

An Introduction to Guidelines for LGBTQ Inclusive Practices

Department of Education and Early Childhood Development

Purpose of the Guidelines

- Creating a school culture that supports open communication and increased understanding and knowledge of diversity.
- Reviewing and revising existing policies, regulation and procedures to be in line with these guidelines.
- Ensuring the representation of these best practices in the creation of new policies, regulations, procedures and resources.
- Informing professional development planning and professional conversations.

Guiding Principles

Students are actively involved in the collaborative decision making process with:

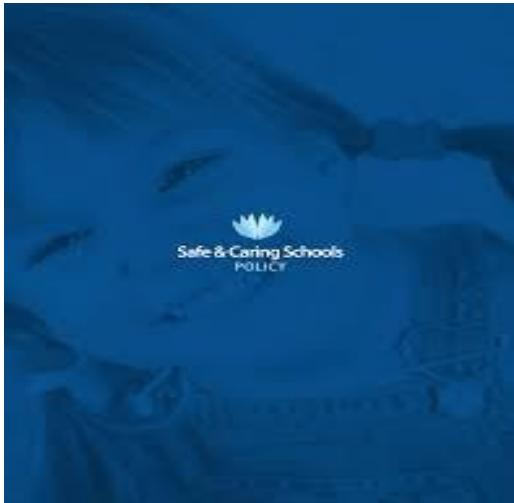
- privacy and confidentiality,
- respect, dignity and openness.

The right and needs of students are used to inform decision making.

Self-identification is the sole measure of an individual's sexual orientation, gender identity or gender expression.



Safe and Caring Schools Policy (2013)



The *Safe and Caring Schools Policy (2013)* states building a safe, caring and inclusive school environment requires a focus on developing respectful and caring relationships throughout the school community – among students, among adults and between students and adults.

It is important school practices address the development of respectful, caring relationships among all members of the school community including those with diverse sexual orientations, gender identities and gender expressions.

Inclusive Education Initiative

The Inclusive Education philosophy supports all students having access to meaningful learning experiences that include appropriate instructional support, regardless of gender, gender identity, gender expression, sexual orientation or any other factor.



Schools Act, 1997

The *Schools Act, 1997*, requires schools to establish, implement and maintain a Code of Conduct that clearly defines the standards for appropriate behaviour. The *Act* requires that every student ensure their conduct contributes to a safe, caring and inclusive learning environment.



Human Rights Act, 2010

The *Newfoundland and Labrador Human's Rights Act, 2010*, protects all individuals from discrimination based on their actual or perceived sexual orientation, gender identity and gender expression.

Section 9 (1) of the *Act* includes sexual orientation, gender identity and gender expression among the list of prohibited grounds of discrimination.

The Human Rights Act, 2010, takes precedent over other provincial legislation.





What does the *Human Rights Act, 2010*, mean for schools?

- ❑ When an individual within a school alleges that discrimination is occurring the school is required to alleviate or mitigate adverse impacts resulting from the alleged discrimination.
- ❑ Schools can most effectively do this by engaging in a respectful discussion (defined in these guidelines as the Collaborative Decision Making Process) to chart out a reasonable accommodation(s).
- ❑ An accommodation(s) is usually considered reasonable if it meets the needs of the individual requesting the accommodation, to the greatest extent possible, short of undue hardship, and if it respects the dignity of the person requiring it.
- ❑ The accommodation must ensure that the individual does not continue to face adverse impacts that are within the schools ability to alleviate or mitigate.

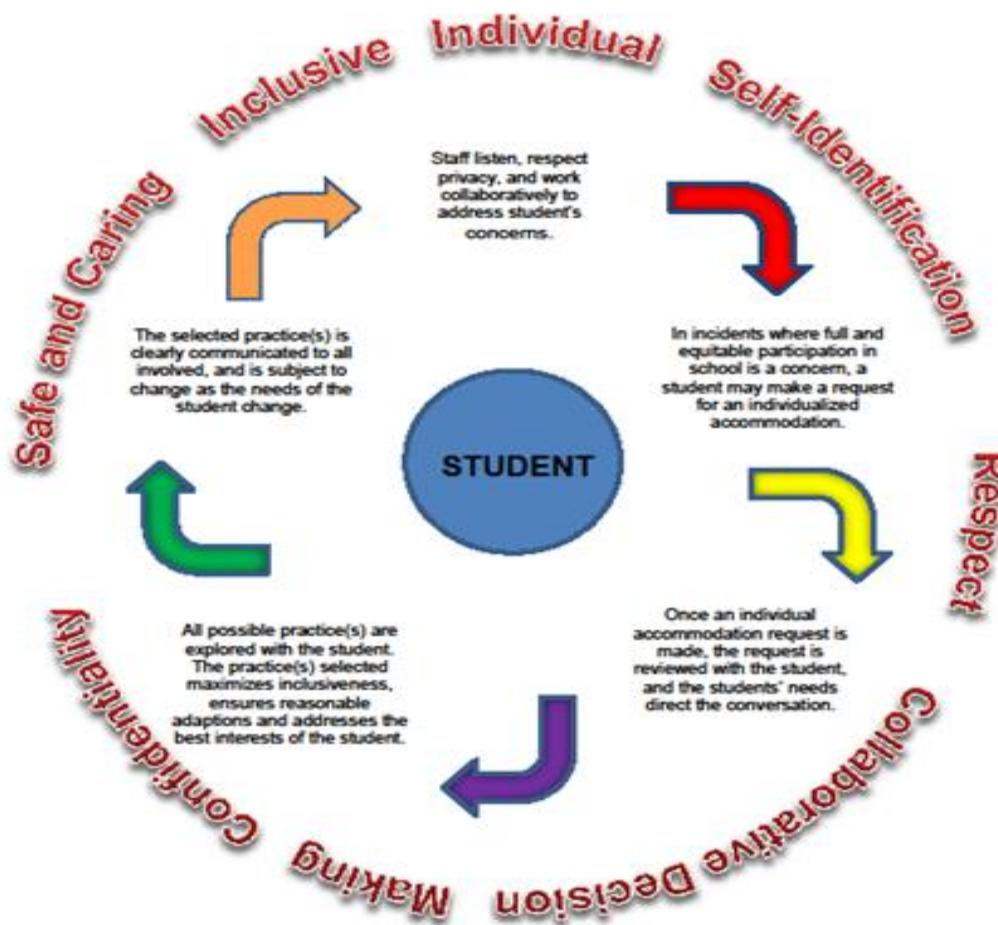
What actions can schools take?



