

ACCOMMODATING AND RESPECTING GENDER IDENTITY AND EXPRESSION

Background

Consistent with its mission and vision, the Board of Trustees of the Greater St. Albert Catholic School Division (“Board”) is committed to a safe, caring, respectful, inclusive and welcoming learning and teaching environment for all students in accordance with School Board Policy 1 (Division Mission Statement, Values and Beliefs, Goals and Objectives) and Board Policy 2 (Role of the Board).

To ensure that all members of the Division’s school communities work together in an atmosphere of respect for the dignity of all students, this Administrative Procedure (“AP”) is adopted for the safety, health and educational needs of all students, regardless of gender identity and/or gender expression.

The Board will not tolerate harassment, bullying, intimidation or discrimination on the basis of a student’s actual or perceived differences, gender identity and/or 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 that are guaranteed under:

- *Canadian Charter of Rights and Freedoms;*
- *Alberta Human Rights Act;*
- *Alberta Bill of Rights;*
- *An Act to Amend the Alberta Bill of Rights to Protect our Children;*
- *Education Act;*
- *Alberta Act;*
- Administrative Procedure 310 Student Safety;
- Administrative Procedure 350 Student Discipline Framework;
- Administrative Procedure 358 Harassment (Division Students);
- Administrative Procedure 359 Safe and Caring Learning Environment;
- Administrative Procedure 460 Harassment (Employees);
- Administrative Procedure 151 Channels of Communication; and
- Administrative Procedure 380 Student Appeal Procedure.

Rationale

1. This AP has been developed to:
 - a) support and affirm the dignity of all students in every aspect of school life;
 - b) improve 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 with respect to gender identity and/or gender expression; and
 - d) provide resources consistent with Catholic teaching, to support students who require assistance as a result of their gender identity and/or gender expression.
2. Given that all students are created in the divine image and likeness, and are therefore endowed with an inalienable worth that cannot be violated, circumstances involving gender identity and/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 (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 and/or gender expression needs.
4. Within 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 identify and/or gender expression.
2. A teacher and/or administrator who is approached with a request for assistance, support and/or an accommodation must respond in a timely manner with sensitivity, respect, mercy and compassion.
3. Since all students have been created in the divine image and likeness, and are therefore endowed with an inalienable worth that cannot be violated, circumstances involving issues with gender identity and/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; and
 - d) protect student confidentiality (subject to circumstances which require disclosure on a need to know basis).
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 and/or gender expression needs. To this end, based on available resources, staff may collaborate with families and,

with the student and/or families 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/or accommodation based on gender identity and/or 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/or gender expression in relation to the Catholic faith as well as the greater society. Therefore as a minimal standard, all school-based staff will review. “A Resource for a Pastoral Approach to Supporting and Guiding Students in Inclusive Communities – Gender Identity and Expression” as developed by the Council of Catholic School Superintendents of Alberta (Appendix A of the AP) at the beginning of each school year. All school-based staff are expected to act pastorally within the spirit of the “Pastoral Approach” document and in accordance with the principles set out in this AP.
3. Further to the references set out in this AP, staff will refer any matter that could be a barrier in furthering the understanding to or support of a student requiring gender identity and/or gender expression accommodation to the school learning team via the school principal. The school principal, in consultation with the school learning team, specialists, professional staff, and/or parents, will provide appropriate guidance to staff to proceed in addressing these student needs.
4. Where an accommodation request is received on the basis of gender identity and/or gender expression, the school, through the leadership of the school principal, will respond in a timely manner, in accordance with the principles and guidelines set out in this AP.
5. Each accommodation request on the basis of gender identity and/or gender expression will be treated on a case by case basis.
6. Because gender identity and/or gender expression issues are complex, delicate and highly personal, a parent/guardian, or independent student who wishes to submit an accommodation request on the basis of gender identity and/or gender expression is required to use the “Request for Accommodation” form within Appendix B of the AP.
7. A staff member approached with an accommodation request should respond with sensitivity and compassion. The staff member has a responsibility to immediately make the school principal aware of any student request made with respect to gender identification and/or gender expression needs. The principal will make arrangements for the student to submit an accommodation request according to the principles and guidelines set out in this AP.
8. If required, programming supports, which are intended to complement a reasonable accommodation, shall follow the principles of Universal Learning Design, and the

Pyramid of Academic and Behavioural supports, used for all Division programming accommodations.

