



## ACCOMMODATION OF PERSONS WHO IDENTIFY AS TRANSGENDER

Responsibility:	<i>Coordinating Superintendent, Student Achievement &amp; Well-Being</i>
Legal References:	<i>The Canadian Charter of Rights and Freedoms (Section 15); The Ontario Human Rights Code; The Education Act</i>
Related References:	<i>Accepting Schools Act (Bill 13) Ministry of Education Policy/Program Memorandum 114 – Bullying Prevention and Intervention Board Policy 1008 – Equity and Inclusion Board Policy 6009 – Bullying Prevention and Intervention Board Policy 1004 – Harassment Board Policy 6000 – Safe Schools Board Policy 6001 – Code of Conduct Board Policy 6008 – Student Discipline Board Policy 1009 – Violence in the Workplace Administrative Procedure 1050 – Ontario Student Record (OSR) Office Index Card (OIC) Administrative Procedure 1200 – Student Bullying and/or Harassment Administrative Procedure 1260 – Student Discipline Procedures Administrative Procedure 4035 – Responding to Request for Transcripts and Other Education Verification</i>

### 1. Preamble

- 1.1 The Waterloo Region District School Board (WRDSB) is committed to establishing and maintaining a safe, caring, inclusive, equitable and welcoming learning and working environment for all members of the school community including students, staff, parents/guardians and community members who identify as, or are perceived as, lesbian, gay, bisexual, transgender, transsexual, two-spirit, genderqueer, intersex, and those who are questioning their sexual orientation and/or gender identity (LGBTQ+).
- 1.2 For the purposes of this document, “trans” refers to those who identify within the transgender/gender variant umbrella, including but not limited to: transgender, transsexual, genderqueer, gender fluid, two-spirit, trans man, trans woman, trans boy, trans girl, intersex, gender independent, and questioning or people who do not identify with a particular gender identity.
- 1.3 Transgender staff and students and their families have a right to have their confidentiality protected and respected, to self-identification, and for their identity to be included, represented, valued and respected within all aspects of the school and working environment.
- 1.4 The accommodation of staff, students, parents/guardians and community members who identify as transgender will be addressed in a dignified manner. All accommodation requests will be taken seriously. No person will be penalized for making an accommodation request.

## 2. Belief Statements

- 2.1. The WRDSB recognizes the rights of staff, students, parents/guardians and community. The WRDSB is committed to student achievement and well-being and excellence of education. The Board ensures that values of uniqueness and diversity of its students, staff and community are deeply embedded in the services and programs provided. We strive for equity, inclusivity, and diversity in all programs, practices, resources and facilities.
- 2.2. The WRDSB recognizes the rights of staff, students, parents/guardians and community members to equitable treatment without discrimination based upon gender identity and gender expression. The Administrative Procedure for the Accommodation of Persons Who Identify as Transgender is established as the Board's commitment to the values of freedom of gender identity and gender expression, freedom from discriminatory behaviors based on gender identity and gender expression, as well as respect for diversity in our school and work environments.
- 2.3. The WRDSB understands that gender is part of a person's identity and seeks to respect and honour the whole person in making accommodations.
- 2.4. The WRDSB understands that staff and students who are trans identified need a safe, respectful and inclusive environment in order to succeed. The Administrative Procedure for the Accommodation of Persons Who Identify as Transgender is a proactive effort that is aimed to support student achievement and well-being by eliminating discrimination and harassment related to gender identity and gender expression.
- 2.5. The Board will explore all options to provide an accommodation to individuals who identify as transgender.

## 3. Terms and Definitions

These terms and definitions are provided to be used only as a reference and are not meant to label individuals. A person's identity and how they identify is very personal, and should not be assumed by others. Language is constantly changing and this list should only be used as a guide.

**Assigned Biological Sex:** the biological classification of people as male and/or female. Sex is usually assigned by a physician at birth and is based on a visual assessment of external anatomy.

**Agender:** a term which can be translated as "without gender". A person who is agender may feel that they have no gender, or have a gender identity that is neutral.

**Bi-gender:** refers to individuals whose gender identity is a combination of male/man and female/woman.

**Cissexism:** prejudice, stereotyping and discrimination, directed against people who are not cisgender. Cissexism is also a set of assumptions or beliefs that people who are cisgender are superior to those who are not.

**Cisgender:** refers to individuals having a gender identity that is congruent with one's assigned biological sex. A man/boy is male and a woman/girl is female.

**Cross-Dresser:** someone who generally identifies with their assigned biological sex, but at times identifies with and personifies the "opposite" sex in their gender presentation and dress. Cross-dressing is not indicative of sexual orientation or attraction.

