



REGINA

STUDENTS AND GENDER AND SEXUAL DIVERSITY (GSD)

P U B L I C S C H O O L S

1. Background

- 1.1. The Division is committed to ensuring a safe, inclusive, equitable, and welcoming environment for all members of the school community, regardless of real or perceived sexual orientations, gender identities, and gender expressions.
- 1.2. The term “gender and sexual diversity” is an inclusive term that encompasses all individuals regardless of their sexual orientation and/or gender identity including identities like lesbian, gay, bisexual, transgender, Two Spirit, queer, intersex, cisgender, and asexual. The term GSD will be used in this Administrative Procedure inclusive of all sexual orientations and gender identities.
- 1.3. The Division believes that all students and families have the right to have:
 - Their GSD confidentiality protected and respected;
 - Self-identification and determination; and
 - Their unique identities, families, cultures, and communities included, represented, valued, and respected within all aspects of the school environment.
- 1.4. This Administrative Procedure is to ensure that all programs, activities, and actions are free from harassment and discrimination based on real or perceived sexual orientation or gender identity. The purpose of this Administrative Procedure is to define appropriate behaviours and actions in order to prevent harassment and discrimination through greater awareness of, and responsiveness to, their harmful effects. This Administrative Procedure will create more inclusive environments for all students, and improved understanding of the lives of all people.

2. Application

- 2.1. This Administrative Procedure applies to all students enrolled in the Regina Public School Division.

3. Legal Context

- 3.1. Students have a legal right to be safe and protected in schools.
- 3.2. Human Rights in Canada and Saskatchewan are articulated in several documents.
 - 3.2.1. The *United Nations Declaration of Human Rights*, *Declaration on the Rights of Indigenous Peoples*, and the *Convention on the Rights of the Child* are considered to be aspirational documents that have influenced and shaped legal documents related to human rights in Canada and Saskatchewan.

- 3.2.2. The legal documents that outline and enforce human rights in Canada and Saskatchewan are the *Canadian Charter of Rights and Freedoms*, *The Saskatchewan Human Rights Code, 2018*, and the *Criminal Code of Canada*.
- 3.3. The Division will not tolerate discrimination regarding real or perceived sexual orientation or gender identity in the public school system and will address all forms of discrimination. Administrative Procedures related to student discipline resulting from harassment, bullying or discrimination include AP 375 Discipline, AP 376 Detentions, AP 377 Suspensions and Expulsions, AP 380 Threats/Violent Behaviour – Students, and AP 381 Bullying Behaviour – Student to Student.

4. Definitions

- 4.1. Please refer to Appendix A.

5. Responsibilities

- 5.1. All Regina Public School Division employees, students and the Board of Education are responsible for:
 - a) Modeling respect for all sexual orientations and gender identities.
 - b) Understanding that equity and inclusive principles apply to all sexual orientations and gender identities.
 - c) Using inclusive and respectful language and approaches in all interactions with students, staff, and families.
 - d) Assuming responsibility for examining and changing behaviours to be consistent with equity and inclusive expectations.
 - e) Reporting matters of harassment and discrimination in compliance with the Division's policies and procedures.

6. Privacy and Confidentiality

- 6.1. Division staff will respect confidentiality and privacy and not disclose sexual orientation, gender identity, and/or gender expression of students unless the student has given permission or there is an impending safety concern.
- 6.2. Confidentiality of student information is to be managed as outlined in Administrative Procedure 405 Confidentiality.

7. Specific Procedures for Accommodating Gender Diverse Students

- 7.1. Self-Identification and Pronouns
 - 7.1.1. Every student has a right to be addressed by a name and pronoun that corresponds to their gender identity. A court-ordered name change or gender change is not required, and the student does not need to change their official record.
 - 7.1.2. Students must be addressed by the pronoun that reflects their gender identity regardless of their gender expression.

