

## Section 39: The Inclusion of Students and Staff with Diverse Sexual Orientations, Gender Identities and Gender Expressions

*Updated October, 2018*

Students and staff are entitled to welcoming, caring, respectful and safe learning environments that respect diversity and nurture a sense of belonging and a positive sense of self. – *School Act Section 45.1.*

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### **Background:**

Banbury Crossroads must follow the directives of the Alberta School Act, and as such, the following will be implemented in all school activities, both on and off campus. In keeping with the collaborative spirit nurtured between home and school in the education of our students, this policy is intended to encompass our staff and students in all places and at all times.

As per our foundational philosophy, which includes our Mission and Vision Statements, we have always endeavoured, and will always endeavour, to create a place of learning for our whole school community that is respectful, nurturing, safe, inspiring, and empathetic. As such, providing these qualities for this vulnerable LGBTQ group and their families is simply part of our mandate.

### **Support for Student Organizations:**

1. If one or more students attending Banbury Crossroads School request a staff member employed by Banbury 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 and/or Director shall:
  - Immediately grant permission for the establishment of the student organization or the holding of the activity at Banbury, and

- Within a reasonable time from the date that 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.
- 2. 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 and/or Director.
- 3. For greater certainty, the Principal and/or Director shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer-straight alliance”.
- 4. The Principal and/or Director shall immediately inform the board and the Minister if no staff member is available to serve as a staff liaison referred to in subsection (1), 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.
- 5. The Principal and/or Director is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in subsection (1) is limited to the fact of the establishment of the organization or the holding of the activity.

**Policy and Procedures:**

As provided for in the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms, this Policy is established under subsection (2) of the School Act, and will affirm the rights of, and will not be discriminatory towards, each staff member employed by the School and each student enrolled in the School.

1. Accommodations

- The Registration Form will provide a space to identify the student according to their wishes. We respect individuals’ right to self-identify their gender and name.

- Staff and peers will consistently use a student's chosen name and pronouns in ways the student has requested.
- Staff will use a student's chosen name and pronouns in School-issued documents, provided the student has requested this.
- However, a legal name change is required if they desire their official Alberta Education documents to reflect their preferred name.
- School officials may change sexual or gender information for Alberta Education documents, such as PASI.
- As per our usual mandate, we will treat students individually, on a case-by-case basis, ensuring that the student has a full and equitable participation in school life.
- In keeping with our philosophy and practices, and with the support of communication training such as P.ET. (Parent Effectiveness Training), staff will listen empathetically to students' and parents' concerns and create a collaborative work environment that meets students' needs.

## 2. School Responsibilities

- The School community will be encouraged to shift to the use of gender-non-specific terminology in all interactions.
- The atmosphere is already very respectful, due to its smallness in size, and the practical manner in which our philosophy unfolds. Any issue is addressed as quickly as possible, with the aim being win-win solutions. When issues arise, we will follow our *Conflict Resolution Policy* to address their resolution respectfully.
- Staff will have access to reliable information and professional learning opportunities, as well as access to community resources and expertise.
- Staff will support the establishment, and naming, of Gay-Straight Alliances, or Queer-Straight Alliances, or similar student leadership and support groups, when students express an interest.
- Staff are supported as a liaison for any such alliances.
- As per our philosophy, what a person wears is a personal expression, and so we do not have a dress code; we encourage all students to dress with dignity.
- Staff will continue to avoid structuring courses or activities according to gender.

- When it is not possible to have activities that are gender neutral, such as sex education classes, then a collaborative effort will be made to respect and meet all parties' needs.
- On occasions when overnight or housing accommodations are required, school staff will make every effort to provide solutions that are inclusive, respectful and acceptable to all of the students.

### 3. Privacy

Within the spirit of this safe environment, the disclosure of personal information will be in accordance with PIPA (Personal Information Protection Act).

- The School will protect a student's personal information and privacy, including where possible, having a student's explicit permission to communicate with parents, guardians, peers and others in their lives.
- As per the Role of the Teacher, staff must respect the students' privacy and confidentiality.
- When compiling student/staff lists, school staff will ensure gender designations are not included, either beside individual names, or as a composite number of females or males for the group.
- When requested, staff will ensure that students have private access to washrooms and change rooms.

