

SEXUAL ORIENTATION AND GENDER IDENTITY (SOGI)

Background

This Administrative Procedure is based on the principles of respect, acceptance, safety, and the value of all members of our learning community. The purpose of this Administrative Procedure is to ensure that all members of the learning community reflect upon their behaviors and actions in order to prevent discrimination and harassment through greater awareness of how their interactions can create an inclusive, equitable, supportive environment for all in our learning community.

The appendices attached to this Administrative Procedure are intended as guidelines and information only. The Administrative Procedure does not anticipate every situation that might occur with respect to sexual orientation or gender identity; therefore, the needs of each student and/or employee must be assessed on an individual basis with the intent to protect the rights and safety of all.

The District is committed to a safe, positive and inclusive learning and working environment for all students, employees and members of the school community regardless of their sexual orientation or gender identity. The letter and spirit of the Canadian Charter of Rights and Freedoms and the B.C. Human Rights Code are observed, enforced and supported in this Administrative Procedure so that all members of the school community may learn and work together in an atmosphere of respect and safety, free from discrimination, harassment and/or exclusion.

Procedures

1. These procedures cover conduct that takes place in the school; on school property; at school sponsored functions and activities; on school buses or vehicles and at bus stops; and also pertains to electronic technology and communications including but not limited to school computers, networks, forums and mailing lists.
2. The District expects that all students, staff and members of our school communities will:
 - 2.1. Adhere to a code of conduct that prohibits any form of discrimination, intimidation or harassment against any person, and that is educative, preventative and restorative in practice and response. (See Administrative Procedure 350 – District Student Code of Conduct and Administrative Procedure 403 – Workplace Bullying and Harassment)
 - 2.2. Foster school cultures that are responsive to the diverse social and cultural needs of individuals and groups regardless of their gender or sexual orientation.
 - 2.3. Recognize the injustices of marginalization, advocate for social justice and promote human rights. This includes being cognitive to the needs of persons having identified sexual orientation or gender identity (LGBTQ+) including but not limited to:
 - 2.3.1. Privacy and Confidentiality
All persons have a right to privacy. This includes the right to have one's sexual orientation or gender identity and sex assigned birth kept private at school. Disclosing this information would be in violation of the Freedom of Information

and Protection of Privacy Act (FOIPPA). Principals must balance the parents need to be informed about their child's school experiences with the student's right to live freely with their affirmed genders and right for privacy.

2.3.2. Names and Pronouns

Every student and employee has the right to be addressed by a name and pronoun that corresponds to their gender identity. A court-ordered name or gender change document is not required as official records will not be changed at this point. MyEd BC includes the ability for the identification of "preferred name" and "preferred gender". Principals will populate all internally generated documents using the "preferred name", examples include class lists; PAC and photographers lists; attendance sheets; report cards; diplomas; and parent notifications. For situations requiring legal name, such as, provincial assessments, principals may utilize "hand coding" to preserve a student's desired identification.

2.3.3. Official Records

Principals must maintain a mandatory permanent record that includes a student's legal name and legal sex. The Principal may only change this information with the receipt of documentation to which such change has been made by court order or through amendment of provincial or federal issued identification. To change the name legally within MyEd BC and with the Ministry, the change must be submitted to the PEN department.

2.3.4. Gender-Based Curricular and Extra Curricular Activities

All students have the right to participate in sports and other activities in a manner that respects and embraces their gender identity. Students are to be given the option to decide which activities they feel more comfortable doing. A request may come directly from the student or from a parent. The Principal will make the requested arrangements for these students in school, extra-curricular and physical education, while being respectful of the needs of all students involved. With regard to extracurricular sports, BC School Sports policy D7.2.2 which reads "...a student-athlete may participate with the opposite sex in a sex-segregated sport on the basis that doing so would be consistent with his/her gender identity. Application for eligibility on school teams will align with BC School sports procedures." All requests, meetings and decisions must be documented and kept confidential.

2.3.5. International Students

International students who have identified sexual orientations or gender, will be placed with host families that are aware of the needs of an LGBTQ+ student and the community.

2.3.6. Media Communications

In speaking with media, of any gender identification or sexual orientation issues, all District employees will be cognizant to maintain and protect the privacy of all LGBTQ+ staff and students and may refer all media back to the Superintendent as the spokesperson.

2.3.7. Washrooms and Change Rooms

All students and staff have a right to safe and private washrooms and change facilities. They have the right to access the facilities that correspond to their identified gender. Principals may maintain separate washroom and change room

facilities provided that students and staff may freely access them based on their gender identity. Where available, principals are encouraged to designate gender neutral facilities designed for use by one person to satisfy the need to feel safe and private.

2.3.8. Billeting and Overnight Field Trips

Plans for billeting of sports teams and/or any overnight school sponsored function must provide accommodation for each student in a room where they will feel safe and accepted. The administrator, teacher or coach in charge of organizing the event will make every effort to support the student. When staying with a billet family the administrator, teacher or coach must discuss with the student and/or parent whether the billet family will be informed of their sexual orientation or gender identity.

2.4. Participate in the ongoing development of practices that promote fair and equitable treatment of everyone, cultivating mutual respect, civility and a sense of belonging.

2.4.1. Support for Students

In the support of LGBTQ+ students' sexual orientation and/or gender identity a use of common language is important to maintain inclusivity, safety, acceptance and anti-harassment behavior. Appendix A contains some common terms and definitions.

2.4.2. Responding to Incidents

Incidents regarding any violations will be dealt with through Administrative Procedure 350 – District Student Code of Conduct, section 3; Consequences for Unacceptable Conduct or Administrative Procedure 403 – Workplace Bullying and Harassment. All incidents will be taken seriously and investigated appropriately.

2.4.3. Staff Development and Education

All administrative, teaching and support staff will be expected to be familiar with this Administrative Procedure, Administrative Procedure 350 - District Student Code of Conduct and Administrative Procedure 403 – Workplace Bullying and Harassment; promote understanding of the common language; fully understand the protection of privacy for these students and their families; be aware of strategies and procedures for intervening with issues, such as, bullying, harassment, intimidation and/or discrimination; and model and teach inclusive, respectful practices that honour diversity and promote human rights.

2.4.4. Administrative Procedure 173 Appendix B contains a list of LGBTQ+, sexual orientation and gender identity resources and learning resources.

Reference: Sections 20, 22, 65, 85, 177 School Act
Freedom of Information and Protection of Privacy Act
Human Rights Code
Workers' Compensation Act
Occupational Health and Safety Regulation
Canadian Chart of Rights and Freedoms
Canadian Human Rights Act
Criminal Code of Canada
Collective Agreements

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