



AP 311 – STUDENT GENDER AND SEXUAL DIVERSITY

BACKGROUND

Saskatoon Public Schools is committed to ensuring safe school environments where all students feel included, protected and respected. Students must be respected and free to express themselves within a safe and welcoming school environment. Saskatoon Public Schools recognizes and reaffirms its commitment to the anti-discrimination and anti-oppression principles and values contained in the Education Act, the Saskatchewan Human Rights Code, the Canadian Human Rights Act, and the Canadian Charter of Rights and Freedoms.

PROACTIVE EDUCATIONAL PROCEDURES

Saskatoon Public Schools is committed to embedding human rights and equity into its educational and operational functions to ensure all students and staff are treated with respect and dignity.

Board of Education Responsibilities

The Saskatoon Public Schools Human Rights Equity Policy (Policy 15) is based on the principles of human rights and equity. It recognizes that all persons are equal in dignity and rights and mandates that learning environments are safe, caring, and inclusive. It is our goal to work together with parents/caregivers/guardians and community partners to ensure that every student is known, valued, and believed in.

Leadership Responsibilities

School-based and central office leaders have an obligation to support educators and support staff in creating learning and work environments that are safe, caring, and that ensure human rights and dignity are upheld.

Leaders will:

- Engage in ongoing learning to increase knowledge that deconstructs and challenges gender and sexual stereotypes in accordance with Saskatoon Public Schools administrative procedures and provincial legislation.
- Provide support and training opportunities for employees to deepen their knowledge and develop behaviours that identify and eliminate discrimination based on gender and sexual expression and to foster dialogue that creates understanding and respect for diversity.
- Ensure positive relationships are maintained by respecting the rights of all individuals to have their own beliefs, provided their actions are not discriminatory and do not harm or negatively impact the rights of others.
- Use language and behaviour that models respect for all sexual orientations and gender identities.
- Take timely action and intervene effectively when instances of offensive language or behaviour related to sexual orientation or gender identity occur.
- Document incidents and the responses to these occurrences.



Educators and Support Staff Responsibilities

All students need access to an equitable classroom environment and school that shares a commitment to fostering caring and supportive relationships. Students need to see themselves, their lives and the lives of their families positively reflected in all aspects of school. It is expected that school staff establish learning environments where students see a commitment to safe, supportive, inclusive, and discrimination-free environments. All staff share this collective responsibility.

Educators and support staff will:

- Engage in ongoing learning to increase knowledge that de-constructs and challenges gender and sexual stereotypes in accordance with Saskatoon Public Schools administrative procedures and the legislation identified in the background section of this procedure.
- Incorporate curriculum with resources focused on equity and gender and sexual diversity.
- Include positive images and accurate information which reflects the accomplishments and contributions of people who are gender and sexually diverse.
- Model and teach inclusive, equitable practices that promote human rights, cultivate critical thinking, and provide students with the opportunity to question issues of power, identity, and to challenge the status quo.

Parents/Guardians/Caregivers Responsibilities

Parents, guardians and caregivers as a partner in education, have the responsibility to cooperate with employees of the school to support the implementation of administrative procedures of the school and to ensure their student's conduct contributes to a safe learning environment for students and a safe work environment for staff.

Student Responsibilities

Students have the responsibility to follow the duties of students as outlined in AP 352, Duties of Students, and AP 367, Student Harassment, Intimidation and Bullying. Specifically, ensuring their conduct contributes to a safe, caring and inclusive learning environment for students and a safe work environment for staff.

COMPONENTS AND PROCEDURES

This administrative procedure sets out Saskatoon Public Schools practices related to gender and sexual diversity. It outlines the legal context, establishes expectations and protects against discrimination and harassment. While the procedures outlined will be adhered to, it is also expected that supports and specific accommodations shall be individualized on a case-by-case basis.

1. Legal Context

- 1.1. Students have a legal right to be safe and protected in schools.
- 1.2. Human rights in Canada and Saskatchewan have been influenced and shaped by several documents related to human rights:
 - The United Nations Declaration of Human Rights
 - Declaration on the Rights of Indigenous Peoples; and,
 - Convention on the Rights of the Child.



The legal documents that outline and enforce human rights in Canada and Saskatchewan are:

- Canadian Charter of Rights and Freedoms;
- The Saskatchewan Human Rights Code, 2018; and,
- Criminal Code of Canada.

2. Accommodating Gender and Sexual Diversity

- 2.1. All students have the right to openly and safely be who they are in Saskatoon Public Schools. This includes expressing gender identity freely without fear of discrimination, as well as the right to be treated with dignity and respect.
- 2.2. Part of Saskatoon Public Schools' commitment to supporting gender and/or sexually diverse students is to ensure that their privacy is protected and that they determine when and with whom information is shared. A school should not disclose a student's 2SLGBTQ+ status to the parent/guardian/caregiver or anyone in the community unless student permission has been granted or there is a safety reason for the disclosure.
- 2.3. Appropriate action must be taken to ensure that students who might be subjected to abuse upon disclosure receive attention and support (see Saskatchewan's Child Abuse Protocol 2023 for definitions of child abuse and AP 315). In situations where there is concern for the safety of the child in the process of seeking the consent of parents/guardians/caregivers, the school administration and counsellor will work through the situation to ensure safety and consult with their area Superintendent and/or the Safe, Caring and Accepting Schools Consultant as necessary.

