



## SD10 (Arrow Lakes) District Protocol

### Sexual Orientation, Gender Identity, and Gender Expression

#### Overview

This protocol has been developed to help define appropriate behaviours and actions in order to prevent discrimination and harassment through greater awareness of and responsiveness to their harmful effects to any persons who identify themselves on the bases of sexual orientation, gender identity and/or gender expression. SD10 will strive to prevent and provide effective procedures to respond to any language or behavior that a reasonable person would believe degrades, denigrates, labels or stereotypes students, staff and/or family members on the bases of their real or perceived sexual and/or gender identities and/or gender expression, and/or incites hatred, prejudice, discrimination or harassment.

SD10 is committed to implementing measures that will:

- Define appropriate expectations, language, behaviours and actions in order to prevent discrimination and harassment.
- Ensure that complaints of discrimination or harassment based on sexual orientation, gender identity and/or gender expression are taken seriously and dealt with expeditiously and effectively through consistently applied procedures.
- Raise awareness and improve understanding of the lives of people who identify as LGBT2QIA+.
- Strive to eliminate the systemic inequities and barriers for members of the school community whose real or perceived identity is LGBT2QIA+ and demonstrate accountability in leadership so that everyone is treated with fairness and respect.

#### Leadership and Student Support

1. Principals/vice-principals, teachers, counsellors, and other staff and student leaders should consult with LGBT2QIA+ students and their relevant support groups and take concrete actions to make schools more welcoming, inclusive and safe.
2. School administrators will aim to ensure that professional development and training opportunities are available for staff to develop the awareness, knowledge, skills and attitudes necessary to:
  - a. deliver an LGBT2QIA+ inclusive curriculum (including anti-homophobia and anti-transphobia education);
  - b. identify and address homophobic and transphobic discriminatory attitudes and behaviours; and
  - c. support and advocate for the needs of students whose real or perceived identity is LGBT2QIA+.
3. Schools will appoint at least one staff person to be a Safe Contact who is able to act as a resource person for LGBT2QIA+ students, staff and families. (Note: School principals/vice-principals will act as the Safe Contact if no one voluntarily steps forward.) School principals/vice-principals will inform students and other staff about the location and availability of this contact person.
4. The district Director of Learning will ensure that:

- a. Counsellors, childcare workers and child and youth care workers are trained to respond competently to the needs of LGBT2QIA+ students as well as to the needs of students with LGBT2QIA+ family members;
- b. Counsellors and staff are provided with information on support programs or services for students and families.
  - i. Staff will not refer students to programs or services that attempt to change a student's sexual orientation or gender identity.

### **Student Learning**

- 5. Teaching staff are encouraged to utilize language and educational resources and approaches that are inclusive, developmentally appropriate, and respectful of diverse sexual orientations, gender identities, and gender expressions.
- 6. Schools are committed to:
  - a. enabling LGBT2QIA+ students and families to see themselves and their lives positively reflected in the curriculum and school environment through the provision of library and other curricular resources;
  - b. creating or acquiring developmentally appropriate, current and relevant learning resources for sexual health education that are LGBT2QIA+ inclusive; and
  - c. providing learning resources in languages and in formats easily accessible to all students (English Language Learners, students with unique needs, etc.) and their families, where possible.
- 7. All school forms and communications (where applicable) should respectfully reflect the diversity of sexual orientations and gender identities of students, staff and parents/guardians.

### **Sexual Orientation, Gender Identity, and Gender Expression**

To support the safety, health, and educational needs of students whose real or perceived identity is trans, staff shall adhere to the following practices:

- 8. Consultation: School staff are encouraged to consult with the designated Safe Contact and the Director of Learning, to review best practices for supporting trans students.
- 9. Confidentiality and Privacy:
  - a. A student's trans status, legal name, or gender assigned at birth may constitute confidential personal information that will be kept confidential unless its disclosure is legally required or unless the student or the student's parent(s)/guardian have given authorization.
  - b. In situations where school staff or principals/vice-principals are required by law to use or to report a trans student's legal name or sex, such as for purposes of data collection, school staff and principals/vice-principals will adopt practices to avoid the inadvertent disclosure of such information.
  - c. Students' rights to discuss and express their gender identity and/or gender expression openly and to decide when, with whom, and how much private information to share will be respected.
- 10. Names and Pronouns: Trans students will be addressed by the names and pronouns used.
- 11. Official Records and Student Information: Whenever possible and permitted by law, requests made by a student, or the parent/guardian, to change the student's official record to reflect their name and/or gender identity will be accommodated.

