SCHOOL DISTRICT NO. 49 (CENTRAL COAST)

REGULATIO N 3024
Date January 20, 2015

SEXUAL ORIENTATION AND GENDER IDENTITY

Rationale and Context:

Many educators and parents wonder why a policy on Sexual Orientation and Gender Identity is necessary at all. The primary reason is that safer schools facilitate learning and achievement. When certain groups of students are bullied and harassed routinely, chances are that their educational achievement will be compromised. Homophobic bullying is a routine form of bullying that takes place in all schools. Lesbian, gay, transgender, transsexual, two-spirit, bisexual and questioning (LGBTQ) students can routinely be the target of such bullying. Recent research in Canada makes it clear that students of minority sexualities and gender identities are at risk. In BC, for example, research undertaken by the McCreary Centre Society found in 2007 that lesbian, gay, and bisexual youth were more likely than heterosexual counterparts to have:

- Experienced physical and sexual abuse, harassment in school, and discrimination in the community;

- Reported emotional stress, suicidal thoughts, and suicide attempts; and

- Experienced lower levels of protective factors such as family and school connectedness.

Similarly, Canada's first national climate survey on homophobia in Canadian schools, published in 2008 by the Egale Canada Human Rights Trust, found that:

- LGBTQ students are exposed to language that insults their dignity as part of everyday school experience;

- LGBTQ students experience much higher levels of verbal, physical and other forms of harassment than other students;

- many LGBTQ students do not feel safe at school;

- many teachers look the other way when they hear homophobic comments.

(Please refer to the Resources section for links to these reports and other resources.)
A significant point in addition to the findings of these two reports is that homophobia is directed not only to students who happen to identify themselves as lesbian, gay, bisexual, transgender, or queer. Any student, regardless of actual sexuality or gender identity, can be bullied through homophobia.

School boards are responsible for taking appropriate and reasonable measures for enhancing safety for all students and must minimize particular ways that many students feel unsafe. Homophobia is one of those ways. This regulation is a step forward towards enhancing safety for all students so that they can learn in safer environments.

In School District No. 49 (Central Coast), students, parents, staff, and teachers represent a wide spectrum of social diversity. As a school district, we strive to enhance respect for diversity in all forms, in accordance with the district's social responsibility obligations.

This regulation is in accord with the inclusion of sexual orientation as a recognized category of human rights in national and provincial policies such as the Canadian Charter of Rights and Freedoms, the Canadian Human Rights Act, the British Columbia Human Rights Code.

In addition, this policy is supported by the Safe, Caring and Orderly Schools mandate of the British Columbia Ministry of Education which states that:

British Columbia schools are striving to develop positive, welcoming school cultures and are committed to fostering optimal environments for learning. Members of these school communities
share a commitment to maintaining safe, caring and orderly schools. They are striving to work together to better understand issues such as bullying, intimidation and harassment, racism, sexism and homophobia, and to learn new skills to respond to them.

Combined with School District No. 49 (Central Coast) Collective Agreements that support equity for Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) people in the school district, our goal is to build a welcoming, inclusive, and affirming school community for LGBTQ individuals and families.

The Board of Education (the "Board") recognizes that, in general, LGBTQ individuals and families are often subject to marginalization and discrimination in society and schools. Homophobic slurs and negative comments such as "That's so gay" are common at the expense of LGBTQ individuals in schools.

The Board recognizes that such problems need to be addressed to enhance safety for all in our schools. Therefore, this Regulation, under Policy 3000, has been drafted and adopted.

General Statement of Intent

The Board will promote a safe environment, free from harassment and discrimination, and pro-active strategies and guidelines to ensure that lesbian, gay, transgender, transsexual, two-spirit, bisexual and questioning (LGBTQ) students, employees and families are welcomed, included, and affirmed in all aspects of education and school life and treated with respect and dignity.

The purpose of this regulation is to:
☒ define appropriate behaviours and actions in order to prevent discrimination and harassment through greater awareness of, and responsiveness to, their deleterious effects;

☒ ensure that complaints about homophobia are taken seriously and dealt with expeditiously and effectively through consistently applied policy and procedures; and

☒ develop, promote, and implement respectful, pro-active strategies and guidelines to ensure that LGBTQ members of the education community, and their families, are welcomed in, and included in all aspects of education and school life, and are treated with respect and dignity.