- 7.1.3. If a student's gender identity is blended, or fluid, or neither, the student may request to be referred to with a gender-neutral pronoun such as they/them/theirs. Once a student declares their pronouns, they must be respected to ensure the student's sense of well-being and security.
- 7.2. Official Records and Student Information
 - 7.2.1. The school shall change a student's official records to reflect a change in legal name or gender upon receipt of documentation that such legal name or sex has been changed.
 - 7.2.2. Whenever possible, at the request of a student or of a student's parent(s)/guardian, the student's preferred name and their pronouns will be included on class lists, timetables, student files, identification cards, etc.
- 7.3. Washroom and Change Room Accessibility
 - 7.3.1. Students have the right to use the washrooms and change rooms that match their gender identity.
 - 7.3.2. Staff will consult with the student and/or parent(s)/guardians regarding student's safety and comfort, minimizing stigmatization, and providing equal opportunity to participate in physical education classes and athletics.
 - 7.3.3. Students who desire increased privacy will be provided with a reasonable alternative washroom and/or change room. Any alternative arrangement will be provided in a way that protects the student's confidentiality.
 - 7.3.4. The Division will strive to ensure gender-neutral washroom requests can be accommodated at all school locations.
- 7.4. Overnight Trips
 - 7.4.1. Plans for overnight school-based activities must provide accommodation for each student in a room where they feel safe and accepted.
 - 7.4.2. Privacy and safety of students must be addressed in the planning process.
 - 7.4.3. Decisions based on overnight accommodations will be determined on a case-by-case basis, with the emphasis on the safety and inclusion of the student.
- 7.5. Dress
 - 7.5.1. Students have the right to dress in a manner consistent with their gender identity or gender expression.
 - 7.5.2. Uniforms for sports or other activities should be inclusive without the use of pronouns.
- 7.6. Gender-Segregated Activities
 - 7.6.1. Division staff shall ensure curricular activities are not sex-segregated. Staff shall not segregate students during instructional time based on

their sex or gender. This includes sexual health education, puberty education and physical education classes.

7.6.2. When possible, extra-curricular activities shall not segregate students by sex.

7.7. Athletics

7.7.1. Sanctioned sports must allow for students who identify as non-binary to be provided the opportunity to choose the gender with which they will participate.

8. Student Alliances for Gender and Sexual Diversity

8.1. Student Alliances for Gender and Sexual Diversity are student clubs made up of sexual and gender diverse students as well as allies.

8.2. Any school with students requesting the establishment of a Student Alliance for Gender and Sexual Diversity must grant the request.

8.3. The establishment of a Student Alliance for Gender and Sexual Diversity should follow the same protocol as other school clubs.

8.4. Staff must ensure the names of those involved in a Student Alliance for Gender and Sexual Diversity remain confidential, unless otherwise specified by individual students.

References: Sections 85, 87, 175 *The Education Act, 1995*
The School Division Administration Regulations
The Saskatchewan Human Rights Code, 2018
The Saskatchewan Employment Act
The Occupational Health and Safety Regulations, 2020
Criminal Code of Canada
Canadian Charter of Rights and Freedoms
 Government of Saskatchewan Ministry of Education Policy Statement: Student Alliances or Gender and Sexual Diversity in Saskatchewan Schools
 Government of Saskatchewan Ministry of Education's Deepening the Discussion: Gender and Sexual Diversity
 Government of Saskatchewan Ministry of Education's Comprehensive School Community Health
 Government of Saskatchewan Ministry of Education Student Cumulative Record Guidelines
 Saskatchewan High Schools Athletic Association Bylaw Eligibility of Student Athletes
 Duty to Accommodate – Saskatchewan School Boards Association (SSBA)
 AP 167 School Activities: Overnight or Out-of-City
 AP 365 Student Records
 AP 375 Discipline
 AP 376 Detentions
 AP 377 Suspensions and Expulsions
 AP 380 Threats/Violent Behaviour – Students
 AP 381 Bullying Behaviour – Student to Student
 AP 405 Confidentiality
 AP 110 Equity, Diversity, and Inclusion

APPENDIX A: Definitions

Advocate: A person who takes on a strong allied stance in support of gender and sexual diverse individuals, as well as in support of gender and sexual diversity in the larger society. Advocates work to create positive cultural shifts regarding gender and sexual diversity with the larger society, and to speak out against homonegativity and heteronormativity.

