

CODE: HFA.BP**EFFECTIVE DATE:** (29-11-2011)**TOPIC:** Sexual Orientation, Gender Identity and Gender Expression**ISSUE DATE:** (18-06-2024)**REVIEW YEAR:** (2031)

PURPOSE

To articulate the Board of Trustees' (the Board) commitment to support all sexually diverse and/or gender diverse students, staff and families.

To reflect the Board's mandated responsibility and expectation for providing a welcoming, inclusive, safe and healthy learning and working environment that respects diversity and supports a sense of belonging throughout the Division.

DEFINITIONS

Cisgender is a term used to describe a person whose gender identity aligns with their sex assigned at birth.

Cisnormativity refers to an implicit cultural or social framework that assumes all individuals are either cisgender male or cisgender female. This assumption contributes to the marginalization of gender diverse people (i.e., people who do not identify as cisgender).

Discrimination is negative differential treatment of a person or group on the basis of race, religious beliefs, ethnicity, language, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender identity and/or gender expression or sexual orientation (This definition applies to this policy and does not supercede the definition of discrimination as set out in other Board policies, administrative regulations or procedures).

Gender Expression, as defined by the Alberta Human Rights Commission, refers to the varied ways a person expresses their gender. This can include a combination of dress, demeanour, social behaviour and other factors.

Gender Identity, as defined by the Alberta Human Rights Commission, refers to a person's internal, individual experience of gender, which may or may not align with the sex assigned to them at birth. For example, the Alberta Human Rights Commission explains that a person may identify as being a woman, a man, two-spirit, transgender, non-binary, gender non-conforming, intersex or another gender. Gender identity is different from sexual orientation.

Heteronormativity refers to an implicit cultural or social framework that assumes all individuals are heterosexual. This assumption contributes to the marginalization of sexually diverse people (i.e., people who do not identify as heterosexual).

Heterosexual is a term used to describe a person who feels physically and emotionally attracted to someone who is considered to be the opposite gender identity.

Perceived Gender Expression refers to the ways in which someone may interpret another person's gender expression. (An example of this term may include interpreting gender expression based on the style of clothing a person wears.)

Perceived Gender Identity refers to the ways in which someone may interpret another person's internal, individual experience of gender. This interpretation may be made based on someone's outward expression of self. (An example of this term may include interpreting gender identity based on someone's choice to wear makeup.)

Perceived Sexual Orientation refers to the ways in which someone may interpret another person's physical, emotional or romantic attraction to others. (An example of this term may include an assumption that everyone is attracted to individuals of the opposite gender identity.)

Sexual Orientation, as defined by the Alberta Human Rights Commission, refers to a person's physical, emotional or romantic attraction to others. A person may be heterosexual, lesbian, gay, bisexual, pansexual, asexual, queer or any other sexual orientation.

POLICY

The Board is committed to establishing and maintaining a safe, inclusive, equitable and welcoming learning and teaching environment for all members of the school community. This includes students, staff and families who identify or are perceived as sexually diverse and/or gender diverse. The Board expects all members of this diverse community to be welcomed, respected, accepted and supported in every Division working and learning environment.

All members of the school community have the right to learn and work in an environment free of discrimination, prejudice and harassment. This right is guaranteed under the *Canadian Charter of Rights and Freedoms*, *Alberta Human Rights Act* and *Education Act*. These rights will be supported, and enforced, so that all members of the school community may work together in an atmosphere of mutual respect and appreciation for individual differences. The Board strives to create learning and working environments that are free of harassment, bullying, intimidation or discrimination on the basis of a person's actual or perceived sexual orientation, gender identity and/or gender expression.

The Board affirms their commitment to the protection of rights, as provided for in the *Alberta Human Rights Act* and the *Canadian Charter of Rights and Freedoms*, of each staff member employed by the Board and each student enrolled in a school operated by the Board.

The Board believes that all sexually diverse and/or gender diverse students, staff and families have the right to:

- Be treated fairly, equitably and with dignity and respect.
- Have their confidentiality protected and respected as per privacy legislation.
- Self-identification and determination.
- Freedom of conscience, expression and association.
- Be fully included and represented in an inclusive, positive and respectful manner by all school personnel.
- Have equitable access to the same supports, services and protections provided to heterosexual and cisgender students, staff and families.
- Have avenues of recourse (without fear of reprisal) available to them when they are victims of harassment, prejudice, discrimination, intimidation, bullying and/or violence.

- Have their unique identities, families, cultures and communities included, valued and respected within all aspects of the school environment.

The Board is committed to implementing measures that will:

- Define appropriate expectations, behaviours, language and actions with the goal to prevent discrimination, prejudice and harassment through greater awareness of, and responsiveness to, their harmful effects.
- Ensure that all reported incidents of discriminatory behaviours are reviewed appropriately.
- Improve understanding of the individual lives of sexually diverse and/or gender diverse students and their families, cultures and communities throughout the year.
- Develop, implement and evaluate inclusive educational strategies, professional development opportunities and administrative guidelines to ensure that sexually diverse and/or gender diverse staff, students and their families are welcomed and treated with respect and dignity in all aspects of the school community.
- Work towards the removal of institutional and individual barriers related to heteronormativity and cisnormativity in order to improve the experience of sexually diverse and/or gender diverse students, staff and families.

The Board also recognizes the need to develop and maintain mutually supportive relationships with a variety of diverse sexual orientation, gender identity and gender expression community groups and stakeholders in order to ensure the ongoing improvement of the implementation of this policy. These community relationships will involve ongoing feedback and collaboration.

ACCOUNTABILITY

The Superintendent will provide an annual update to the Board around progress made in support of student success and achievement within a welcoming, inclusive, safe and healthy environment.

In the Four-Year Education Plan, the Division will identify goals and strategies that reflect the Division's commitment to supporting our diverse school communities, and will provide an annual update on progress and priority strategies in support of this policy through the Annual Education Results Report to Alberta Education.

REFERENCES

AD.BP Vision, Mission, Values, and Priorities
 AE.BP Welcoming, Inclusive, Safe and Healthy Learning and Working Environments
 AE.BB.BP Wellness of Students and Staff
 FA.BP Human Resources Framework
 FBCA.AR Respectful Working Environments
 FBCB.AR Division Staff Code of Conduct
 FBE.AR Health and Wellness of Staff and Students
 GGDA.AR Guidelines for Student Activities and Organizations
 HF.BP Safe, Caring and Respectful Learning Environments
 HF.AR Safe, Caring and Respectful Learning Environments
 HFA.AR Sexual Orientation and Gender Identity
 HG.BP Student Behaviour and Conduct
 HG.AR Student Behaviour and Conduct
Alberta Human Rights Act

Alberta Teachers' Association Code of Professional Conduct
Alberta Teachers' Association Declaration of Rights and Responsibilities
Canadian Charter of Rights and Freedoms
Freedom of Information and Protection of Privacy Act
United Nations Convention on the Rights of the Child
Education Act Sections 3, 4, 6, 10, 12, 14, 33(1), 35.1(1), 52