

GENDER DIVERSITY POLICY SUPPORTING STUDENTS DIVERSE IN GENDER

1.0 Introduction and Statement of Commitment

Hillbrook is committed to providing all students with access to high-quality schooling that is free from discrimination based on gender and sexual orientation. We support the rights of all children and young people and are devoted to ensuring the safety and wellbeing of students. We are committed to enabling all students to have the freedom to be themselves in a safe and supportive environment.

2.0 Purpose

The purpose of this policy is:

- To promote an educational environment that is welcoming, safe and free from discrimination and stigma for all students, regardless of sex, gender identity, gender expression and sexual orientation.
- Promote an inclusive community where students have the opportunity to acknowledge their gender identity, express themselves and live authentically.
- To enable compliance with legislation concerning discrimination, bullying, harassment and privacy.

3.0 Scope

This policy applies to all matters that relate to the care and wellbeing of students, and to all employees, parents, volunteers and visitors associated with Hillbrook. It covers conduct that takes place at school, at school organized events and activities, and on school vehicles. This policy also pertains to usage of electronic devices that occurs at school and on school devices. It is to be read in conjunction with relevant legislation listed below.

4.0 Relevant Legislation

4.1 Legislation

According to the relevant legislation, it is a requirement for schools to ensure that no discrimination occurs on the basis of gender equity.

- Anti-Discrimination Act (QLD) 1991
- Human Rights Act (QLD) 2019
- Education (General Provisions) Act (QLD) 2006
- Sex Discrimination Act (Cth). 1984
- Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act (Cth). 2013

4.2 Privacy Laws

All students have a right to privacy. According to Privacy Laws, a person's gender identity is private and consent must be given by the student to disclose or share information. Information about a student's transgender status, legal name or gender assigned at birth constitutes confidential medical information. Legal advice must be obtained before sharing without consent. Students are under no obligation to notify the school or community if they identify as gender diverse.

- Information Privacy Act 2009 Queensland

5.0 Policy

5.1 Student Transitions

Hillbrook will acknowledge the gender identity that each individual student identifies with. Each student will have a unique process for transitioning and the school will work collaboratively with students and their families to ensure a plan specific to each student's needs. This will ensure that it is a student led process.

This plan may include time frames of the transition, their name and pronouns, Outdoor Education and sport arrangements, and considerations on toilet and change room use. There is no medical or mental health diagnosis or treatment threshold that students must meet in order to have their gender identity respected and recognised. School Counsellors may refer students who are expressing a desire to transition at school to external agencies to gain recommendations and support.

5.2 Student Name

Respecting a young person's request to change name and pronoun is an essential part of validating and supporting their identity. Students may refer to themselves by a name of their choosing. School staff are asked to use the name, personal pronouns and preferred gender when requested by the student. It is acceptable to ask a student about their preference for name and pronoun. Academic reports, certificates, awards and day-to-day school records/notes may use the student's preferred name.

5.3 School Records

Enrolment records must reflect the sex as stated on the students Birth Certificate or Passport. Name changes on school documents and academic reports will be considered on a case-by-case basis, in consultation with parents.

Queensland Curriculum and Assessment Authority will reflect the students legal name.

5.4 Toilet and Change Room Use

The use of toilets and changing rooms by students will be negotiated with each individual student. This may be discussed with the School Counsellors or Year Level Coordinator with the goal being to maximize social integration, minimize stigmatization and ensure safety and comfort. Students may use the unisex bathroom and change rooms available around the school, or the student may use the facilities of their affirmed gender. The school will work collaboratively to promote the safety and comfort of all students.

5.5 School Uniform

All students have the right to dress in a manner consistent with their gender identity and expression. Students are therefore permitted to wear the uniform of their choosing. The same uniform standards and guidelines apply to all students and it is an expectation that they will adhere to all uniform dress codes.

5.6 Curriculum

All curriculum is facilitated in a manner that promotes inclusivity. When developing and delivering curriculum around gender, relationships and sexuality, teachers should avoid making generalisations and assumptions about sexuality or gender identity. Teachers will be up to date with the most current resources and they promote inclusivity, acceptance and care for all.

5.7 Outdoor Education Program

When determining school camp arrangements, students will consult with the Outdoor Education department to talk over their choices about the sleeping arrangements, toilets and change areas. Whenever possible, students should be able to sleep in tents appropriate to their gender identity. Some transgender young people may not feel comfortable doing this and in such cases alternative sleeping arrangements will be made.

When participating in physical activities on Outdoor Education days and camps, the student may negotiate with the staff about what degree of participation is appropriate. Activities that cause a great degree of discomfort will be discussed and alternative arrangements will be made if it is appropriate.

Risk assessments can be carried out prior to Outdoor Education days in order to make any reasonable adjustments which will enable participation for the individual student.

5.8 Subject Camps and Excursions

When determining camp and excursion arrangements, students will consult with the relevant Subject Coordinator or Class Teacher to talk over their choices about the sleeping arrangements, toilets and change areas. Decisions will be made that best suit to help the student feel safe and comfortable.

The student may also discuss the activities and will negotiate with the staff about what degree of participation is appropriate. Risk assessments can be carried out prior to the excursion or camp.