Safety

1. Homophobic and gender-based comments, discrimination, and bullying are demeaning to all students, students' parents or guardians, and employees regardless of their actual or perceived sexual orientation. These forms of harassment and discrimination are prohibited under the B.C. Human Rights Code.

2. Any language or behaviour that deliberately degrades, denigrates, incites hatred, prejudice, discrimination, or harassment towards students or employees on the basis of their real or perceived sexual orientation or perceived gender identification will not be tolerated. Schools shall include the prohibition of such language and behaviour in their student codes of conduct.

3. All employees have an obligation to intervene in any interaction involving the use of homophobic epithets and slurs, and behaviours regardless of the speaker's intentions, and to convey that such comments are against Board policy and will not be tolerated in the educational community.

Belief Statements

School District No. 49 (Central Coast) accepts the responsibility to create safe and caring environments and believes that:

1. the district is responsible for ensuring that school cultures are safe, welcoming, inclusive, and affirming for LGBTQ individuals;

2. the role of educators in the district is critical in creating positive societal change to address the difficulties that LGBTQ individuals often face in schools;

3. LGBTQ students and same-gender parented families have a right to be recognized and affirmed by school personnel, and have equal access to services as do opposite-gender parented families;

4. LGBTQ students, staff and same gender-parented families have the right to:

- be free from harassment, discrimination and violence;
- be treated fairly, equitably and with dignity;
- self identification and freedom of expression;
- be included and to be represented and affirmed in a positive and respectful manner;
- have avenues of recourse (without fear of reprisal) available to them when they are victims of harassment, discrimination and violence;
- have their families and communities valued and affirmed;

5. a role of education is to prepare young people to work and live in open, pluralistic and democratic societies, free of discrimination or violence based on sexual orientation and gender identity;

6. equity through education will foster principles of inclusion and affirm the identities of LGBTQ individuals and families and eliminate homophobia and heterosexism as they operate in the school system and school culture;

7. the initiation of comprehensive anti-homophobia initiatives support equity for LGBTQ students and educate our staff and community about homophobic language and bullying.

Leadership

1. As leaders of School District No. 49 (Central Coast), the Board and senior management shall jointly ensure that all staff know it is their individual and collective responsibility to identify individual discriminatory attitudes and behaviours, as well as work to eliminate the systemic inequities and barriers to learning for students who identify themselves on the basis of sexual orientation or gender identity and demonstrate accountability for the removal of these inequities and barriers so that all students are treated with fairness and respect.

2. All administrators, teachers, counsellors, and staff and student leaders will model respect for LGBTQ students and families.

Student Counselling and Support

1. School District No. 49 (Central Coast) is committed to maintaining a safe learning and working environment which actively provides counselling and support to students who identify themselves on the basis of sexual orientation or gender identity. All counsellors employed by or providing services to the district shall be educated in the knowledge and skills required to deal with LGBTQ issues with students. Counsellors will be informed about policies in respect of human rights, homophobia, hate literature, discrimination and harassment; and will have the primary responsibility for ensuring that all staff are informed and familiar with the contents of this regulation.

2. Recognizing that counsellors are often the first point of contact for students seeking emotional support, counsellors will be specially trained to be sensitive to LGBTQ students as well as students with LGBTQ family members.

3. Schools are encouraged to appoint a minimum of two members of staff to be safe contacts for students who identify themselves on the basis of sexual

orientation or gender identity. School administrators will inform students and other staff about the location and availability of this contact person.

Staff Education

The Board believes that:

• trustees, management and staff have a responsibility for the addressing of homophobia and heterosexism in the working and learning environment;

• teachers must be supported when they include positive images and accurate information about history and culture which reflects the accomplishments and contributions of LGBTQ individuals;

• trustees, management and staff must facilitate safer school environments for LGBTQ staff, students and parents, and those who are perceived to be so, by:

- acknowledging that an acceptance of diversity is the starting point of respect;
- treating everyone with respect;
- using language that affirms all sexuality identities and not using disparaging remarks or language that demeans LGBTQ identities and families;
- challenging staff, students and parents who behave in prejudicial ways towards LGBTQ individuals;
- encouraging teachers to sponsor and support LBGTQ positive initiatives such as Gay Straight Alliances or Diversity Clubs;
- supporting the right of LGBTQ students to counselling that is supportive, affirming and free from efforts on the part of counsellors to try to change

their sexual orientation and/or identity through the use of or the referral to aversion, reparative, or conversion therapies.

