate “because of the race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation of that person...” according to the *Alberta Human Rights Act* (Section 4).

Harassment refers to **repeated** unwelcome and offensive behaviour that consists of objectionable conduct, comment, material or display that demeans, belittles, intimidates or humiliates another person. Harassment may include, but is not limited to, references related to age, race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation. It may involve abuse of authority, but does not include the legitimate exercise of an individual's supervisory or administrative authority.

Sexual Harassment is any unwelcome behaviour that is sexual in nature. It includes, but is not limited to, behaviours such as unwanted touching (e.g. pinching, patting, rubbing), leering, sexist jokes, the display of sexually suggestive material, derogatory, or degrading comments, sexually suggestive gestures and unwelcome propositions, innuendoes, demands or inquiries of a sexual nature. Unwanted sexual advances, unwanted requests for sexual acts, and other verbal or physical conduct of a sexual nature constitutes sexual harassment.

Consistently asserted gender identity refers to lived gender, **for a minimum of 6 months**. This is the gender that the student expresses publicly while at school, socializing, accessing services, and in the broader community.

(We would request that this be included if the Board keeps the words Homophobic and Transphobic in the IHF – APM ☺)

Homophobia is the irrational fear of, aversion to, or discrimination against homosexuality or homosexuals. Disagreeing with an ideology regarding sexual orientation does not constitute a homophobic behavior unless it transfers to become bullying, discrimination, or harassment as defined above.

Transphobia is the irrational fear of, aversion to, or discrimination against transsexual or transsexuals. Disagreeing with an ideology regarding gender identity does not constitute a transphobic behavior unless it transfers to become bullying, discrimination, or harassment as defined above.

GUIDELINES & PROCEDURES

1. Leadership
 - a) The Principal shall ensure discriminatory behaviours and complaints will be taken seriously, documented and dealt with in a timely manner.
2. Staff
 - a) PWSD is a safe and respectful working environment where diversity is valued ~~and embraced~~ and staff are treated with respect. All staff are responsible for creating and maintaining a work environment that is free of discrimination and harassment. Complaints of discrimination and harassment based on sexual orientation and gender identity shall be promptly investigated and resolved as stated in policies including *GBE – Health and Safety*; *GBEA – Protection of Staff* and *JAB – Conflict Resolution*.
 - b) PWSD engages in employment practices which:
 - i) are free of bias resulting from any prejudice, including prejudice related to sexual orientation and gender identity;
 - ii) ensure equal opportunity for employment and advancement.
3. Professional Learning

- a) The Board supports professional learning opportunities that assist adults to foster **inform regarding** diversity and nurture a sense of belonging and a positive sense of self.
4. Gender Identity and Gender Expression
 - a) To support the safety, health and educational needs of students who identify as, or are perceived to be of diverse sexual orientation, gender identity or gender expression, district staff shall adhere to the following recommended practices wherever possible and appropriate:
 - i) **Names and Pronouns** –Students or staff members have the right to be addressed by their preferred name and pronoun.

ii) **Official Records and Communications**

Official Records
(1) **The student's personal information and privacy will be respected, including, whenever possible, having a student's explicit permission before disclosing information related to the student's sexual orientation, gender identity or gender expression; while also respecting the rights of parents and guardians to make informed decisions regarding their children.**

(2) When requested by an independent student, or the parent/guardian, the student's official records will be changed to reflect their preferred name, sex, or gender. School forms and records may be changed to ensure that a student's preferred name and sex or gender are current on class lists, timetables, student files, identification card, etc.

