

Administrative Procedure 324

INCLUSIVE COMMUNITIES: ACCOMMODATING AND RESPECTING GENDER IDENTITY AND EXPRESSION

Background

Consistent with its mission and vision, the Board of Trustees of Lakeland Roman Catholic Separate School Division No. 150 (“Board”) is committed to a safe, caring, respectful, inclusive and welcoming learning and teaching environment for all staff and students in accordance with Board Policy 1 – Division Mission, Mandate, Values, Beliefs and Operating Principles.

To ensure that all members of the Division’s school communities work together in an atmosphere of respect for the dignity of all persons, this Administrative Procedure is adopted to ensure that each student and staff member is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.

The Board will not tolerate harassment, bullying, intimidation or discrimination of students or staff as provided for in the *Alberta Human Rights Act* or the *Canadian Charter of Rights and Freedoms* which includes discrimination on the basis of an individual’s actual or perceived differences, including sexual orientation, gender identity and gender expression.

To achieve this goal, the Board requires that its schools and staff and students promote a welcoming, caring, respectful, safe learning environment that respects diversity and fosters a sense of belonging in accordance with the rights of staff and students under the following legislation and as reflected in Division procedures:

- Canadian Charter of Rights and Freedoms.
- Alberta Human Rights Act.
- Alberta Bill of Rights.
- School Act.
- An Act to Support Gay-Straight Alliances
- Administrative Procedure 160 – Positive School Climate
- Administrative Procedure 170 – Harassment
- Administrative Procedure 323 – Student Code of Conduct
- Administrative Procedure 151 – Channels of Communication
- Administrative Procedure 390 – Student Appeal.

Rationale

1. This Administrative Procedure has been developed to:
 - (a) support and affirm the dignity of all students in every aspect of school life;

- (b) prove the understanding of the lives of all students and find ways to increase respect for the dignity of each other in ways appropriate to the Catholic school setting;
 - (c) provide training consistent with the Catholic faith for all teachers and other staff that promotes a welcoming, caring, respectful and safe learning environment that respect diversity and fosters a sense of belonging including with respect to gender identity and gender expression;
 - (d) provide resources consistent with Catholic teaching on social relationships and to support students who require assistance as a result of their gender identity or gender expression. As St. Paul reminds us, “For in Christ Jesus, you are all children of God, through faith. There is neither Jew nor Greek, neither slave nor free, there is neither male nor female; for you are all one in Christ.” (Galatians 3:27-28); and
 - (e) outline the Board’s responsibilities under Section 16.1 of the *School Act*.
2. Given that all students are created in the divine image and likeness of God, and are therefore endowed with an inalienable worth that cannot be violated, circumstances involving gender identity or gender expression, as they affect a student, are to be addressed with a high degree of sensitivity, respect, and inclusion, and where required, expertise and support (in the context of the school’s resources).
 3. The goal of any reasonable accommodation made by a school in this area is to afford dignity and success in learning for a student who has advised the school of their gender identity or gender expression needs.
 4. With this context and based on available school resources, staff are committed to creating a student learning environment that is inclusive, flexible and responsive to the student’s needs. To this end, staff may:
 - (a) take into consideration a continuum of supports and services in the context of a reasonable accommodation; and
 - (b) collaborate with families and, if permissible, community support services for accommodation purposes.

Principles

1. Students at all grade levels may need support and guidance with respect to their gender identity or gender expression.
2. A teacher or administrator who is approached with a request for assistance, support or an accommodation must respond in a timely manner with sensitivity, respect, and understanding mercy and compassion.

3. Since all students have been created in the divine image and likeness of God, and are therefore endowed with an inalienable worth that cannot be violated, circumstances involving issues with gender identity or gender expression as it affects a student shall:
 - (a) be addressed with fairness, sensitivity, respect and inclusion;
 - (b) be addressed in a positive manner by all school personnel;
 - (c) be addressed in a manner where students have reasonable resources available to them without fear of reprisal, when they are victims of harassment, prejudice, discrimination, intimidation, bullying and/or violence;
 - (d) protect student confidentiality (subject to circumstances which require disclosure of personal information in accordance with the *Freedom of Information and Protection of Privacy Act*).

