



1.03 Respect for Human Diversity, Sexual Orientation and Gender Identity

1. General Administration - Administrative Procedure Manual

The Pine Creek School Division is committed to ensuring that all students, employees, volunteers and community members have the right to learn and work in environments free of negative conduct or actions based on gender bias, sexual stereotyping, sexual orientation or gender identity.

Canadian Charter of Rights and Freedoms

The *Constitution Act [1982]*, which includes the Canadian Charter of Rights and Freedoms, is the supreme law of Canada. As such, all other laws and applicable workings of governments, including school boards, must be consistent with its provisions. The Charter and Supreme Court of Canada decisions made under the Charter guarantee everyone equality regardless of race, national or ethnic origin, citizenship, colour, religion, marital status, sex, sexual orientation, age or mental or physical disability. The Charter and Supreme Court decisions also promote the development of programs designed to redress the conditions of disadvantaged individuals or groups.

Manitoba Human Rights Code

The Human Rights Code of Manitoba recognizes the individual worth and dignity of every member of the human family, and this principle underlies the *Universal Declaration of Human Rights*, the *Canadian Charter of Rights and Freedoms*, and other solemn undertakings, international and domestic, that Canadians honour.

The Safe Schools Charter

The Safe Schools Charter which amended the Public Schools Act and the Educational Administration Act ensures that each pupil enrolled in a school within the jurisdiction of the school board is provided with a safe and caring school environment that fosters and maintains respectful and responsible behaviours.

The Public Schools Amendment Act – Safe and Inclusive Schools

The Safe and Inclusive Schools legislation (2013) recognizes that despite measures to provide a safe school environment for all, students were specifically being targeted for bullying and discrimination on the basis of their sexual orientation or their gender identity. Therefore, the province has set out specific requirements to ensure the safety and inclusion of Lesbian, Gay, Bisexual, Two-spirited, Transsexual or Gender Variant students, staff and community members in publicly funded schools.

From the above referenced Charters, Codes and Laws, it is clear that it is the right of all individuals to treatment that is solely based on their personal merits, and to equality of opportunity with all other individuals, in all matters.

Therefore, the Pine Creek School Division recognizes that respect for Human Diversity is a fundamental value of our society and the public education system. In keeping with this value, the school division commits to ensuring a safe, inviting and inclusive environment for students, employees, volunteers and community members regardless of sexual orientation or gender identity. Furthermore, the Pine Creek School Division is committed to ensuring that all students,

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employees, volunteers and community members have the right to learn and work in environments free of negative conduct or actions based on gender bias, sexual stereotyping, sexual orientation or gender identity.

Guidelines

- A. The Pine Creek School Division will strive to promote respect for human sexual diversity within its schools, learning environments and workplaces.
- B. The Division's staff has the responsibility to promote respect for human sexual diversity, and to support learning environments and workplaces that are free of negative conduct or actions based on gender bias, sexual stereotyping, sexual orientation and/or gender identity.
- C. To support Guidelines A and B, the Division is committed to providing resources and professional learning experiences that support all employees and students to honour the provisions of this policy.
- D. The Division expects students to support safe and inclusive learning environments by respecting human diversity and refraining from expressing negative conduct or actions based on gender bias, sexual stereotyping, sexual orientation and/or gender identity.
- E. The Division is committed to responding to any students or parents whose need for information about gender identity or sexual orientation leads them to request supports, including but not limited to resource materials, counseling services or other supports available through school or divisional personnel.

Procedures

- A. The Division shall provide regular opportunities for professional learning that meets staff needs, roles and responsibilities, including but not limited to foundational training and other professional learning opportunities about sexual orientation and gender identity.
- B. The Superintendent or designate will direct processes that enhance, as needed, divisionally reviewed resources for all schools' libraries, that support respect for Human Diversity.
- C. All schools will implement appropriate provincially approved curricula that supports student learning about human sexual diversity.
- D. The Superintendent or designate shall direct processes to assess the implementation of this policy and guide the supports for Human Diversity, as part of the Division's ongoing planning processes.
- E. To respond to actions that contravene this policy, the Division, its school Principals and other supervisors shall reference, as necessary, the Canadian Charter of Rights and Freedoms, the Manitoba Human Rights Code, the Safe Schools Charter, the Safe and inclusive Schools legislation and divisional policies.

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- F. Schools are encouraged to designate staff persons to be a safe and available contact for students who identify themselves on the basis of sexual orientation or gender identity. Schools are encouraged in their school planning to advocate for students who identify themselves on the basis of sexual orientation or gender identity and those who are questioning their gender identity. Student action groups dealing with discrimination and harassment, including Gay-Straight Alliances (GSAs) are encouraged at schools in the Division and will be formed upon student or staff initiative.

Definitions (Source: Public Health Agency of Canada)

Gender Identity: A person's internal sense or feeling of being male or female, which may or may not be the same as one's biological sex or may be an identity between or outside those categories

Sexual Orientation: is the term used to describe an individual's sexual, psychological and emotional feelings of attraction towards another person (Public Health Agency of Canada).

Gay: A person who is physically and emotionally attracted to someone of the same sex. The word gay can refer to both males and females, but is commonly used to identify males only.

Lesbian: A female who is attracted physically and emotionally to other females.

Bisexual: A person who is attracted physically and emotionally to both males and females.

Two-Spirit: Some Aboriginal people identify themselves as two-spirit rather than as bisexual, gay, lesbian or transgender. Historically, in many Aboriginal cultures, two-spirit persons were respected leaders and medicine people. Before colonization, two-spirit persons were often accorded special status based upon their unique abilities to understand both male and female perspectives.

Transsexual: A person who experiences intense personal and emotional discomfort with their assigned birth gender and may undergo treatment (e.g. hormones and/or surgery) to transition gender.

Gender Variant: A term to refer to individuals whose expressions of gender do not conform to the dominant gender norms of masculinity and femininity.