

**JAMES BAY LOWLANDS
SECONDARY SCHOOL BOARD**

**BOARD GOVERNANCE POLICY
NO. GOV-17**

Date Adopted	October 24, 2018
Last Revised	
Board Motion	5598-10-18

SAFE SPACE: SEXUAL ORIENTATION

1. PURPOSE

This policy of the James Bay Lowlands Secondary School Board is intended to support the values of the Board that all persons are entitled to learn and work in an environment that promotes human rights and equity of opportunity, free from discrimination and harassment. It supports Ministry of Education expectations that school boards support the principles of equity and inclusive education, and promote a safe, positive learning and working environment.

2. DEFINITIONS

Bisexual: This term refers to an individual with the potential to be emotionally and/or sexually attracted to members of any sex.

Equity: Equity is a condition or state of fair, inclusive, and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.

Gay: This term refers to an individual who is emotionally and/or sexually attracted to a person of the same sex, and is often interchangeable with the term homosexual.

Gender Expression: Gender expression refers to the way individuals express their gender identity (e.g. in the way they dress, choice of name and pronoun, grooming habits, mannerisms, activities, etc.)

Gender Identity: Gender identity refers to the way people identify themselves as masculine or feminine. For many, gender identity matches their physical body. For some, the way they see themselves as masculine or feminine is different from their physical body. Since gender identity is internal, one's gender identity is not necessarily visible to others.

Hate Motivated Crime: This is a criminal offence committed against a person or property that is motivated by hate, bias, or prejudice based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, gender identity, or other similar factors.

Heterosexual: This term refers to an individual who is emotionally and/or sexually attracted to members of a different sex.

Homophobia: Homophobia is having a disparaging or hostile attitude towards people who are lesbian, gay, bisexual, or transgendered. It ranges from dislike and avoidance, to acts of discrimination and harassment in the school or workplace, and to hatred and acts of violence.

Lesbian: refers to a female who is emotionally and/or sexually attracted to the same sex.

Queer: Queer is a term used in a number of different ways, i.e. as an umbrella term for lesbian, gay, bisexual, transgender, and other non-heterosexual identities. It is also used as a way of reclaiming and co-opting a once negative term; to remove “queer” as a term of abuse. While “queer” is increasingly gaining acceptance as an academic term, not everyone finds the term empowering. Some resist it because of its use among homophobic people.

Questioning: This term refers to people who are exploring the possibilities of, or who are in the process of figuring out, their sexual orientation or gender identity.

Sexual orientation: This term encompasses the range of human sexuality from gay, lesbian, bisexual, to heterosexual.

Trans or Transgender: These are umbrella terms for people whose gender identity, expression or behavior is different from their biological sex at birth, and/or whose gender expression is different from the way males or females are stereotypically expected to look or behave.

Two-Spirit: This is an English term coined to reflect specific cultural words used by First Nations and other indigenous peoples for those in their cultures who are gay or lesbian, bisexual, or transgendered.

NOTE: All references to lesbian, gay, bisexual, and transgender (LGBT) individuals in this document also include other terms that are used to refer to non-heterosexual identities. Some examples of these other terms are queer, questioning, “trans”, and two-spirit. Terms are added and change over time to address a changing culture. It is important to assert the right of individuals to choose the words that work best for them.

3. GUIDING PRINCIPLES

- 3.1 The James Bay Lowlands Secondary School Board is committed to the principles of equity in accordance with the *Education Act*, *Ontario Human Rights Code*, and the *Canadian Charter of Rights and Freedoms*.
- 3.2 The Board is committed to the principle that all students, staff members, and parents are entitled to be welcomed and treated with dignity and respect.
- 3.3 The Board is committed to upholding the goals of the Ontario Ministry of Education Equity and Inclusive Education Strategy:
 - shared and committed leadership to eliminate discrimination through the identification and removal of biases and barriers; and

- equity and inclusive education policies and practices to support positive learning environments that are respectful and welcoming to all.
- [Policy/Program Memorandum No. 119 Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools]

4. BACKGROUND INFORMATION

- 4.1 Lesbian, gay, bisexual, and transgender students are at heightened risk for bullying and suicidal behaviour. Statistics suggest that these students are five to six times more likely to engage in suicidal behaviour than their peers. While the reasons for this association are complex, a perceived lack of acceptance and peer victimization can be contributing factors.
- 4.2 Although the understanding of gender has progressed over time to become more inclusive of members living outside of the male or female binary, oppressive views regarding the gender identities of human beings continue to be prevalent today. Common beliefs include the understanding that one's gender is determined at birth, and that everyone is born either male or female. There is also a more troubling view that all people born male should operate in a "masculine" way, and that all females must behave in a "feminine" way.
- 4.3 Education workers and community members must work to ensure these assumptions and views do not affect any student's, any parent's, or any staff member's sense of safety and belonging. It is crucial to acknowledge and respect the identities of lesbian, gay, bisexual, and transgender individuals to make schools safe and inclusive for all.

5. POLICY

- 5.1 This policy affirms the responsibility of the James Bay Lowlands Secondary School Board to provide a protected learning and working environment that is supportive of the dignity, self-esteem, and fair treatment of everyone taking part in Board activities.
- 5.2 The Board's policies, procedures, and practices will be developed, implemented, and continually evaluated to ensure fair and equitable educational, social, and employment opportunities for students, staff, and community partners.
- 5.3 The Board recognizes that the role of educators is critical in creating positive societal change to address the realities of issues for lesbian, gay, bisexual, and transgender students, staff, and parents. The Board is committed to the promotion of equity for LGBT individuals and to providing a safe and inclusive learning and working environment.
- 5.4 This policy informs the school community that the Board will not tolerate bias, harassment, intimidation, and/or violence towards those of diverse sexual orientation and gender identities. The Board will provide support and assistance to those who may be the intended or unintended targets of such behaviour.