(3) Students will be informed of limitations regarding their chosen name and gender identity or gender expression in relation to official school records that require legal name and designation;

(4) Students should be advised that a legal name change is required if they desire their official Alberta Education documents to reflect their new name;

~~(1) The student's personal information and privacy will be protected, including, wherever possible, having a student's explicit permission before disclosing information related to the student's sexual orientation, gender identity or gender expression.~~

iii) **Gender-Segregated Activities** – 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 corresponds to their consistently asserted gender identity.

iv) **Restroom/Changeroom Accessibility** – All individuals in the school community shall have access to the restroom/changerooms that allow for appropriate privacy and that do not significantly disrupt the school environment. Staff shall consistently demonstrate sensitivity to the needs and safety of all students with respect to restroom/changeroom access. The Principal shall ensure individual solutions to restroom/changeroom access are implemented with respect and discretion.

v) **Activities** – All students, regardless of their sexual orientation, gender identity or gender expression, shall be able to participate in physical education classes and extracurricular activities, including sex-separated competitive and recreational activities in ways that are safe and comfortable and in keeping with their consistently asserted gender identity.

vi) **Dress Code** – All students have the right to dress in a manner consistent with their gender identity or gender expression in compliance with division policy and school dress codes.

vii) **Resolving Conflict** – The Principal shall be the final determiner of disputes that may arise with regard to transgender or transsexual student's participation in educational or athletic activities. The Principal shall ensure that the resolution of any conflict ensures reasonable accommodation and inclusiveness.

REFERENCES

Cross References:

[*Policy BBA – School Board Powers and Duties*](#)

[Policy GBE – Health and Safety](#)

[Policy GBEA – Protection of Staff](#)

[Policy IFC – Student Code of Conduct](#)

[Policy IFCA – Student Dress and Grooming](#)

[Policy IGD – Student Suspension and Expulsion](#)

[Policy IGH – Anti-Bullying](#)

[Policy JAB – Conflict Resolution](#)

[Policy EEABA – Cross Boundary Transportation](#)

[Alberta Education Guidelines for Best Practices](#)

Legal References:

[Alberta Human Rights Act](#)

[Canadian Multiculturalism Act](#)

[Canadian Charter of Rights and Freedoms](#)

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IHF-APM – Safe and Caring Learning Environment (Diverse Sexual Orientation, Gender Identity and Gender Expression)

Administrative

Procedure

Objective:

School staff are expected to ensure a welcoming, supportive environment for all sexual minority staff, students and families. This procedure supports the following Board Policies:

- Policy IHF – Safe and Caring Learning Environment
- Policy BBA – School Board Powers and Duties
- Policy GBE – Health and Safety
- Policy GBEA – Protection of Staff
- Policy IFC – Student Code of Conduct
- Policy IFCA – Student Dress and Grooming
- Policy IGD – Student Suspension and Expulsion
- Policy IGH – Anti-Bullying
- Policy JAB – Conflict Resolution
- Policy EEABA – Cross Boundary Transportation

Procedure:

1. LEADERSHIP

The Principal shall:

- a. Communicate this regulation to the staff, parents and students
- b. ensure staff address and provide appropriate remedial consequences for all interactions involving the use of **discriminatory** comments, behaviours and actions ~~which display homophobic, transphobic, and sexist~~, whether they occur in person or in digital form;
- c. communicate to staff their professional responsibility to identify discriminatory ~~attitudes and~~ behaviours, and create caring, respectful and safe learning environments;
- d. communicate and enforce adherence to all district policies with respect to diversity, equity, human rights, sexual orientation, gender identity, discrimination, prejudice, and harassment;
- e. communicate to staff the expectation to use language and educational resources and approaches that are inclusive, age-appropriate, and respectful of diverse sexual orientations, gender identities, and gender expressions;
- f. provide inclusive and respectful services and supports to sexual and gender minority students and families; **while also respecting the rights of parents and guardians to make informed decisions regarding their children.**
- g. ensure staff work proactively to eliminate systemic inequities and barriers to learning for sexual and gender minority students and families;
- h. support the establishment of diversity clubs, such as Gay-Straight Alliances (GSAs) when requested by a student, identify a staff member for the diversity club and in the event a staff member is not available inform the superintendent and the Minister.
- i. ensure discriminatory behaviours and complaints will be taken seriously, documented and dealt with expeditiously; and
- j. ensure that when a student reports a positive and ~~supportive~~ **safe** relationship with parents, staff encourage students to seek the support of their parents, **and actively**

work toward sharing pertinent information with their parent or guardian but staff must recognize that the confidentiality of a student's sexuality belongs to that student .

