
SEXUAL ORIENTATION/GENDER IDENTITY

Background

The District is committed to ensuring a safe, inclusive, equitable, and welcoming environment for all members of the school community, regardless of real or perceived sexual orientations, gender identities, and gender expressions.

The term “sexual orientation and gender identity” (SOGI) is an inclusive term that encompasses all individuals regardless of where they identify on the sexual orientation, or gender identity spectrums, including identities like lesbian, gay, bisexual, transgender, Two-Spirit, queer, intersex, cisgender, and asexual. The term SOGI will be used in this Administrative Procedure inclusive of all sexual orientations and gender identities.

The District believes that all students, staff, and families have the right to have:

- Their SOGI confidentiality protected and respected.
- Self-identification and determination.
- Their unique identities, families, cultures, and communities included, represented, valued, and respected within all aspects of the school environment.

This Sexual Orientation/Gender Identity Administrative Procedure is a guideline to ensure that all programs, activities, and actions are free from harassment and discrimination based on real or perceived sexual orientation or gender identity. The purpose of this Administrative Procedure is to define appropriate behaviours and actions to prevent discrimination and harassment through greater awareness of, and responsiveness to their harmful effects. This Administrative Procedure shares best practices for creating more inclusive environments for all students and improves understanding of the lives of people who identify themselves based on sexual orientation, gender identity, and/or gender expression.

Definitions

Language is always evolving, and different people prefer different terms. Respectful and inclusive language honors the right of individuals to name, define, and describe themselves.

Ally: A person who is supportive and knowledgeable of the LGBTQ2S+ 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. Asexuality can be considered a spectrum, with some asexual people experiencing desire for varying types of intimacy.

Bisexual: A person who is attracted to both women and men. A bisexual person may experience stronger attraction to one gender while still having feelings for another; this ratio of attraction may vary over time.

Cisgender: A person whose gender identity is the same as the biological sex assigned at birth.

Coming Out: A phrase that refers to the process of becoming aware of one's queer sexual orientation, one's Two Spirit, or trans* identity, accepting it, and telling others about it. This is an ongoing process that may not include everybody in all aspects of one's life. Coming out usually occurs in stages and is a non-linear process.

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 Attribution: The process of making assumptions about another person's gender, based on factors such as choice of dress, voice modulation, body shape, etc.

Gender Expression: The ways a person presents their sense of gender to others (for example, through clothes, hairstyle, voice modulation, mannerisms, etc.). How one expresses gender might not necessarily reflect one's actual gender identity.

Gender Identity: A person's internal sense of being male, female, both, in between, or neither. 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 expresses gender in ways that differ from societal expectations of the sex and gender assigned to them at birth.

Gender Roles: The socially constructed and culturally specific behaviours such as communication styles, careers, family roles, and more, imposed on people based on their biological sex assigned at birth. Gender interpretations and expectations vary widely among cultures and often change over time.

Heteronormative: Refers to social roles and social structures that reinforce the idea that heterosexuality is the presumed norm and is superior to other sexual orientations.

Heterosexual: A person who primarily feels physically and emotionally attracted to people of the "opposite" gender.

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: A person 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.

Lesbian: A woman who is primarily physically and emotionally 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, 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.

Pangender: A person who identifies or expresses the many shades of gender. Multi-gender and omnigender are other terms that may be used.

Pansexual: A 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 and gender identity.

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, female, or intersex.

Sexual Orientation: Refers to a person's attraction towards a particular gender or sex. Sexual orientation is defined by feelings of attraction rather than behaviour.

SOGI: an inclusive term that encompasses all individuals regardless of where they identify on the sexual orientation or gender identity spectrums, including identities like lesbian, gay, bisexual, transgender, Two-Spirit, queer, intersex, cisgender, and asexual.

Transgender: Transgender, often abbreviated to *trans* or *trans** (the asterisk is intended to actively include non-binary and/or non-static gender identities such as gender queer or gender fluid), is an 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 and/or 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, counselling, and/or surgery.

Two-Spirit: An Indigenous term describing people with diverse gender identities, gender expressions, gender roles, and sexual orientations. Two-Spirited people are viewed differently in different Indigenous communities.

Procedures

1. Safe and Caring Schools

- 1.1. The District expects that all individuals, adults, and students will treat each other with respect and courtesy, and conduct themselves in a manner that will promote safety and security for all within District Schools and Programs. Fundamental to maintaining schools that cultivate excellent conduct is the adherence of individuals to the principles which foster a caring, nurturing, and compassionate community (**Administrative Procedure 350 (Student Conduct)**). Administrative Procedure 176 (Sexual Orientation/Gender Identity) operates in conjunction with **Administrative Procedure 350 (Student Conduct)** and other procedures and practices to create the building blocks for safe, caring, and orderly schools.

2. Safety/Anti-Harassment

- 2.1. The District will strive to prevent and provide effective proactive and reactive measures that ensure students and staff are protected from bullying, discrimination, harassment, and violence based on their sexual orientation and gender identity or expression.