Employment Equity

1. The Board believes in equitable treatment for all individuals regardless of race, colour, ancestry, ethnic origin, religion, socio-economic status, gender, sexual orientation, gender identity, physical or mental ability, or political beliefs. The letter and spirit of the Canadian Charter of Rights and Freedoms, the B.C. Human Rights Acts and the Board's Collective Agreements shall be carefully observed, enforced, and supported, so that all members of the educational school community may work together in an atmosphere of respect and acceptance of individual differences.

2. The Board will ensure the confidentiality of employees who are lesbian, gay, bisexual, transgender, or transitioning to another gender and will give them the support they require to do their work in a safe and respectful environment.

Complaint Process

☒ The Board will develop district-wide procedures, through which complaints, whether individual or group based, will be effectively resolved.

☒ The complaint process shall be communicated to all schools, partner groups, and contracted services and district administration is responsible to ensure that all employees and contract providers are aware of the process.

School-Community Involvement

The Board is committed to ongoing, constructive and open dialogue with LGBTQ individuals and others who identify themselves on the basis of sexual orientation or gender identity.

The Board will support community partnerships that would enhance the Board's commitment to LGBTQ students, staff, teachers, and parents.

The Board will encourage parent advisory councils to acknowledge and support the diversity of our school community. The Board will acknowledge through its communication to students, staff, and the community that some children live in LGBTQ-headed families and need to be positively recognized and included as such. Parent Advisory Councils and students will be encouraged to engage in dialogue with openly identified LGBTQ youth and their organizations.

Definitions

Bisexual: people who have a bisexual orientation can experience sexual, emotional, and affectional attraction to both their own sex and the opposite sex. It also refers to an individual's sense of personal and social identity based on those attractions and the behaviours expressing them. It is one of the three main classifications of sexual orientation, along with a heterosexual and a homosexual orientation.

Discrimination: means the subordination of groups or individuals resulting from a distinction, preference or exclusion based on the grounds of race, religion, colour, ethnicity, place of origin, language, age, disability, socio-economic status, gender identity, gender expression, sexual orientation, sex, or any other difference. It includes harassment, any negative or adverse conduct, comment, gesture or contact, and systemic barriers based on the above grounds. This conduct is harmful and can create a working or learning environment that is intimidating, humiliating, uncomfortable or non-conducive to growth. It includes any behaviour that is known, or reasonably should be known, to be offensive.

Educational Community: includes all those who work, learn, or attend any School District No. 49 (Central Coast) schools, alternative educational settings and facilities, worksites, or any other district facility, and includes ancillary sites such as school buses, district meeting settings, etc.

Gay: a person who is emotionally/romantically and physically attracted to persons of the same sex. Gay usually refers to males, but it is also used to include females. Gay can be used interchangeably with homosexual. Gay is most often the term preferred by the LGBTQ communities when referring to homosexual males.

Gender Identity: characteristics linked to an individual's intrinsic sense of self as a man or as a woman, which may not be the same identity as one's biological sex.

Homophobia: the fear, and/or hatred, and/or repulsion of homosexuality and gender variance in oneself or in others, often exhibited by self-hatred, prejudice, discrimination, bullying or acts of violence. Homophobia is typically directed towards those who are openly LGBTQ or are perceived as such through gender cues that are not in accordance with societal norms about masculinity and femininity.

Heterosexism: the assumption that everyone is or should be heterosexual and that heterosexuality is superior. Heterosexism can exist on a personal, interpersonal, institutional or cultural level.

Intersex: individuals who are born as "hermaphrodites," now an outdated term. Intersex is a general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn't seem to fit the typical definitions of female or male. Though intersex is referred to as an inborn condition, intersex anatomy doesn't always show up at birth. Sometimes a person isn't found to have intersex anatomy until she or he reaches the age of puberty, or finds himself an infertile adult, or dies of old age and is autopsied. Some people live and die with intersex anatomy without anyone (including themselves) ever knowing. A significant issue is the practice of some parents and physicians deciding which sex is desired and then making a decision in favour of "normalizing" surgery at or near birth.
Lesbian: a female who is emotionally/romantically and physically attracted to other females. Lesbian is usually the term preferred by the LGBTQ communities when referring to homosexual females.