What actions can schools take to honor the Human Rights Act?

- When an individual alleges that discrimination is occurring then the school is required to alleviate or mitigate adverse impacts resulting from the alleged discrimination. Schools can do this by engaging in respectful discussions as defined by the Collaborative Decision Making Process in the guidelines.
- Schools can take action to avoid discrimination include creating school policies that support student of diverse sexual orientations, gender identities and gender expressions, implementing the policies consistently, and providing professional learning for teachers and staff.
- School districts and schools are best protected when specific accommodations sought are filled on a case-by-case basis and individualized to best meet the needs of the student.
- School personnel must seek student consent or consult with the student prior to parent contact. This will ensure that district and school officials are fully informed, and provides for consideration of extenuating circumstances such as student safety or specific concerns of age of majority/maturity.

Collaborative Decision Making Process



The Guidelines

The guidelines are:

- based on the practices most consistently identified in current research and educational literature;
- mutually supportive and interdependent;
- evolving as the awareness and understanding of diverse sexual orientations, gender identities and gender expressions evolve, and as learning environments and school communities change, best practice(s) will evolve and change;
- incorporate a degree of flexibility to provide maximum legal protection.



The Guidelines

- There are twelve guidelines.
- The first seven guidelines are student focused, the remaining five guidelines are whole school focused, supporting the continued implementation of the *Safe and Caring Schools Policy, 2013*.
- Each guidelines includes a short descriptor, and indicators of best practice in action.
- The guidelines use a Collaborative Decision Making Process to direct decision making.





The Guidelines

1. Providing supports that respond to a student's individual needs.
2. Respecting the individual's right to self-identification.
3. Maintaining school records to respect privacy and confidentiality.
4. Ensuring dress codes respect an individual's gender identity and gender expression.
5. Minimizing gender-segregated activities.
6. Enabling students with diverse sexual orientations, gender identities and gender expressions to have full, safe and equitable participation in curricular and extra-curricular activities.
7. Providing safe access to washroom and change-room facilities.



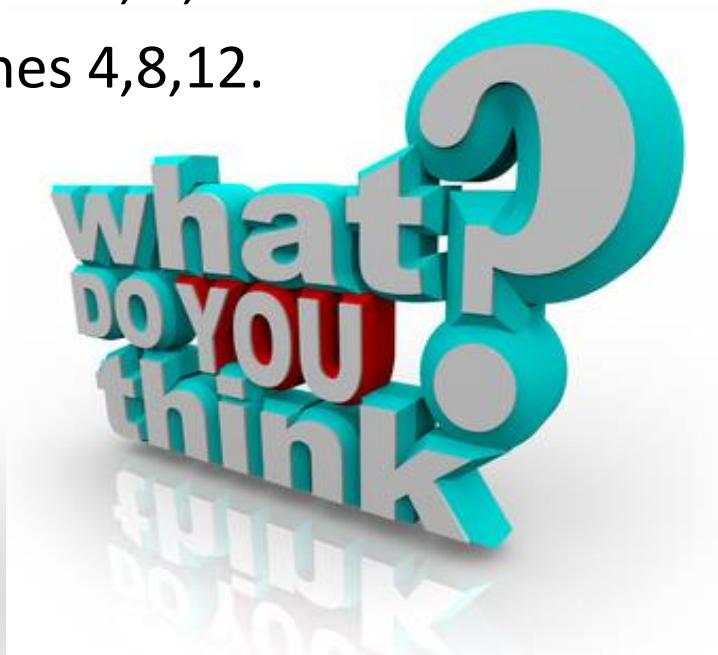
The Guidelines

8. Providing professional learning opportunities that build the capacity of staff to understand and support diverse sexual-orientations, gender identities and gender expressions.
9. Using a comprehensive school-wide approach to promote healthy relationships and prevent and respond to bullying behavior.
10. Ensuring students have the understanding, skills and opportunities to contribute to safe, caring and inclusive learning environments that respect the diversity and nurture a sense of belonging and positive sense of self.
11. Ensuring all families are welcomed and supported as valued members of the school community.
12. Ensuring that school staff have work environments where they are protected from discrimination based on their sexual orientation, gender identity and gender expression.

Group Activity

Organize into four different groups.

- Group 1 guidelines 1,5,9.
- Group 2 guidelines 2,6,10.
- Group 3 guidelines 3, 7,11.
- Group 4 guidelines 4,8,12.



Group Activity

- **Part 1:**

Read assigned guidelines. The group will use the following chart to discuss the guideline(s), the implications for their school, and any further learning that is required.

- **Part 2**

Each group picks a representative to report back to the staff, the following template can be used to record the group discussion points.

Group Activity

Discussion Points

Implications for our
school

Further Learning Required