9. If an accommodation is required, the school principal, in consultation and collaboration with the student and parent, shall prepare an accommodation plan. Depending on the needs of the student, this process may involve a collaborative team of educator(s), medical / clinical professional(s), family, and community family advocates. An accommodation plan will have the goal of providing a reasonable accommodation based on the student's assessed situation on the basis of discussion and cooperation between the staff, student and parent(s). The first prerequisite in assessing needs and addressing those needs will be based on the evidence of medical and clinical expertise that has been presented on behalf of the student.
10. A student accommodation may include, but not be limited to, a change in common name, use of a suitable change room / bathroom, classroom adaptations, field trip accommodations, and/or pronoun change.
11. The accommodation process should be open to anticipated reasonable actions and reasonably adoptive accommodation, as well as short-term and long-term timelines for review, evaluation and modification, if reasonably required.
12. The reasonable supports provided to the student shall always be guided by what affords optimal dignity and success in learning for the student.
13. To assist staff (including any team put together as part of the accommodation) in being sensitive to the student's needs, the attached "Accommodations Checklist" (Appendix C of the AP) will guide the work of the team.
14. To assist staff and the school as a whole in becoming prepared to accommodate a student who requires gender identity/gender expression accommodation, the attached "Accommodations Principles or Procedures Checklist" (Appendix D of the AP) will guide the work of the team.
15. If a dispute arises in relation to an accommodation request, the dispute shall be resolved in a manner that involves the parents/guardians or the independent student in the decision making process and in accordance with the Administrative Procedure 151: Channels of Communication.
16. Where parents/guardians or the independent student are not satisfied with the school's resolution of the matter (i.e. the accommodation process), the matter may be appealed to the Superintendent of Schools through Administrative Procedure 380: Student Appeal Procedures.

References:

- *Canadian Charter of Rights and Freedoms*
- *Alberta Human Rights Act*
- *Alberta Bill of Rights*
- *An Act to Amend the Alberta Bill of Rights to Protect our Children*
- *Education Act*

- *Alberta Act*
- Board Policy1: Division Mission Statement, Values and Beliefs, Goals and Objectives
- AP 151 Channels of Communication
- AP 310 Student Safety
- AP 350 Student Conduct
- AP 358 Harassment (Division Students)
- AP 359 Safe and Caring Learning Environment for Students
- AP 380 Student Appeal Procedure
- AP 460 Harassment (Employees)
- A Resource for a Pastoral Approach to Supporting and Guiding Students in Inclusive Communities-Gender Identity and Expression

Implementation Date: January 26, 2016



A Resource for a Pastoral Approach to Supporting and Guiding Students in Inclusive Communities – Gender Identity and Expression

Purpose:

Our Catholic schools are committed to supporting inclusive communities that teach care and compassion for every person, regardless of age, race, sex, gender or sexual orientation, and require that every person be treated with dignity and respect.¹ This document provides background information about Catholic teachings, and considerations for schools, when supporting and guiding students with respect to gender identity and expression.

Background:

Catholic schools are places of both learning and believing. Our schools share a foundational belief that all children are loved by God, created in God's image, and individually unique. The school has a mission to help students grow as children of God in all aspects of their person: physically, academically, socially, morally and spiritually.

The Catholic Church teaches that the body and soul are so united that one's gender identity is rooted in one's biological identity as male and female. In Catholic teaching, one's sexual identity is considered "a reality deeply inscribed in man and woman".² It is the conviction of the Catholic Church that genetically, anatomically and chromosomally, the body reveals the divine plan, and that humans are "obliged to regard [their bodies] as good and to hold [them] in honour since God has created [them]".³ Therefore, to attempt 'gender transitioning' is contrary to the teachings of the Catholic Church.

In our schools, students at all grade levels may need support and guidance with respect to gender identity and expression. Instances of attempted gender transitioning may be presented at all levels in elementary and secondary schools. Any educator approached with a request for accommodation must respond with sensitivity, respect, mercy, and compassion.

Gender identity issues are complex, delicate and highly personal. There are a range of emotional and behavioural manifestations around gender expression. Individuals may experience gender-questioning; that is, persons "may be questioning or exploring their gender identity, and their gender identity may not align with their sex assigned at birth".⁴ Some may also exhibit gender non-conforming behaviours, which is "an umbrella term to describe people whose gender expression or gender identity differs from gender norms associated with their assigned birth sex".⁵

¹[The Joy of the Gospel](#), nos. 110-114

²[Congregation for the Doctrine of the Faith: Letter to the Bishops of the Catholic Church on the Collaboration of Men and Women in the Church and in the World \(2004\)](#), n.8.