### 4. Conduct Expectations: Protection from Bullying

Our rationale for providing an atmosphere free from bullying of all kinds underlies all policies. It is our *whole being*: **mutual respect** is fundamental to Banbury. Therefore, the following conduct expectations focus on creating a welcoming, caring, respectful, nurturing, safe and empathetic community for all people involved in it. The policy is in effect both on and off campus, and via electronic devices, whether or not the behaviour occurs during school hours. As per our *Conflict Resolution Policy* (a comprehensive, whole-school approach), all reports of bullying will be taken seriously, and addressed according to that Policy.

- Acceptable and appropriate behaviour includes that which shows an attitude of respect and reciprocity in relationships, with a win-win focus. Examples are the following:

- Respectful social interactions, oral and written language, and body language;
- Demonstrating responsibility for oneself;
- iii. Diligence in pursuing their studies;
- iv. Regular and Punctual Attendance;
- Cooperation with those authorized by to provide education programs and other services;
- Conduct that demonstrates the expectations outlined in the “Rights and Responsibilities” section of our *Conflict Resolution Policy*;
- vii. Positive contribution to the environment and culture of the School, such as:
  1. Kind and helpful assistance;
  2. Empathetic listening;
  3. Showing responsiveness towards others’ needs;
  4. Inclusivity in word and action;
  5. Offering choices and opportunities to all;
  6. Honoring others’ emotions and personal privacy;
  7. Providing and maintaining physical safety;
  8. Engaging in problem-solving, as per our *Conflict Resolution Policy*.
- b. Unacceptable and inappropriate behaviour includes any disrespectful words or actions (including electronic platforms) such as, but not limited to, the following:
  - Discriminatory language, spoken and written;
  - Obnoxious, inflammatory and cruel use of technology;
  - iii. Hurtful name-calling, put-downs, and sarcasm;
  - iv. Exclusionary behaviour due to discriminatory reasons;
  - Physical aggression and assault, including spitting, hitting, yelling, throwing things;
  - vi. Passive-aggressive, subtle acts of meanness;
  - vii. Threatening words and actions;
  - viii. Drug and alcohol use;
  - ix. Bringing to school weapons or objects that could be used to threaten or harm self or others;

- Using weapons in school and/or giving weapons to other students.
- Consequences of unacceptable behaviour will follow our *Conflict Resolution Policy*:
  - Meetings attended by affected parties, with a view to enabling mutual understanding and resolving the issues involved;
  - Educational approach to helping those who engage in inappropriate behaviour to understand different points of view, develop an awareness of the importance of other people (to counteract a focus on oneself), to discover other options for behaviour, and to learn how to apologize and make amends;
  - iii. Consultation with parents, if unwanted behaviour is repetitive, and/or severe, and/or warranting suspension or expulsion, particularly if professional counselling or intervention is needed;
  - iv. Supportive conferences held with people impacted by unacceptable behaviour, to help them acknowledge their feelings, to assure them of our compassionate response, to discuss the strengths and weaknesses of their responses, and to coach them for future encounters on prevention and finding options for response, if needed;
  - Age-appropriate evidence of remorse, and efforts at atonement by the perpetrator, to allow for forgiveness and the rebuilding of trust;
  - vi. Suggestions made by teachers and other mentors to the perpetrator to provide demonstrations of regret or reparation to the victim, and that show awareness of their impact on others, such as letters of apology, acts of social service, or replacement of damaged property. These suggestions must take into account the students' age, maturity and individual circumstances; they would be followed through and enforced if necessary;
  - vii. If the unacceptable behaviour does not stop, despite all sincere efforts made, then it would fall under the category of behaviour requiring Suspension or Expulsion, as per the School Act and our Suspension and Expulsion Policy.

Legal References to which our policies must conform:

- *Alberta School Act, RSA 2000, cS-3: preamble, sections 2, 3, 16, 28*
- *Alberta Bill of Rights, RSA 2000, c A-14: preamble, sections 1 and 2*
- *Alberta Human Rights Act, RSA 2000, c A-25.5: sections 7, 8 and 11*
- *2017 Bill 24, Third Session, 29<sup>th</sup> Legislature, 6 Elizabeth II (“Bill 24”)*
- *United Nations Convention on the Rights of the Child (1990), article 5*
- *International Covenant on Civil and Political Rights, 999 U.N.T.S. 171, article 18(4) (which protects the rights of parents to guide their children’s religious upbringing)*
- *Alberta’s Personal Information Protection Act*