

## AP 1101: Sexual Orientation / Gender Identity (SOGI)

### Background:

All people have the right to be free from discrimination based on sex, gender, sexual orientation, gender identity and gender expression. This right is protected by Article 2 of the *UN Convention on the Rights of the Child*, as well as in the *Canadian Charter of Rights and Freedoms*, the *Canadian Human Rights Acts*, and the *B.C. Human Rights Code*. The [B.C. Human Rights Code](#) protects B.C. students from discrimination based on Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.

### Definitions:

**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.

**Bisexual:** A person who is attracted to both women and men.

**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 expression:** The ways a person presents their sense of gender to others (for example, through clothes, hairstyle, mannerisms, etc.).

**Gender identity:** A person's internal sense of being a man, a woman, genderqueer, non-binary. 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 children who express gender in ways that differs from societal expectations of the sex and gender assigned to them at birth. For the purposes of this policy and accompanying regulations gender nonconforming children are included under the term trans\*.

**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:** Refers to people whose reproductive or sexual anatomy is not easily defined as male or female. Intersex individuals have historically been mistreated in North American society

(i.e., being forced to have “corrective” genital surgeries as infants). The term Disorders of Sexual Development is being used increasingly amongst medical professionals in reference to intersex conditions, however, this term has not been fully adopted by intersex communities at the time this policy is being written. The word hermaphrodite was historically used to describe intersex individuals; however, this term is considered highly offensive.

**Lesbian:** A woman who is attracted to other women.

**2SLGBTQIA+:** An acronym that in this case stands for Two Spirit, Lesbian, Gay, Bisexual, Transgender, Queer and/or Questioning, Intersex, Asexual, or any other countless affirmative ways in which people choose to self-identify.

**Perceived as 2SLGBTQIA+:** Refers to someone who is treated as if they are 2SLGBTQIA+ 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.)

**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 or female. For those whose sex is not easily categorized as male, or female see Intersex.

**Sexual Orientation:** Refers to a person’s attraction towards a particular gender or sex. Someone may identify as lesbian, gay, bisexual, queer, pansexual, etc. It is important to remember that sexual identity and gender identity are separate.

**SOGI:** Sexual Orientation and Gender Identity. Government of British Columbia Diversity and Inclusion webpage [link](#).

**Trans\*:** (also Trans, Transgender, Transsexual) 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, 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, counseling, and/or surgery.

**Two-Spirit:** An Aboriginal term describing the embodiment of both masculine and feminine spirits. This identity is not limited to gender expression or sexuality but encompasses them both while incorporating a spiritual element. It is a standalone identity, not an Aboriginal term for gay or lesbian.

## Procedures:

### 1. Safety/Anti-Harassment:

- 1.1. Any language or behaviour that deliberately degrades, denigrates, labels, stereotypes, incites hatred, prejudice, discrimination, harassment towards students or employees on the basis of their real or perceived sexual orientation or gender identification will not be tolerated and will be addressed as outlined in Policy 580 - Discrimination and Harassment and the related Administrative Procedures.
- 1.2. Schools will be required to specifically include the prohibition of such language and behaviour in their student Codes of Conduct.

### 2. Counselling and Student Support:

- 2.1. All counsellors in the district shall be educated in the knowledge and skills required to understand 2SLGBTQIA+ issues concerning students, staff, and families.
- 2.2. Counsellors will be informed and familiar with all policies with respect to human rights, homophobia, heterosexism, hate literature, discrimination, and harassment.
- 2.3. Counsellors will be sensitive to 2SLGBTQIA+ students as well as students from 2SLGBTQIA+ families.
- 2.4. Elementary and secondary schools will appoint a staff person to be a safe contact for students who identify themselves as 2SLGBTQIA+ and those who are questioning. School administrators will inform students and other staff about the location and availability of this contact person.
- 2.5. Schools are encouraged to provide identified “safe places” for 2SLGBTQIA+ students as well as students from 2SLGBTQIA+ headed families and where students who identify as straight may seek support and find answers to questions they may have.
- 2.6. Where students request and staff are willing to volunteer their time, gay/straight alliance clubs (GSAs) will be encouraged at secondary schools in the district and clubs which respect and celebrate all forms of diversity will be encouraged for intermediate elementary school students.

### 3. Counselling and Staff Support:

- 3.1. All staff in the district will be made aware of the Employee & Family Assistance Program, where they may access support in understanding 2SLGBTQIA+ for themselves, to provide understanding regarding a family member, or to gain understanding about how to support

2SLGBTQIA+ students.

#### 4. Staff and Professional Development:

- 4.1. The district shall provide and promote opportunities for staff to increase their awareness and understanding of the scope and impact of discrimination against 2SLGBTQIA+ people.
- 4.2. The district shall provide and promote opportunities for staff to increase their knowledge and skills in promoting respect for human rights, supporting diversity, and addressing discrimination in schools.

#### 5. Washroom and Change Room Accessibility:

- 5.1. The use of washrooms and change rooms by transgender and non-binary students and staff shall be assessed on a case-by-case basis, ensuring the staff member or student's safety and comfort, minimizing stigmatization, and providing equal opportunity to participate in physical education classes and sports.
- 5.2. Students and Staff shall have access to the washroom and change room that corresponds to their gender identity. Those 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 individual's ability to keep their gender identity status confidential.
- 5.3. The decision regarding washroom and change room use shall be made in consultation with the individual.
- 5.4. The district will strive to make available single stall universal washrooms at all school locations and worksites during renovations or rebuilds.

#### 6. Access to Academic, Physical Education and Sports:

- 6.1. Schools will reduce or eliminate the practice of segregating students or staff by sex. In situations where students or staff are segregated by sex, trans students and staff will have the option to be included in the group that corresponds to their gender identity.
- 6.2. Where possible, students and staff will be permitted to participate in any sex-segregated recreational and competitive athletic activities, in accordance with their gender identity. Due to issues of disclosure and safety, some individuals may wish to participate in a sex-segregated activity that is not aligned with their gender identity.
- 6.3. Trans students and staff shall be provided the same opportunities to participate in physical education as all other students and staff, shall not be asked or required to have physical education outside of the assigned class time, and shall be permitted to participate in any sex-segregated activities in accordance with their gender identity if they so choose.

#### 7. Dress:

- 7.1. Students and staff 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.

## 8. Confidentiality and Privacy:

- 8.1. A student or staff member's trans\* 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 the individual, or in the case of a student, the student's parent(s)/guardian have given authorization.
- 8.2. In situations where school staff or administrators are required by law to use or to report an individual'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.
- 8.3. Students' and staff member's 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.

## 9. Names and Pronouns:

- 9.1. Students and staff will be addressed by the names and pronouns they prefer to use in all communications subject to section 10.1

## 10. Official Records and Student Information:

- 10.1. Whenever possible and permitted by law, requests made by a student, or the parent/guardian, to change the student's official record to reflect their preferred name and/or gender identity will be accommodated.
- 10.2. Whenever possible, at the request of a student or of a students' parent(s)/guardian, the student's preferred name and/or gender identity will be included on class lists, timetables, student files, identification cards, etc.
- 10.3. Unless the student or the student's parent/guardian has specified otherwise, communications between school and home shall use a student's legal name and the pronoun corresponding to the student's gender assigned at birth.