3. Codes of Conduct

- 3.1. By valuing diversity and respecting differences, students and staff act in accordance with the Schools' Codes of Conduct. Although no two schools are identical and may have their own set of rules and conduct codes, each School's Code of Conduct meets the *Provincial*

Standards for Codes of Conduct Order (Ministerial Order 267/07) and includes a reference to section 7 and 8 of the Human Rights Code, RSBC 1996, c. 210:

Students shall not discriminate against others on the basis of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or class of persons, or for any other reason set out in the Human Rights Code of British Columbia, nor shall a student publish or display anything that would indicate an intention to discriminate against another, or expose them to contempt or ridicule, on the basis of any such grounds.

4. Educator Training

- 4.1. Staff will be supported by designated staff members who are educated in the knowledge and skills required to provide training related to SOGI and LGBTQ2S+ issues. These staff members alongside other resources and training will provide staff with learning opportunities to develop a broader understanding of SOGI and the impact on students. Training will allow staff to appropriately deliver the curriculum, handle discrimination, and support individual needs.

5. Student Support

- 5.1. School counsellors are often the first point of contact for students seeking emotional support and will be trained in culturally safe responses to LGBTQ2S+ students and students with LGBTQ2S+ family members.

6. Best Practices

6.1. Consultation

School staff are encouraged to consult with designated District staff member(s) to review best practices for supporting diverse sexual orientations, gender identities, and gender expressions.

6.2. Confidentiality and Privacy

Staff will respect confidentiality and privacy and not expose sexual orientation, gender identity, and/or gender expression of students.

- 6.2.1. A student's transgender 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 authorization has been granted.
- 6.2.2. In situations where school staff or administrators are required by law to use or to report a transgender student's legal name or sex, such as for purposes of data collection, school staff and administrators will adopt practices to avoid the inadvertent disclosure of such information.
- 6.2.3. 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.

6.3. Self-identification

6.3.1. A student will be addressed using the name by which they deem appropriate for their gender identity and will be addressed and the use of pronouns that correspond to their gender identity.

6.3.1.1. Every student has a right to be addressed by a name and the pronouns that correspond to their gender identity. A court-ordered name or gender change is not required, and the student does not need to change their official records.

6.3.1.2. A student who is transitioning at school will likely indicate their name and pronouns. Students must be addressed by the pronoun that reflects their gender identity regardless of their gender expression.

6.3.1.3. If a student's gender identity is blended or fluid or neither, the student may request to be referred with a gender-neutral pronoun such as they/them/theirs. Once a student declares their pronouns, they must be respected to ensure the student's sense of well-being and security.

6.4. Official Records and Student Information

6.4.1. Whenever possible and permitted by law, requests made by a student, or the parent, to change the student's official record to reflect their usual name and/or gender identity will be accommodated. Schools are required by law to maintain a mandatory permanent record card which includes each students' legal name and legal sex yet have a great deal of latitude in how they handle student records in the day-to-day operations of the school.

6.4.2. Whenever possible, at the request of a student or of a students' parent(s), the student's preferred name and their pronouns will be included on class lists, timetables, student files, identification cards, etc.

6.4.3. In situations where school staff or administrators are required by law to use or to report a transgender student's legal name or assigned sex, such as for the purposes of standardized testing, school staff and administrators will adopt practices to avoid inadvertent disclosure of such confidential information.

6.5. Dress

6.5.1. 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. Dress codes are to be as inclusive as possible, which may include removing pronouns.

6.6. Gender-Segregated Activities

6.6.1. School staffs will focus on integrated and inclusive activities. Where gender segregated activities continue to exist, students will have the option to be included

in the group that corresponds to their gender identity, or in the case of gender non-conforming students, the group they would like to participate in.

6.7. Access to Physical Education and Sports

- 6.7.1. Where possible, students will be permitted to participate in any gender-segregated recreational and competitive athletic activity, in accordance with their gender identity. Due to issues of disclosure and safety, some students may wish to participate in a gender-segregated activity that is not aligned with their gender identity.
- 6.7.2. If a student's gender identity is blended or fluid or neither, the student may participate in the gender-segregated activity with which they feel most comfortable.
- 6.7.3. 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 gender segregated activity in accordance with their gender identity if they so choose.

6.8. Washroom and Change Room Accessibility

- 6.8.1. Students have the right to use the washrooms and change rooms that match their gender identify.
- 6.8.2. 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.
- 6.8.3. The decision regarding washroom and change room use shall be made in consultation with the student and/or parents depending on age. Discussions are to be based on 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.
- 6.8.4. The District will strive to make available single stall all-gender washrooms at all school locations and worksites.

7. Inclusive Extra-Curricular Activities

- 7.1. Students will be included and accommodated for all extra-curricular activities regardless of their sexual orientation or gender identity/gender expression, including support to set up a Gay-Straight Alliance (GSA). Staff sponsors must be conscious of student privacy and confidentiality in ensuring that membership in inclusive extra-curricular activities, such as GSAs, is not shared or publicized for any purpose without the permission of each student.

8. Overnight Field Trips

- 8.1. Plans for overnight school-based activities must provide accommodation for each student in a room where they will feel safe and accepted. Protecting the privacy and safety of trans* and gender nonconforming students must be addressed in the planning process. Discussions are to be based on the goals of maximizing the student's social integration, ensuring the student's safety and comfort, and minimizing stigmatization.

Reference: Sections 20, 22, 65, 85, 177 *School Act*
BC Human Rights Code
Workers' Compensation Act
Occupational Health and Safety Regulation
Ministerial Order 276/07 Provincial Standards for Codes of Conduct Order

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