4. The goal of a reasonable accommodation in this area is to afford dignity and success in learning for a student who has gender identity or gender expression needs. To this end, based on available resources, staff may collaborate with families and, with the student and/or family's permission, community support services to reasonably address student needs and take into consideration a continuum of available reasonable supports and services.

Procedures

1. These accommodation guidelines explain the Division's best practices related to support and accommodation based on gender identity and gender expression.
2. Schools will provide opportunities for staff to increase their knowledge, awareness, skills and attitudes in promoting respect for human rights, respecting diversity and understanding issues related to gender identity and gender expression in relation to the Catholic faith as well as the greater society.
3. The Division shall provide support for student organizations in accordance with Section 16.1 of the School Act. Specifically:
 - (a) If one or more students attending a school operated by a board request a staff member employed by the board for support to establish a voluntary student organization, or to lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall:

- i. immediately grant permission for the establishment of the student organization or the holding of the activity at the school, and
 - ii. subject to subsection (d), within a reasonable time from the date the principal receives the request designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity.
 - (b) For the purposes of this procedure, an organization or activity includes an organization or activity that promotes equality and non-discrimination with respect to, without limitation, race, religious belief, colour, gender, gender identity, gender expression, physical disability, mental disability, family status or sexual orientation, including but not limited to organizations such as gay-straight alliances, diversity clubs, anti-racism clubs and anti-bullying clubs.
 - (c) The students may select a respectful and inclusive name for the organization or activity, including the name “gay-straight alliance” or “queer-straight alliance”, after consulting with the principal.
 - i. For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer-straight alliance”.
 - (d) The principal shall immediately inform the board and the Minister if no staff member is available to serve as a staff liaison referred to in 3(a), and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school.
4. The principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in section 3 is limited to the fact of the establishment of the organization or the holding of the activity. As with all extra-curricular offering, parents are invited to converse with the school regarding the intention of the student organization or activity.
5. Student privacy and confidentiality of personal information will be protected and only disclosed when required in accordance with the *Alberta Freedom of Information and Protection of Privacy Act*.
6. Athletic eligibility for all students participating in school sports is determined by the Alberta Schools’ Athletic Association (ASAA) and local division athletic associations. Eligibility at secondary level reflects criteria of these associations to ensure consistency and alignment. For intramurals, the Principal will determine best practice and rationale for all individuals involved. Based on specific student circumstances, educators address additional needs in consultation with the Principal and Division leadership.

7. Schools may choose to offer gender specific courses (i.e. physical education). The Principal will determine the best practice and rationale for all individuals involved.
8. Schools maintain dress codes that provide students with positive guidelines for appropriate dress in an educational setting and the context of a Catholic school environment. These dress codes should be flexible enough, and worded such, that all people feel comfortable in school environments.
9. The Division shall allow for Student Records to reflect the preferred name of the student including on report cards, class lists and IPPs without the need for documented proof of change in sex or gender or a medical diagnosis. However, a legal name change, as registered under the *Vital Statistics Act* is required if the student desires their official Alberta Education documents to reflect their preferred name.
10. Overnight field trips are planned to accommodate individual needs, protecting the privacy and confidentiality of students, and allowing students to participate without the requirement to disclose personal information. The Principal, in consultation with the student and family, determines the best practice and rationale for all individuals involved.
11. Each school is encouraged to designate gender neutral single stall washrooms available for all students as a washroom and change room. This supports students with their gender identity and expression, body image concerns, or request for additional privacy for any reason.
12. The Division will establish a code of conduct for students that addresses bullying behavior.

Nothing in this Administrative Procedure is to be interpreted so as to limit or be a waiver of the Lakeland Catholic School Board's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools. If any of the provisions in this Administrative Procedure conflict with the Lakeland Catholic School Board's rights and powers pursuant to the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools, the Lakeland Catholic School Board's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools will govern.

Reference:

Canadian Charter of Rights and Freedoms
 Alberta Human Rights Act
 Alberta Bill of Rights
 School Act
 Administrative Procedure 160 – Positive School Climate
 Administrative Procedure 170 – Harassment
 Administrative Procedure 323 – Student Code of Conduct
 Administrative Procedure 151 – Channels of Communication
 Administrative Procedure 390 – Student Appeal
 Greater St. Albert R.C.S.S.D. No. 734 – Administrative Procedure 360 LIFE Framework (CCSSA)
 Inclusive Communities (CCSSA)