- 5.5 In the context of this Board policy, this means refusing to ignore homophobic words and actions, and making every effort to combat heterosexist prejudice and hatred.

6. BOARD EXPECTATIONS

- 6.1 The James Bay Lowlands Secondary School Board will maintain an environment respectful of human rights and free of discrimination and harassment for all persons served by the Board. In fostering this environment, the Board expects that the staff will:
- be sensitive to issues of discrimination and harassment against lesbian, gay, bisexual, and transgender students, staff members, and parents;
 - support individuals who are, or have been, targets of discrimination and harassment based on sexual orientation;
 - provide sensitive and supportive counselling services to respond effectively to the needs of LGBT students;
 - make every effort to prevent LGBT individuals from being discriminated against or harassed;
 - take steps to remove any discriminatory barriers in employment policies and practices and in accessing programs, resources, and facilities that are based on sexual orientation or gender identification;
 - take all allegations of discrimination and harassment seriously and respond promptly;
 - never demonstrate, allow, or condone behaviour contrary to this Board policy, including reprisal; and
 - ensure that all members of the school community know that any hate group activities that promote negative behaviour towards LGBT individuals contravene this policy and other Board policies related to school safety, and may also contravene the *Criminal Code of Canada*.
- 6.2 The Board encourages individuals who believe they are targets of (or have witnessed) discrimination and harassment based on sexual orientation to express directly that the behaviour is inappropriate and must stop immediately. Many complaints can be resolved quickly and effectively using this approach.
- 6.3 In addition, system and school administrators and teachers must stop discrimination and harassment by quickly addressing and attempting to resolve complaints under this policy.
- 6.4 All persons have a right to privacy which includes their gender identity. Board staff must keep a person's sexual orientation/transgender status confidential. The only exception would be when there is a specific "need to know" as in cases where information would be required to fulfill a specific accommodation request.

7. PROFESSIONAL LEARNING

- 7.1 The Board will ensure that professional development opportunities are provided for the staff to develop the awareness, knowledge, skills, and attitudes necessary to deliver an inclusive curriculum which supports LGBT students.

- 7.2 The Board will support the staff in providing anti-homophobia education and training about ways to identify and address homophobic discriminatory attitudes and behaviour.

8. GAY-STRAIGHT ALLIANCES

- 8.1 The Ontario Ministry of Education, in the *Education Act*, requires all public schools, secular or Catholic, to allow students to name a school club created as a safe space for lesbian, gay, bi-sexual, and transgender students and their straight allies, as a "Gay-Straight Alliance." [*Education Act, Section 303.1 (2)*]
- 8.2 A Gay-Straight Alliance (GSA) is a student-initiated and student-run club. GSAs provide a safe, supportive environment for lesbian, gay, bisexual, and transgender youth to meet and discuss sexual orientation and gender identity issues. They work to create a school environment free of discrimination, harassment, and intolerance.
- 8.3 While each GSA is unique, there is never an expectation that students disclose their sexual or gender identity. Many GSAs function as support groups that provide safety and confidentiality for students struggling with their identity.
- 8.4 The school will support the development of an inclusive Gay-Straight Alliance (GSA), if requested as a safe space by the students, and at least one student is prepared to lead it. The school will support actions and activities that are positive to the needs of lesbian, gay, bi-sexual, and transgender students and lessen their feelings of isolation.

REFERENCE DOCUMENTS

Legal:

Education Act, Section 169.1 Board Duties and Powers: Positive School Climate
Education Act, Section 169.1 Board Duties and Powers: Promote the Prevention of Bullying

Education Act, Part XIII Behaviour, Discipline and Safety

Education Act, Section 300.0.1 (2) Prevent incidents based on homophobia, transphobia, or biphobia.

Education Act: Section 303.1 (2) Support for a Gay-Straight Alliance in the school

Canadian Charter of Rights and Freedoms

Ontario Human Rights Code

Criminal Code of Canada

The Municipal Freedom of Information and Protection of Privacy Act

Ontario Regulation 437/97 Professional Misconduct under the Ontario College of Teachers Act: Abusing a student psychologically or emotionally

Ontario Ministry of Education. (2009) Equity and Inclusive Education Strategy

Ontario Ministry of Education. (2013). Policy/Program Memorandum No. 119. Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
Policy/Program Memorandum No. 128 The Provincial Code of Conduct and School Board Codes of Conduct

Ontario Ministry of Education. Policy/Program Memorandum No. 144 Bullying Prevention and Intervention

Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation

Ministry of Education (2015). The Ontario Curriculum Grades 9 to12: Health and Physical Education

Board:

Board Policy GOV-01 Values, Vision, and Mission

Board Policy GOV-13 Equity and Inclusion

Board Policy GOV-18 School Code of Conduct

Board Policy GOV-19 Progressive Discipline: Students

Board Policy GOV-20 Appeals and Hearings Regarding Student Discipline

Resource:

Canadian Teachers' Federation. (2016) *Sexual and Gender Minorities in Canadian Education and Society 1969-2013. A National Handbook for K-12 Educators*

This guide presents a detailed overview of what has been done to improve the situation of sexual and gender minorities in Canadian society and, more specifically, in education. This resource provides educators with a wealth of ideas, resources, and practices to help them deal with this important equity issue.