LGBTTTIQQ or **LGBT, LGBTQ, LGBTTQ, LGBTQQ – and other variations**: acronym used to refer inclusively to a wide group of individuals and incorporates lesbian, gay, bisexual, transgender, transsexual, two-spirit, intersex, queer, or questioning persons. For ease of reference in this policy the acronym LGBTQ has been adopted, but it is intended to be widely inclusive.

Queer: a term used derisively to humiliate and demean LBGTQ individuals and groups. It is generally not viewed as an appropriate term for use outside, or in a manner directed towards, the LGBTQ community because of the potential of its use in a contemptuous manner or with such intent, despite the fact that some students may identify themselves as "queer" in a positive way.

Questioning: adults and youth who are not personally certain about their own sexual identity or orientation and may be exploring, publicly or privately, their feelings in this area.

Sexual Orientation: the emotional/romantic and physical attraction felt by an individual towards members of the same sex, the other sex or either sex. Actual sexuality is a private affair; however, expressions of sexuality (such as holding hands with one's romantic partner and putting a picture of her or him on one's desk) are public displays of sexual orientation. The public realm overwhelmingly privileges straight couples but lesbian or gay ones are often the target of stares, verbal violence, and sometimes physical violence.

Sexual Orientation Identities: Lesbian, Gay, Straight, Bisexual and questioning, are ways that people identify themselves insofar as their romantic partnerships and family diversities are concerned.

Transgender: a person whose gender identity (feeling of being either boy or man, girl or woman) does not match their physical/anatomical sex (male or female) and the gender roles assigned by mainstream society. Some describe it as being born into the wrong body. Increasingly, many transgender people refer to themselves as "trans."

Transsexual: an individual who presents himself/herself and lives in the gender "opposite" to his/her genetic/physical gender at birth. A transsexual is someone who feels psychologically like the other sex and has somehow been trapped in the wrong body. Transsexuals may be heterosexual, bisexual or homosexual in their sexual orientation. Some transsexuals may undergo operations and hormone therapy in order to make their body fit what they feel is their true gender. These individuals are sometimes known as female- to-male, FTM, transmen or male-to-female, MTF, transwomen.

Two-Spirit: is a term used by some indigenous people to describe themselves in a way that reflects their cultural construct of sex/gender/sexuality. Many of the languages of indigenous nations of North America include specific terms for gender and sexual diversity; some indigenous people may use both the general term Two-Spirit and the culturally specific term from their own language to describe themselves.

Resources

Alberta Teachers' Association (Sexual orientation and gender identity): http://www.teachers.ab.ca/Issues%20In%20Education/Diversity%20and%20Human%20Rights/Sexual%20Orientation/Pages/Index.aspx

Egale (Safe Schools Campaign + First National Climate Survey on Homophobia in Canadian Schools): http://climatesurvey.ca/report/2009.03.25%20-%20FINAL%20-%20LOWRES.pdf

Gay and Lesbian Educators of BC (GALE BC) http://www.galebc.org/

Gay, Lesbian, and Straight Education Network (GLSEN): http://www.glsen.org/cgi-bin/iowa/all/home/index.html

Gay Straight Alliance (GSA) Network. http://www.gsanetwork.org/

Institute for Sexual Minority Studies and Services (ISMSS): http://www.ismss.ualberta.ca/

Jer's Vision.org: Canada's youth diversity initiative: http://www.jersvision.org/en/overview/jerdias.php

Matthew Shepard Foundation: http://www.matthewshepard.org/site/PageServer

McCreary Centre Society. Download their report, Not yet equal: The health of lesbian, gay and bisexual youth in BC from: http://www.mcs.bc.ca/node/14

Realizing the promise of diversity: Ontario's equity and inclusive education strategy. http://www.edu.gov.on.ca/eng/policyfunding/equity.pdf

Shaping a Culture of Respect in Our Schools: Promoting Safe and Healthy Relationships. Report downloadable from: http://www.edu.gov.on.ca/eng/safeschools/publications.html

Toronto District School Board equity resources: Anti-homophobia and sexual orientation equity. Downloadable from: http://www.tdsb.on.ca/_site/ViewItem.asp?siteid=15&menuid=5018&pageid=4377

The Trevor Project: http://www.thetrevorproject.org/film.aspx

Triangle Program (Canada's only classroom for LGBTQ youth): http://triangleprogram.ca/