**Gender:** a socially constructed concept of identity, such as man, woman, boy and girl, with corresponding roles, behaviours, activities, and appearance.

**Gender Binary System:** a social system that requires everyone to be raised as a boy or girl (dependent on what sex you were assigned at birth), which in turn forms the basis for how you are educated, what jobs you can do (or are expected to do), how you are expected to behave, what you are expected to wear, what your gender and gender presentation should be, and who you should be attracted to/love/marry, etc.

**Gender Expression/Gender Presentation:** refers to the way an individual expresses their gender identity (e.g. in the way they dress, the length and style of their hair, the way they act or speak, the volume of their voice, and in their choice of whether or not to wear make-up).

**Gender Fluid:** a gender identity which encompasses a wide spectrum of gendered behaviour or appearance that blurs the lines of man, woman, boy, girl in a fluid way. In this sense, gender is not fixed and may change over time.

**Gender Identity:** is linked to an individual's intrinsic sense of self and their sense of being female, male, a combination of both, or neither regardless of their assigned biological sex.

**Gender Independent:** refers to individuals who do not follow other people's ideas or stereotypes about how they should look or act based on the female or male sex they were assigned at birth (also called Gender Variant, Gender Creative or Gender Non-Conforming).

**Genderqueer:** refers to people who do not ascribe to gender and sex as a binary concept. Genderqueer people may identify as either male, female, both, neither or may reject gender altogether.

**Gender Neutral Pronouns:** a pronoun that is not associated with a particular gender and that does not imply male or female. Many English pronouns are gender neutral, including "they", which can be substituted in a singular use (he/she/they). Alternative pronouns used include "zhe", "zir" and "hir".

**Intersex:** refers to people whose reproductive or sexual anatomy is not easily defined as male or female. There are a variety of ways someone can be intersex, ranging from having ambiguous genitalia to having a mixture of XX and XY chromosomes. The word hermaphrodite was historically used to describe intersex individuals, however, this term is considered highly offensive.

**LGBTQ+:** an acronym that stands for lesbian, gay, bisexual, transgender and queer/questioning. The plus sign (+) indicates the inclusion of all sexual and gender identities within queer communities.

**Non-binary:** refers to a person who does not agree with the idea that there are only two genders – male/female or man/woman and that a person must be strictly gendered as either/or.

**Questioning:** being unsure of one's sexual orientation and/or gender identity; feeling uncomfortable with or unwilling or unable to self-categorize within traditional labels such as gay, straight, man, woman, etc.

**Sexual Orientation/Attraction:** the desire for intimate emotional and/or sexual relationships with people of the same gender/sex, another gender/sex, or multiple genders/sexes.

**Trans:** an adjective relating to gender diverse individuals, groups or interests. This inclusive category is used by many who also identify within the transgender/gender variant umbrella, including but not limited to: transgender, transsexual, genderqueer, gender fluid, two-spirit, trans man, trans woman, trans boy, trans girl, intersex, gender independent, and questioning or people who do not identify with a particular gender identity. Some people may identify as trans, but not with other terms under the trans umbrella.

**Transgender:** an umbrella term that refers to individuals whose gender identity is different from their assigned biological sex at birth, and/or whose gender expression may be different from the way males or females are stereotypically expected to look or behave.

**Transition:** the process (which for some people may also be referred to as the "gender affirming process") whereby people change their appearance or physical body to align with their gender identity. Transition means different things to different people, due in part to issues of access, safety and personal choice. It may involve, if freely chosen, modification of bodily appearance, presentation or function by medical, surgical, or other means.

**Transphobia:** the fear, ignorance, and mistreatment of people who are, or are perceived to be, transgender. This often leads to bias, discrimination, hatred, harassment and violation of the human rights of transgender people.

**Transsexual:** a person who does not identify with the gender associated with the sex assigned to them at birth. This term is most frequently associated with movement from one side of the gender binary to the other. Some transsexual people may physically alter their body (e.g., gender affirmation surgery and/or hormone therapy) to correspond with their gender identity. For some people this is a stigmatizing term because of its historical association with the pathologization of gender diverse people, and the implication that a person's gender identity is not valid unless they medically transition. In addition, many transsexual individuals who make a surgical transition no longer consider themselves to be transgender upon completion of this process.

**Trans boy:** an identity label sometimes adopted by trans individuals to signify that they are boys while still affirming their history as females.

**Trans girl:** an identity label sometimes adopted by trans individuals to signify that they are girls while still affirming their history as males.

**Trans man:** an identity label sometimes adopted by trans individuals to signify that they are men while still affirming their history as females.