5.9 Physical Education and Sport

All students have a right to participate in sporting activities. Physical Education teachers are used to differentiating their lessons and taking into account the range of size, build and ability in the class to keep all students safe and so the same principles can be applied. These considerations should be discussed with individual students themselves and if appropriate, with their parents or guardians. The type of sport, level of ability and physical contact rules will be considered when deciding what is appropriate. Wherever possible, when teams are segregated by gender, students should be enabled to participate in the activity which corresponds to their gender identity if this is what they request. However, for children over 12 years of age, restrictions on participations in sport may be imposed if the restriction is reasonable, having regard to the stamina, strength or physical requirements of the sport. If a student is taking medication to suppress pubertal development that impacts on differences in strength and stamina (e.g. blockade of testosterone) this should be taken into consideration when considering if a restriction is required.

Swimming can be problematic for young people identifying as a gender different from the physical

development of their body. Flexibility may be required in either the swimming costume or participation in swimming.

Refer to the Anti-Discrimination Act Section 111 Sport.

5.10 Counselling Support

Transitioning at school, or even developing a stronger understanding of one's gender identity can be a very challenging time for students. The School Counsellors are up to date in the most recent approaches to supporting LGBTIQ+ young people and can be utilized to provide assistance to help make it a less difficult time for young people. They can create support plans for the individual students during their time of transition. They can also provide referrals to outside agencies if required.

Support can also be given to other members of the Hillbrook community who are directly or indirectly associated with the individual student. This includes parents, siblings, and with consent to disclose identity; other students and staff members.

5.11 Parental Collaboration

The parents and guardians of transgender and gender nonconforming students play a crucial role in establishing a safe and supportive school environment. Whenever possible, parents will be key contributors to the formulation of a plan for helping their child be supported to learn free from discrimination at school.

According to the *Anti-Discrimination Act 1991* concerns regarding the views of the person's parents or other members of the school community do not provide exemptions from the legal requirement to neither directly or indirectly discriminate (treat differently) a person due to their gender identity.

5.12 Bullying, Harassment and Discrimination

Hillbrook takes bullying, harassment and discrimination very seriously. We are committed to ensuring that all students have a safe school environment. Therefore, any complaint alleging discrimination, harassment and bullying based on a student's actual or perceived gender identity, and expression, will be taken very seriously. The incident of discrimination will be given immediate attention and appropriate action will be taken following the Bullying and Harassment policy.

6.0 Documentation and Risk Management

When working with individual students, communications with parents, staff and external agencies will be documented and put with the confidential student notes. A risk management plan may also be completed to ensure that before, during and after transitioning, students will be supported in the best way possible.

7.0 Awareness of the Policy

Staff, students and parents will be made aware of the policy through a number of avenues: in-service training, lessons, and its availability at online@hillbrook and the school Internet site.

8.0 Definitions

Gender Identity: A person's innermost concept of self as male, female, a blend of both or neither. One's gender identity can be the same or different from their sex assigned at birth.

Gender Expression: The external presentation of one's gender, as expressed through one's name, clothing, behavior, hairstyle or voice, and which may or may not conform to socially defined behaviours and characteristics typically associated with being either masculine or feminine.

Gender diverse: A term to describe people who do not conform to their society or culture's expectations for males and females. Being transgender is one way of being gender diverse, but not all gender diverse people are transgender.

Assigned sex at birth: The sex (male or female) assigned to a child at birth, most often based on the child's external anatomy. Also referred to as Biological Sex on Birth Certificate.

Trans or transgender: A term for someone whose gender identity is not congruent with their sex assigned at birth.

Cisgender: A term for someone whose gender identity aligns with their sex assigned at birth.

Trans boy/male/man: A term to describe someone who was assigned female at birth who identifies as a male. Some will use the term Man.

Trans girl/female/woman: A term to describe someone who was assigned male at birth who identifies as female. Some will use the term Woman.

Non-binary: A term to describe someone who doesn't identify exclusively as male or female.

Gender fluid: A person whose gender identity varies over time.

Agender: A term to describe someone who does not identify with any gender.

Coming out: the process by which one accepts and/or comes to identify one's own orientation or gender identity (to come out to ones self). Also, the process by which one shares ones sexual orientation or gender identity to others (to come out to ones friends etc.).

BrotherBoy and SisterGirl: Aboriginal and Torres Strait Islander people may use these terms in a number of different contexts, however they can be used to refer to trans and gender diverse people. BrotherBoy typically refers to masculine spirited people who were assigned female at birth. SisterGirl typically refers to feminine spirited people who were assigned male at birth.

Gender dysphoria: A term that describes the distress that may be experienced by a person due to incongruence between their gender identity and their sex assigned at birth.

Social Transition: The process by which a person changes their gender expression to better match their gender identity.

Medical Transition: The process by which a person changes their physical sex characteristics via hormonal intervention and/or surgery to more closely align with their gender identity.

Outing: involuntary or unwanted disclosure of another person's sexual orientation or gender identity.

Same-sex attraction (SSA): a term used to describe the experience of a person who is emotionally and/or sexually attracted to people of the same gender.

References:

Telfer, M.M., Tollit, M.A., Pace, C.C., & Pang, (2017) K.C. Australian Standards of Care and Treatment Guidelines for Trans and Gender Diverse Children and Adolescents. Melbourne: The Royal Children's Hospital; 2017.

Department of Education (2017) Diversity in Queensland Schools: Information for Principals.