



Section 3: Staff

“Together We Learn”

**352 – DISCRIMINATION TOWARDS AND BY STAFF AS IT PERTAINS TO
SEXUAL ORIENTATION AND GENDER IDENTITY**

Introduction

The Board of Education is committed to a safe, positive and inclusive learning and working environment for all students and employees regardless of their sexual orientation or gender identity. The letter and spirit of the *Canadian Charter of Rights and Freedoms* and the *B.C. Human Rights Code* (*“the Code”*) are observed, enforced, and supported in this policy so that all members of the school community may learn and work together in an atmosphere of respect and safety, free from discrimination, harassment and/or exclusion.

The purpose of this policy is to define appropriate behaviours and actions in order to prevent discrimination and harassment through greater awareness of and responsiveness to their negative effects. This policy will also help to ensure that homophobic complaints are taken seriously and dealt with expeditiously and effectively through consistently applied policy and procedures. The policy will also raise awareness and improve understanding of the lives of people who identify themselves on the basis of sexual orientation or gender identity.

Policy

1. The Board prohibits any form of discrimination, intimidation or harassment against any person based on gender or sexual orientation as outlined in the definitions that follow.
2. The Board expects members of the school community to welcome, include and support all others regardless of their gender or sexual orientation.
3. This policy is intended to address issues where the cause of the conflict or behaviour is based on a personal characteristic that is protected under the BC Human Rights Code. Board Policy 350 – Human Rights will govern both the application and resolution process.
4. The Superintendent is responsible for ensuring that the provisions of the Code and this policy are communicated and understood.



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Definitions

For the purpose of this policy, the following definitions are used:

Discrimination is defined as:

- (a) a distinction, whether intentional or not, that is based on grounds identified in the Code relating to the personal characteristics or an individual or group, and
- (b) the distinction has the effect of imposing burdens, obligations, or disadvantages on an individual or group that are not imposed on others, or withholds or limits access to opportunities, benefits, and advantages available to others, and
- (c) the distinction is not based on a bona fide occupational requirement.

Harassment is defined as behaviour that occurs while conducting or participating in activities related to the learning or working environment that:

- (a) is based on or related to a prohibited ground of discrimination as set out in the *Human Rights Code*: race, sex, marital status, family status, ancestry, place of origin, sexual orientation, gender identity or expression, age, colour, religion, political belief, criminal conviction unrelated to employment, or mental or physical disability, and
- (b) is unwelcome or is of such a nature that it would be reasonable to assume that it is unwelcome, and
- (c) detrimentally affects the learning and working environment or leads to adverse consequences for the victim of the harassment.

Harassment is unacceptable at School District functions and activities during normal hours of operation or during non-operational hours.

The victim or the alleged harasser may be a School District employee, parent, volunteer, a Board member, or a third party doing business with the District.

Common Terms

This list is not exhaustive and could include many more terms. It is intended to be as inclusive as possible.



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Gay can refer to a man who is romantically, emotionally and/or sexually involved with men.

Lesbian can refer to a woman who is romantically, emotionally and/or sexually involved with women.

Bisexual can refer to people who are romantically, emotionally and/or sexually involved with people with any gender.

Transgender can refer to people who do not identify with the gender roles assigned to them by society based on their biological sex.

Transsexual can refer to people who use hormone therapy and/or surgery to alter their sex.

Two-Spirit can refer to Aboriginal or Indigenous people who identify themselves based on sexual orientation or gender identity.

Queer can refer to people who identify themselves based on sexual orientation or gender identity or who resist these categories as too simple.

Sexual Orientation can cover the range of human sexuality including Gay and Lesbian, Bisexual, Transgender, and Heterosexual orientations.

Gender Identity can refer to the way a person defines and acts out their gender.

Heterosexism refers to the assumption that all people are heterosexual and that heterosexuality is the norm by which all other sexual orientations and gender identities are measured.

Homophobia is the irrational fear or hatred of, aversion to, and discrimination against people based on an actual or assumed sexual orientation or gender identity.

LGBTQ+ is an acronym for Lesbian, Gay, Bisexual, Transgender, Questioning, plus other terms, and it is meant to be an inclusive term for a very diverse group of people.