12. Whenever possible, at the request of a student or of a students' parent(s)/guardian, the student's name and/or gender identity will be included on class lists, timetables, student files, identification cards, etc.
13. Unless the student or the student's parent/guardian has specified otherwise, communications between school and home shall use a student's name and the pronoun designated by the student. Staff are encouraged to speak with trans students to confirm name and pronoun to be used when communicating with home.
14. Students have the right to dress in a manner consistent with their gender identity or gender expression. This includes students who may dress in a manner that is not consistent with societal expectations of masculinity/femininity.
15. Schools will reduce or eliminate the practice of segregating students by sex. In situations where students are segregated by sex, trans students will have the option to be included in the group that corresponds to their gender identity.
16. Where possible, students will be permitted to participate in any sex-segregated recreational and competitive athletic activities, in accordance with their gender identity. Due to issues of disclosure and safety, some students may wish to participate in a sex-segregated activity that is not aligned with their gender identity.
17. Trans students shall be provided the same opportunities to participate in physical education as all other students, shall not be asked or required to have physical education outside of the assigned class time, and shall be permitted to participate in any sex-segregated activities in accordance with their gender identity if they so choose.
18. The use of washrooms and change rooms by trans students shall be assessed on a case-by-case basis with the goals of maximizing the student's social integration, ensuring the student's safety and comfort, minimizing stigmatization and providing equal opportunity to participate in physical education classes and sports.
19. Access to washrooms and change rooms that corresponds to the gender identity of a trans student will be considered. Students who desire increased privacy will be provided with a reasonable alternative washroom and/or changing area. Any alternative arrangement will be provided in a way that protects the student's ability to keep their trans status confidential.
  - a. The decision with regard to washroom and change room use shall be made in consultation with the trans student.
  - b. The Board will strive to make available single stall gender-neutral washrooms at all school locations and worksites.
20. Schools will aim to keep trans students at their original school site, unless it is a student's wish to transfer. Should the student wish to transfer, it is not necessary to disclose the student's gender identity and/or gender expression as the reason for transfer.

### **Resolving Conflict**

21. Senior administrative employees shall jointly ensure that all staff know it is their individual and collective responsibility to respond to discriminatory attitude and behaviours.
22. Disputes will be resolved in a manner that involves the trans student and an adult advocate (teacher, service provider, parent/guardian) in the decision-making process to maximize inclusiveness.
23. The District shall consider any violence, threat of violence, or act of aggression, including harassment, discrimination, intimidation and bullying on school premises to be a serious threat to the school environment and to the safety of both students and staff and shall be dealt with in accordance with the school's code of conduct.

**Related Documents:**

- VTRA Checklist and Supporting Documents
- Board Policy 220 - Inquiries and Concerns
- Board Policy 310 - Student Conduct and Discipline
- School Code of Conduct
- Provincial Standards for Codes of Conduct Order – Ministerial Order 276/07

**Definitions:**

**Advocate:** A person who is supportive and knowledgeable of the LGBT2QIA+ community. They believe in the dignity and respect of all people, and are willing to stand up in that role.

**Asexual:** A person who is not sexually attracted to any gender or sex. Asexual people may still be romantically attracted to people of a variety of genders and sexualities and have romantic, non-sexual relationships.

**Bisexual:** A person who is attracted to both women and men not always equally.

**Cisgender:** A person whose gender identity is the same as the sex assigned at birth. This is the gender identity of majority people.

**Cross Dressing:** The term refers most often to male who dress in the clothes of women. The term drag usually refers to dressing in the clothing and styles of another gender for entertainment purposes. The term transvestite was historically used however this term is highly offensive.

**Gay:** A person who is attracted to someone of the same sex and/or gender as themselves. This word can be applied to all genders of relationships, but has primarily been used in reference to men.

**Gender:** A socially constructed concept of identity based on roles, behaviours, activities, and appearance such as masculine, feminine, androgynous, etc.

**Gender expression:** The ways a person presents their sense of gender to others (for example, through clothes, hairstyle, mannerisms, etc.).

**Gender identity:** A person's internal sense of being a man, a woman, genderqueer, non-binary, etc. This is not the same thing as a person's biological sex, and may not be consistent with how they are perceived by others.

