

GENDER AND SEXUAL DIVERSITY

Background

The Division is committed to establishing and maintaining a safe, positive, and inclusive environment for all students and employees, including those who self-identify as members of a sexual or gender minority. The Division recognizes and reaffirms its commitment to the anti-discrimination principles and values contained in the Education Act, the Saskatchewan Human Rights Code, the Canadian Human Rights Act, and the Canadian Charter of Rights and Freedoms.

This administrative procedure sets out GSSD's best practices related to gender identity and gender expression. It has been designed to raise awareness and help protect against discrimination and harassment. It is intended that this document will support members of the wider GSSD community fulfill our shared obligation to promote the dignity and equality of those who identify as gender or sexually diverse. While the guidelines will be adhered to in general, it is also recognized that specific accommodations are expected to be fulfilled on **case-by-case basis** and individualized to best meet the needs of a student or employee who is making an accommodation request.

Procedures:

1. Guidelines for Students

All students have the right to openly be, who they are in GSSD schools. This includes expressing gender identity without fear of unwanted consequences, as well as the right to be treated with dignity and respect.

1.1 Individual Procedures

All Good Spirit School Division Staff must consider the needs and concerns of each student on an **individual basis**. An accommodation which works for one student, cannot simply be assumed to be appropriate for another student.

1.2 Safety

Next to the family, schools play one of the most important roles in the lives of students. Recognizing the importance of parental/guardian support, the school counsellor/teacher or administration team should work together with individual students and their parents to ensure that all student's receive the necessary support with respect to sexual orientation or gender status. A

school staff should not disclose an LGBTQ+ student's status unless there is a specific "need to know".

While it is important to respect a student's confidentiality, appropriate action must be taken to ensure that students who might be subjected to abuse upon disclosure of their status or who may be contemplating self-harm receive immediate attention and support. These situations should be referred to a school counsellor or administrator and that person will determine what further steps are necessary to protect the students safety.

1.3 Official Records

The school will change a student's official records to reflect a change in legal name or gender upon receipt of documentation that such legal name or sex has been changed.

1.4 Names/Pronouns

Using a student's 'preferred or chosen name' and a change of gender can be used on class lists, timetables, etc. School staff may need to make manual changes to report cards or other documentation to ensure that the correct name, preferred gender and pronoun appear on these documents. Intentionally addressing a student by the incorrect name or pronoun may be considered a form of discrimination and is not condoned. This directive does apply to the intentional and/or persistent refusal to acknowledge or use a student's gender identity.

1.5 Washroom Access

All students have a right to safe restroom facilities and the Good Spirit School Division Facilities Department will provide an easily accessible "barrier-free" single stall washroom for use by any student or staff member who desires increased privacy, regardless of the underlying reason.

1.6 Sports Activities, Gym Classes, and Change Rooms

Taking the lead from the Saskatchewan High School Athletics Association, school staff must ensure students can exercise their right to participate in gender-segregated sports and physical education (PE) class activities in accordance with each student's gender identity. All students have the right to a safe change-room. All students have the right to an accommodation that best meets the individual student's particular needs. Such accommodations may include, but are not limited to:

- Use of a private area within the public area (a bathroom stall with a door; an area separated by a curtain; Use of a PE instructor's office in the change-room);
- A separate changing schedule in the private area (either utilizing the change room before or after the other students);
- The use of a nearby private area (a nearby washroom).

1.7 Gender Segregation in Other Areas

As a general rule, in any other circumstances where students are separated by gender in school activities (e.g., class discussions, field trips), students shall be permitted to participate in accordance with their gender identity. Activities that may involve the need for housing accommodations in order to address student privacy concerns will be addressed on a **case-by-case basis**. In such circumstances, staff shall make every reasonable effort to provide an accommodation that is acceptable to the student at no additional cost.

2. Guidelines for Staff

2.1 Division Expectations

- All employees will be sensitive to individual discriminatory attitudes and behaviours towards individuals who self-identify, or who have not self-identified, as a part of a sexual or gender minority so that all employees, students, and their families are treated with fairness and respect.
- Positive relationships will be maintained by respecting the right of all individuals to have their own beliefs, provided their actions do not harm or negatively impact the rights of individuals who may not share those beliefs.
- Teaching staff will make accommodations to ensure, as much as it is possible to do so, that students' wishes regarding gender and sexual diversity are followed. This means being aware of and adhering to the 'guidelines for students' procedures above.
- Allegations of discriminatory language or behaviour, will be reported to the teacher/principal in the case of students, and to the immediate supervisor in the case of employees.
- It is expected that staff and students use language and behaviour that does not degrade, label, stereotype, and incite hatred, prejudice, discrimination or harassment towards others on the basis of their real or perceived sexual orientation, lifestyle, gender identification or gender expression.
- Upon the request of students, schools must support the development of a GSA (Gay-Straight Alliance).

2.2 Staff Training

- The Division will provide school counsellors with support and opportunities for training so that they are informed and familiar with expectations pertaining to human rights, discrimination, cultural diversity, and harassment as well as to be sensitive to sexual minority and gender minority students and those with sexual or gender minorities in their families.

- Upon request, the Division will provide support and training opportunities for school staffs and School Community Councils. The training and support will endeavor to develop their knowledge, skills, awareness, and behaviours to identify and eliminate homophobic or transphobic practices and to foster dialogue that creates understanding and respect for diversity.

2.3 Staff Professional Development

GSSD staff are encouraged to challenge gender stereotypes in accordance with GSSD policy and procedures and provincial legislation.

Therefore the Division requires that staff will:

- Adapt and include current learning resources and strategies to provide opportunities for all students and staff to develop positive awareness with respect to human rights, anti-discrimination, cultural diversity, sexual and gender minorities at a grade appropriate level.
- Librarians must acquire fiction and non-fiction books for school libraries that reflect human diversity including LGBTQ+ people.

3. School and Community Relations

- 3.1 The Division will continue to develop partnerships that promote effective participation in the education process by representative organizations and sexual/gender minority communities that are committed to the mission of the Board.
- 3.2 The Division will continue to support the existence of clubs that promote inclusivity.

Legal Reference: Section 85, 87, 109, 141 the Education Act, 1995
 Canadian Charter of Rights and Freedoms (Section 15)
 Canadian Human Rights Act (Section 2)
 Criminal Code of Canada (Sections 318(4) and 718.2)
 Saskatchewan Human Rights Code
 Saskatchewan Teachers' Federation Code of Ethics
 Deepening the Discussion, Saskatchewan Ministry of Education, 2015
 GSSD APs 165 (Safe Schools), 170 (Personal, Discriminatory and Sexual Harassment)