2. STAFF

All staff share responsibility for creating and maintaining a work environment that is free of discrimination and harassment. Complaints of discrimination and harassment based on sexual orientation and gender identity shall be promptly investigated and resolved. The District engages in employment practices which:

- a. are free of bias resulting from any prejudice, including prejudice related to sexual orientation and gender identity; and
- b. ensure equal opportunity for employment and advancement.

3. PROFESSIONAL LEARNING

To assist all staff to become more knowledgeable about sexual and gender minority identities, cultures, and communities, PWSD PD will provide professional learning opportunities to assist all staff to acquire the knowledge, skills, attitudes, and appropriate teaching practices necessary to create safe, inclusive, equitable, and respectful schools regardless of how students are perceived or identified.

4. TEACHING AND LEARNING RESOURCES

Teaching and learning resources shall be chosen and/or updated to promote critical thinking and should include age-appropriate materials that accurately reflect the diversity of Canada's sexual and gender minority families, cultures, and communities

5. GENDER IDENTITY AND GENDER EXPRESSION

To support the safety, health, and educational needs of students who identify as, or are perceived to be, transgender or transsexual persons, district staff shall adhere to the following recommended practices wherever possible and appropriate:

- a. **Names and Pronouns**- A student or staff member has the right to be addressed by a name and pronoun that corresponds to his or her consistently asserted gender identity.
- b. ~~Official Records and Communication~~ **Communication and Official Records** - When requested by an independent student, or the parent/guardian, the student's official record will be changed to reflect their preferred name, sex, or gender. All school forms and records shall be changed to ensure that a student's preferred name and sex or gender is current on class lists, timetables, student files, identification cards, etc. Schools should inform the student of the limitations regarding their chosen name and gender identity or gender expression in relation to official school records that require legal name change. When possible the school should have the student's explicit permission before disclosing information related to the student's sexual orientation, gender identity or gender expression to peers, parents/guardians; while also respecting the rights of parents and guardians to make informed decisions regarding their children.
- c. **Gender-Segregated Activities** - To the greatest extent possible, schools should reduce or eliminate the practice of segregating students by gender (with the exception of already established single gender-based alternative programs). ~~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 corresponds to their consistently asserted gender identity.~~ **In classroom activities or school programs where students are segregated by gender, students may request to be included in the group that corresponds to their consistently asserted gender identity. These requests will be accommodated whenever possible but must take into consideration the needs and rights of all students, in the school as well as the school's existing infrastructure.**
- d. **Athletics, Locker Room, and Change Room Access and Accommodation**
 - i. Transgender and transsexual students shall not be asked or required to have Physical Education outside of assigned class time, and shall, subject to safety considerations, be permitted to participate in any gender-segregated activities

i.

Administrative Procedure

in accordance with their consistently asserted gender identity, if they so choose.

ii. Schools will work to provide access to change facilities that meet individual needs and privacy concerns. Students will have access to change rooms that meet their individual needs and privacy concerns. Transgender students will be provided with an alternative change room. In the event that a request is made by the transgender student to change in the change room of the student's consistently asserted gender, then the principal will inform the other students who share the change room, **without disclosing the identity of the student.** ~~Any student who objects to sharing the change room with a transgender or diverse gender student will be offered an alternative facility. (This also applies if a parent objects on behalf of the student). Principals are reminded of the need to protect the privacy of transgender individuals and to communicate information in a manner that is respectful of the privacy of the transgender student. For example, at the beginning of the school year, the principal could announce in a general way that a transgender student may be using a change room and advise students with concerns to discuss it with the principal.~~ **Every effort will be made to provide privacy for all students who are required to change at school. In all situations in which students change at school, adult supervision and safety of changing areas must be provided.**

iii. Overnight accommodations need to be addressed on a case by case basis. School staff should make reasonable effort to provide solutions that are respectful and inclusive of ~~the student~~ **all students**, do not impose additional expense and are respectful of the privacy rights of other students.