Ally: A person who is supportive and knowledgeable of the LGBTQ2S+ community. They believe in the dignity and respect of all people and are willing to stand up in that role.

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.

Binary: A cisgender or transgender individual whose gender identity is either male or female.

Bisexual: A person who is attracted to both women and men. A bisexual person may experience stronger attraction to one gender while still having feelings for another; this ratio of attraction may vary over time.

Cisgender: A person whose gender identity is the same as the biological sex assigned at birth.

Coming Out: A phrase that refers to the process of becoming aware of one's queer sexual orientation, one's Two Spirit, or trans* identity, accepting it, and telling others about it. This is an ongoing process that may not include everybody in all aspects of one's life. Coming out usually occurs in stages and is a non-linear process.

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 Affirming: Describes actions, behaviours, or supports that validate someone's gender identity (i.e., referring to a student using gender affirming language).

Gender Expression: The ways a person presents their sense of gender to others (for example, through clothes, hairstyle, voice modulation, mannerisms, etc.). How one expresses gender might not necessarily reflect one's actual gender identity.

Gender Fluid: A person who at any time identifies as male, female, neutral or any other non-binary identity or some combination of identities. Their gender identity can vary at random or in response to different circumstances (other terms include multi-gender, non-binary, transgender).

Gender Identity: A person's internal sense of being male, female, both, in between, neither, or another understanding of gender. 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 a person who expresses gender in ways that differ from societal expectations of the sex and gender assigned to them at birth.

Heterosexual: A person who primarily feels physically and emotionally attracted to people of the "opposite" gender.

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.

Homosexual: A person who is emotionally, sexually, and/or physically attracted to someone of the same sex. Commonly referred to as "gay" or "lesbian".

Lesbian: A woman who is primarily physically and emotionally attracted to other women.

LGBT2QIA+: An acronym that in this case stands for lesbian, gay, bisexual, trans*, Two-Spirit, queer, questioning, intersex, and asexual. There is a wide range of other terms often included in this, such as asexual, and this acronym tends to vary depending on the source. The plus sign (+) indicates the inclusion of all sexual and gender identities.

Non-binary: A person who does not identify within the male/female binary system.

Pangender: A person who identifies or expresses the many shades of gender. Multi-gender and omnigender are other terms that may be used.

Pansexual: A person who is attracted to people of all gender identities and sexualities.

Pronouns: The words one uses to refer to themselves (e.g., he/him/his; she/her/hers; they/them/theirs; xe, xem, xyr, etc.).

Queer: An umbrella term used to describe individuals who identify as being part of sexual and gender diverse communities (e.g., lesbian, gay, transgender).

Questioning: A person who is in the process of questioning their sexual orientation and gender identity.

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, female, or intersex.

Sexual Orientation: Refers to a person's attraction towards a particular gender or sex. Sexual orientation is defined by feelings of attraction rather than behaviour.

SOGI: An inclusive term that encompasses all individuals regardless of where they identify on the sexual orientation or gender identity spectrums, including identities like lesbian, gay, bisexual, transgender, Two-Spirit, queer, intersex, cisgender, and asexual.

Transgender: Transgender, often abbreviated to *trans* or *trans** (the asterisk is intended to actively include non-binary and/or non-static gender identities such as gender queer or gender fluid), is 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 and/or having surgery. Some *trans** people may choose to socially transition by changing their name, clothing, hair, etc.

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, counselling, and/or surgery.

Two-Spirit: An Indigenous term describing people with diverse gender identities, gender expressions, gender roles, and sexual orientations. Two-Spirited people are viewed differently in different Indigenous communities.