³ [Catechism of the Catholic Church](#): specifically, no. 364, 365, 2332, 2333, 2393;

⁴ [Guidelines for Psychological Practice with Transgender and Gender Nonconforming People](#), American Psychological Association, 2015

⁵ *Ibid.*, p. 54

Importantly, while there is individual variation, this is an “at-risk” group in need of special care and attention. In some cases, persons who experience significant amounts of distress related to their gender identity or challenges with social, school or other important areas of functioning, may need more intensive support.⁶ In addition, students who identify as transgender often experience higher levels of: bullying ... physical violence, sexual abuse, drugs/alcohol abuse, sexually transmitted infections, depression, anxiety and suicidal attempts than their peers.⁷ Therefore these students may engage in various coping mechanisms and defensive strategies, including acting out or withdrawal behaviours.

Students’ understanding of their own gender identity and expression evolves over time, and may not remain consistent throughout the years. The majority of children that gender-question or exhibit gender non-conforming behaviours will not attempt to gender transition in their adolescence or adulthood.⁸ Therefore, the level of ongoing support and guidance required will vary, depending on individual need.

Considerations for Superintendents and Divisions—Operational Procedures:

Welcoming, Caring, Respectful and Safe Learning Environments:

In a Catholic context, and in keeping with the teachings of the Church, school administration and staff have the responsibility to ensure a welcoming, caring, respectful and safe learning environment that fosters a sense of belonging in all aspects of school life. All students benefit from knowing there are safe and caring adult advocates in their school and parish. The learning environment supports what is best for individuals, and at the same time, the needs of the community as a whole.

In addition, for the benefit of the individual and family, schools protect the privacy and confidentiality of students, including information about gender identity and expression. Ideally, school environments are designed to support inclusivity, allowing for full participation of all members without disclosure of personal information.

A Collaborative Approach:

Aligned with best practice, schools develop plans for individual students based on their needs. It is important to determine needs through a collaborative team approach, engaging the student, family, staff, and other professionals in the discussion and planning as appropriate.

6 [Diagnostic & Statistical Manual-5 \(DSM-5\)](#), American Psychiatric Association

7 [Supporting Transgender and Transsexual Students in K-12 Schools: A Guide for Educators](#) – Canadian Teachers Federation

8 Ibid

The following considerations reflect these understandings:

- **Athletics**

Athletic eligibility for all students participating in school sports is determined by the Alberta Schools' Athletic Association (ASAA) and/or 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.

- **Course Selection**

Schools may choose to offer gender specific courses (e.g. physical education). The principal will determine the best practice and rationale for all individuals involved.

- **Dress Code/Uniforms**

Most schools and divisions 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. For those schools that incorporate school uniforms consideration of all students must be kept in mind in the design and choice of the uniforms.

- **Names**

While schools are required to use legal names on all legal documents, common names may be used at the request of parents on a day-to-day basis. If parents provide legal documentation to support a name or gender change, school legal documents are amended. Families initiate this process and present such information, if they choose to do so.

- **Overnight Field Trips**

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.

- **Washroom/Change Room Accessibility**

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.

Resources:

[Catechism of the Catholic Church](#): specifically, no. 364, 365, 2332, 2333, 2393;

[Congregation for the Doctrine of the Faith: Letter to the Bishops of the Catholic Church on the Collaboration of Men and Women in the Church and in the World \(2004\)](#), n.8.

[Lived Inclusion for Everyone \(LIFE\) Framework](#) -- Council of Catholic School Superintendents of Alberta

[Joy of the Gospel](#), nos. 110-114

[Alberta Human Rights Act](#) (Section 1)

[Alberta School Act June 1, 2015](#) (Sections 16.1, 43.1, 45.1)

[Diagnostic & Statistical Manual-5 \(DSM-5\)](#), American Psychiatric Association

[Guidelines for Psychological Practice with Transgender and Gender Nonconforming People](#), American Psychological Association, 2015

[Public Health Agency of Canada](#)—Questions and Answers: Gender Identity in Schools

[Supporting Every Student: Welcoming, Caring, Respectful and Safe Learning Environments](#)

[Welcoming, Caring, Respectful and Safe Learning Environments: Information for School Staff \(Alberta's Amended School Act\)](#)

November 9, 2015 (CCSSA)

Request for Accommodation

I, _____, parent/guardian of _____, wish to make a formal request for accommodation on the basis of gender dysphoria or gender expression.