**Trans woman:** an identity label sometimes adopted by trans individuals to signify that they are women while still affirming their history as males.

**Two-spirit:** an umbrella term used by Indigenous and Aboriginal people to describe the embodiment of both masculine and feminine spirits. This identity is not limited to gender expression or sexuality, but encompasses them both while incorporating a spiritual element.

#### 4. Responsibilities of Principals and Managers

The Ontario Human Rights Code provides for the equal rights and opportunities and freedom from discrimination for all persons. People cannot be discriminated against or harassed because of their gender identity or expression. These administrative procedures explain WRDSB's best practices related to accommodation based on gender identity and gender expression. They have been designed to raise awareness and help protect people who identify as transgender from discrimination and harassment.

##### **Privacy**

All persons have a right to privacy which includes their gender identity. WRDSB staff must keep a person's transgender status confidential.

WRDSB staff must not disclose a staff's transgender status to others unless there is a specific "need to know" as in cases where information would be required to fulfill a specific accommodation request.

Similarly, school staff must not disclose a student's transgender status to others unless there is a specific "need to know" as in cases where information would be required to fulfill a specific accommodation request. See the *General Guidelines for the Accommodation of Persons who Identify as Trans - Appendix A* for case examples.

Some students who identify as transgender are not openly so at home because of safety and/or other reasons. A school shall not disclose a student's gender status to the student's parent(s)/guardian(s) without the student's explicit prior consent.

When school staff contacts the home of a student who identifies as transgender, the student should be consulted first to determine an appropriate way to reference the student's gender identity. Not doing so can potentially put a student's well-being and safety at risk.

If students have first disclosed their gender status to staff, it is strongly suggested that staff privately ask transgender students at the beginning of the school year how they want to be addressed in correspondence to the home or at meetings with the student's parent(s)/guardian(s). School staff should talk to the student about letting their administrator, teachers, guidance counsellor, child and

youth worker, and other school staff know, explaining reasons why it may be helpful for them to be aware (e.g., making calls to home). Staff should respect a student's decision not to disclose to others.

### ***Professional Learning***

The Board will strive to ensure that professional development and training opportunities are provided for staff to develop the awareness, knowledge, skills and attitudes necessary to deliver an inclusive curriculum which includes anti-homophobia and anti-transphobia education, identify and address homophobic and transphobic discriminatory attitudes and behaviour, and support and advocate for students whose identity or perceived identity is LGBTQ+.

School board leaders must ensure that staff is educated in anti-transphobia education, in challenging gender stereotypes, and in using gender neutral and inclusive language. (*Refer to the General Guidelines for the Accommodation of Persons who Identify as Transgender - Appendix E* for community resources to support professional learning.)

### ***Trans Representation***

There are few transgender role models in schools. School leaders should ensure that resources and guest speakers represent the transgender community in a positive way.

### ***Accommodation Requests***

Students and staff members are encouraged to make accommodation requests in writing (refer to the *Student Request for Accommodation Form IS-17-01* or the *Staff Request for Accommodation Form HR-17-00*) or speak directly to their principal or manager. Students and staff are invited to bring a chosen advocate to help make the accommodation request with them. Each request will be dealt with on a case by case basis. Anybody who identifies as transgender is unique with different needs. An accommodation that works for one person cannot simply be assumed to work for another. Each accommodation may involve collaboration between the school, the student or staff, their family, and their community to jointly explore accommodation solutions.

### ***Special Advice for Management and Human Resources***

**If a student or staff member informs you of their intention to transition, your support is critical, and your words and actions will impact the outcome of the transition.**

Be open-minded and discuss the needs and concerns of the student or staff member in a respectful way. Refrain from voicing personal opinions regarding the person's decision to transition or about their appearance. Take the time to listen. Also take the time to acknowledge and reflect on personal bias.

Make it clear that your conversation will be held in confidence and that you would like to discuss how you, and the Equity and Inclusion Officer if requested, can assist them during their transition. Ask the student or staff member for their suggestions on what you can do to help.

- Do they want to inform others in the school? If yes, do they want to inform colleagues and students themselves, or would they prefer this be done for them?
- Do they expect to change their name? If yes, what name and pronoun will they use and when do they want to be referred by the new name and pronoun?

As managers, you may need to address the concerns of co-workers, parents/guardians and community members. A lack of knowledge about transgender issues has the potential of creating misunderstanding and tension in the workplace. Please be advised that there will be people who will be resistant to learning about the transgender community. In such circumstances, remind all employees that they are expected to conduct themselves in accordance with the WRDSB Equity and Inclusion Policy, the Charter of Rights and Freedoms, and the Ontario Human Rights Code.