- e. **Restroom Accessibility** - Schools will provide a non-gender easily accessible single stall washroom for use by any student who requires increased privacy for any reason (e.g., medical, religious, cultural, gender identity, etc.). All students shall have access to the restroom that allows for appropriate privacy and that does not significantly disrupt the school environment. Staff shall consistently demonstrate sensitivity to the needs and safety of all students with respect to restroom access. The Principal shall ensure that individual solutions to restroom access are implemented with respect and discretion.
- f. **Dress Code** - All students have the right to dress in a manner consistent with their gender identity or gender expression in compliance with division policy and school dress codes.
- g. **Resolving Conflict** - The Principal shall be the final determiner of disputes that may arise with regard to a transgender or transsexual student's participation in educational or athletic activities. The principal shall ensure that the resolution of any conflict ensures reasonable accommodation and inclusiveness.

The following is a checklist for best practices to guide supporting students with diverse sexual orientation, gender identities and gender expressions.

PRACTICE	BOARD	SCHOOL
Code of conduct that addresses bullying behavior (must be reviewed annually, provided to students staff and parents)	X	X
Staff support of Gay Straight Alliance if requested (1)		X
Students are able to seek out a staff person to discuss particular needs		X
Requests for support are addressed on a case-by-case basis		X
Transportation-If a student wants to transfer because of factors relating to their sexual orientation, this should be supported through collaborative decision-making (not punitive)	X	
Pronoun choice that align with a student's gender identity		X
Inform student of limitation regarding chosen name/gender identity in relation to official school records (schools can change gender in PASI without a legal document)		X
Protect personal information-when possible have a student's permission before disclosing information related to sexual orientation (pronoun to peers/parents or other adults)		X
When requested by a student, staff use student's chosen name/gender		X
Avoid creating lists that identify gender		X
Review Dress Code- if should be gender neutral and inclusive,; any rules apply equally		X
Minimize gender segregated activities (boys health, segregated activities) (2)(3)		X
All students are supported in participating in curricular and extracurricular activities		X
Activities that involve overnight stays are addressed on a case-by-case basis, additional financial burden is not imposed on the student	X	X
No student is limited to independent study for PE but this may be a choice		X
Policies and documents, web pages reviewed in ensure they are inclusive	X	X
Communication uses non-gendered inclusive language (student rather than him or her)	X	X
Support is provided to build capacity of staff and community in supporting an inclusive environment	X	X
All Students have safe access to private washrooms. congruent with their consistently asserted gender (easily accessible)	X	
Washrooms and change rooms are adequately supervised, behavior expectations communicated	X	X
All students have access to a change area that meets their needs (a private area within a common area, a nearby area such as a washroom)	X	X
A transgender student may request access to a specific gender wash/change room. Other students or parents on their behalf who object to sharing a gender specific wash/change room may request access to a separate wash/change room.		X
When travelling for school events staff ensure accommodation for changerooms and washrooms are met changing etc. and student confidentiality is maintained. In the event that a request is made by the transgender student to change in the changeroom of their consistently asserted gender, the school will notify the school they are visiting of this without disclosing the identity of the student.		X
Professional development is provided for staff on gender expressions, orientation (4)	X	X
Communication on Code of Conduct	X	X

Administrative Procedure

REFERENCES	
Cross References:	<u>Policy BBA – School Board Powers and Duties</u> <u>Policy GBE – Health and Safety</u> <u>Policy GBEA – Protection of Staff</u> <u>Policy IFC – Student Code of Conduct</u> <u>Policy IFCA – Student Dress and Grooming</u> <u>Policy IGD – Student Suspension and Expulsion</u> <u>Policy JAB – Conflict Resolution</u> <u>Policy EEABA – Cross Boundary Transportation</u> <u>IFCM-APM – Voluntary Student Organizations or activities admin Procedure</u> <u>Alberta Education Guidelines for Best Practices</u> <u>Alberta Human Rights Act</u> <u>Canadian Multiculturalism Act</u> <u>Canadian Charter of Rights and Freedoms</u>
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