**Gender nonconforming:** A term that often refers to a person who express gender in ways that differs from societal expectations of the sex and gender assigned to them at birth. For the purposes of this policy and accompanying regulations gender nonconforming people are included under the term trans.

**Genderqueer:** A person who does not subscribe to conventional gender distinctions but identifies with neither, both, or a combination of male and female genders.

**Heterosexual:** Refers to a man or a woman who is romantically, emotionally or sexually involved with the opposite sex exclusively.

**Heterosexism:** Refers to the assumption that all people are heterosexual and that heterosexuality is superior and more desirable for all people than any other sexual orientation.

**Homophobia:** The fear, ignorance and mistreatment of people who are, or are perceived to be, lesbian, gay or bisexual. This often leads to bias, discrimination, hatred, harassment and violation of the human rights of lesbian, gay or bisexual people. Homophobic bullying can also be targeted against any individual, regardless of perceived sexual orientation.

**Intersex:** Refers to people whose reproductive or sexual anatomy is not easily defined as male or female. There are a variety of ways someone can be intersex, ranging from having ambiguous genitalia to having mixture of XX and XY chromosomes. Intersex individuals have historically been mistreated in North American society (i.e. being forced to have “corrective” genital surgeries as infants). The term Disorders of Sexual Development is being used increasingly amongst medical professionals in reference to intersex conditions, however, this term has not been fully adopted by intersex communities at the time this policy is being written. The word hermaphrodite was historically used to describe intersex individuals, however, this term is considered highly offensive.

**Lesbian:** A woman who is attracted to other women.

**LGBT2QIA+:** An acronym that in this case stands for lesbian, gay, bisexual, trans, Two-Spirit, queer, questioning, intersex, and asexual. There is a wide range of other terms often included in this acronym (often referred to by queer communities as “the alphabet soup”) such as asexual, and this acronym tends to vary depending on the source. The plus sign (+) indicates the inclusion of all sexual and gender identities.

**Non-binary:** A person who does not identify within the male/female binary system.

**Pansexual:** Person who is attracted to people of all gender identities and sexualities.

**Perceived as LGBT2QIA+:** Refers to someone who is treated as if they are LGBT2QIA+ even if they do not identify as such.

**Pronouns:** The words one uses to refer to themselves (e.g. he/him/his; she/her/hers; they/them/theirs; xe, xem, xyr, etc.)

**Queer:** An umbrella term (often used in place of the LGBT2QIA+ acronym) used to describe individuals who identify as being part of sexual and gender diverse communities (e.g. lesbian, gay, transgender). This term has been reclaimed by the LGBT community and is now used positively.

**Questioning:** A person who is in the process of questioning their sexual orientation are often in need of support and understanding during this stage of their identity. They are seeking information and guidance in their self-discovery.

**Sex:** A biological classification based on physical attributes such as sex chromosomes, hormones, internal reproductive structures, and external genitalia. At birth, it is used to identify individuals as male or female. For those whose sex is not easily categorized as male or female see Intersex.

**Sexual Orientation/Sexual Identity:** Refers to a person's attraction towards a particular gender or sex. Someone may identify as lesbian, gay, bisexual, queer, pansexual, etc. It is important to remember that sexual identity and gender identity are separate.

**Trans:** (also Trans, Transgender, Transsexual) An abbreviated umbrella term that can be used to describe people whose gender identity and/or gender expression differs from what they were assigned at birth. Some trans people may choose to medically transition by taking hormones, having surgery. Some trans people may choose to socially transition by changing their name, clothing, hair, etc.

**Transphobia:** Fear, ignorance and mistreatment of people who are, or are perceived to be, trans or gender nonconforming. This often leads to bias, discrimination, hatred, harassment and violation of the human rights of transgender or gender nonconforming people. Transphobic bullying can also be targeted against any individual, regardless of perceived gender expression.

**Transition:** A term most commonly used to refer to someone transitioning from one gender to another. Transition often consists of a change in style of dress, selection of a new name, and a request that people use the correct pronoun when describing them. Transition may, but does not always, include medical care like hormone therapy, counseling, and/or surgery.

**Two-Spirit:** An Aboriginal term describing the embodiment of both masculine and feminine spirits. This identity is not limited to gender expression or sexuality, but encompasses them both while incorporating a spiritual element. It is a stand-alone identity, not an Aboriginal term for gay or lesbian.