- or -

I, _____, student at _____ school, wish to make a formal request for accommodation on the basis of gender dysphoria or gender expression.

I request that I/my child be given the following accommodations:

1. Change of common name from _____ to _____.
2. Change of pronoun from _____ to _____.
3. Change of legal name from _____ to _____ (please provide supporting legal documentation).

4. Change of room accessibility-please specify request:

5. Dress code-please specify request:

6. Participation in sports-please specify request and indicate whether request is being submitted with respect to physical education classes, or competitive intramural athletics:

7. Field trip accommodation-please specify request:

Parent/Guardian/Independent Student Signature

Accommodations Checklist

Privacy and Confidentiality

- Maximize privacy and confidentiality of any information related to student's gender identity and/or gender expression.
- To the extent possible, keep a student's circumstantial history and medical information private and confidential, and limited to only relevant information and people directly involved in helping to meet the student's needs, in consultation with the student and/or their family.
- All information should remain exclusively with designated personal in a secure filing system to protect the student's confidentiality.

Identification Documentation and Records

- Recognize a student's preferred name, pronoun and gender in all administrative systems and documents (including hard copies and electronic).
- Show, where required, how many requirements for person's "legal" name and gender are legitimate in the circumstances.
- Undertake system reviews to identify how electronic databases, IT systems and other relevant information processes may be modified to recognize a student's chosen name and gender when it does not match legal documents.

Washrooms and Change Facilities Policy

- Provide information to the student on where he or she can find accessible, gender neutral washrooms.
- Determine, in consultation with the student and/or their family, the accommodation team and any other outside resources whether the student should access facilities based on their identified gender or whether alternative accommodation should be provided.

Organization Guideline

- Consult the Organization Guidelines in order to assist you in providing accommodation for a transitioning student.

Accommodation Plan

- Each student's situation will vary, and an Accommodation Plan will make clear what reasonable steps will be taken given the needs of the particular student.
- It may be useful to discuss timelines and dates when the student would like to:
 - Be addressed by their new name;
 - Begin expressing their gender identity through clothing, in keeping with the school dress code;
 - Use washroom and other facilities in their lived gender identity;

- Able to take time off school for any medical treatments related to needs.
- The plan should also address:
 - When and how student records will be updated to reflect the new person's new name and gender;
 - If, when and how other people in the school y will be informed of the new name and gender identity;
 - Anti-harassment planning – a simplified process to deal quickly and effectively with any harassment the student may experience;
 - When and how training for employees will be provided to help them understand the transition process, if appropriate.

Accommodations Procedure Checklist

Organization Guideline

- Guidelines should be in place before a student accommodation request comes forward. They provide clear direction to schools on how to generally help transitioning students, while still recognizing the obligation to take the individual's needs into account. This sends a signal to everyone that transitioning students will be supported.
- Guidelines should address:
 - A lead contact person to assist the student;
 - What the student can expect from the school;
 - Expectations of staff in facilitating a successful school transition;
 - Related practices for assisting with the transition process, such as: washroom policies, dress code policies, confidentiality and privacy, recognizing the person's new name in documentation and records, anti-harassment policies, dealing with any individual accommodation needs as well as the training of staff.

Washrooms and Change Facilities Policy

- Recognize the right for students to access facilities based on their identified gender identity.
- Communicate that students may not be required to use a separate facility because of the preferences or negative attitudes of others.
- Make clear that reasonable accommodation options will be provided on an individual basis.
- Provide privacy options that anyone in a change room may choose to use.
- Provide information on where people can find accessible, gender neutral washrooms.

Collecting Data on Sex and Gender

- Consider whether there is a legitimate need to ask for and collect information about sex/gender. If yes, provide options beyond the binary of male/female or man/woman.
- To the greatest extent possible, allow a student to self-identify their sex or gender identity. The option of writing "x", for example, is the most inclusive.
- Protect any information indicating transgender status as confidential.

Dress Code Policy

- Do not base dress code on gender stereotypes, and apply it consistently to all students, regardless of their gender identity or gender expression.