3. Name/Gender/Pronoun Changes

- 3.1. For a preferred first name/gender/pronoun change, no legal documentation is required.
- 3.2. Students under the age of 16 requesting a name/gender/pronoun change must have parental consent for the changes to be made in accordance with Bill 137, An Act to amend *The Education Act*, 1995 respecting parental rights.
 - 3.2.1 The process for obtaining parental consent should be shared with the student by the administrator and/or counsellor.
 - 3.2.2 Consent can be obtained in writing and should be documented by the school.
 - 3.2.3 Administrators and/or counsellors may support students in obtaining consent.
 - 3.2.4 The student should be made aware that until consent is in place, their preferred name and pronouns will not be changed on school records.
 - 3.2.5 If a student requires assistance in gaining parental/guardian/caregiver consent, the student will be supported by the administrator and/or school counsellor to develop a plan to speak with their parents/guardians/caregivers. This plan will be created with the student's needs and interests at the center.
- 3.3. Students 16 years or older can request changes without parental consent, although involving parents/guardians/caregivers whenever possible is preferred. Consent can be obtained in writing and should be documented by the school.



- 3.4. Students 18 and over can request changes without parental consent. Consent can be obtained from the student in writing and should be documented by the school.
- 3.5. Once consent is obtained, or if the student is 16 or over, changes can be made to the student's official record to reflect their preferred name and pronouns. Administrators can make this change within the student information system and inform school staff of the student's preferred name and/or pronouns.
- 3.6. School staff may need to make manual changes to report cards or other documentation to ensure the correct name, preferred gender and pronoun appear on these documents.
- 3.7. Once a change has been made with the appropriate consent, intentionally addressing a student by the incorrect name or pronoun will be considered a form of discrimination. The intentional and/or persistent refusal to acknowledge or use a student's gender identity will also be considered a form of discrimination.

4. Washroom and Changeroom Access

- 4.1. All students have the right to safe washroom and changeroom facilities to ensure their privacy, dignity and comfort.
 - 4.1.1 Saskatoon Public Schools will provide a single stall washroom for use by any student or staff member who desires increased privacy in all facilities.
 - 4.1.2 Should a student require a changing area, the single stall washroom can be used in all facilities. Saskatoon Public Schools will provide a single use changeroom in collegiates for use by any student or staff member who desire
 - 4.1.3 increased privacy.
- 4.2 Safe accommodations to ensure privacy, dignity and comfort may include, but are not limited to:
 - Use of a private area within the public area (e.g., room with a door off the corridor; use of a physical education instructor's office);
 - Having a separate changing schedule in the private area (either utilizing the changeroom before or after the other students);
 - Using a nearby private area (e.g., a nearby washroom);

5. Athletics and Extra-Curricular Activities

- 5.1. Extra-curricular activities will be conducted in a manner that is consistent with the Canadian Charter of Rights and Freedoms, the Saskatchewan Human Rights Code, and board policy and administrative procedures (AP 263). When possible, extra-curricular activities shall not segregate students by sex.
- 5.2. In accordance with Saskatchewan High School Athletics Association procedures, school staff must ensure that students are able to exercise their right to participate in gender-segregated sports and physical education class activities in accordance with each student's gender identity. Sanctioned sports must allow any student whose identity does not align within the binary of male/female to choose the gender with which they will participate.



- 5.3. Gender and sexuality alliances (sometimes called gay-straight alliances) or GSAs are student-run and teacher-supported school-based groups that provide support and work to create safe, caring and inclusive spaces for students who are gender and sexually diverse and their allies. GSAs should be student-initiated and established using the same protocols for other school groups, clubs or teams. Staff advisors of GSAs provide guidance in organizing activities, supporting the visibility of and membership in the club, and encouraging community engagement and partnerships.

6. Overnight Trips

- 6.1. Prior dialogue, care, and preparation are essential to enable gender diverse students to participate safely and comfortably in excursions, overnight trips, camps, or other activities that require shared sleeping accommodations.
- 6.2. Decisions regarding accommodation for overnight school-based activities will be determined on a case- by-case basis, with the emphasis on the safety and inclusion of the student. Privacy and safety of students will be addressed in the planning process. Staff will collaborate to find accommodations that will meet the needs of all students.

RESPONSIVE ACTIONS AND PROCEDURES

Saskatoon Public School is committed to responding to all forms of identity-based bullying, including queerphobic, genderphobic, and sexual orientation-based discrimination. These incidents will be reported to school administration who will follow up on all allegations based on the response outlined below.

1. Reporting

All members of the school community, including students, staff, parents/caregivers/guardians, have a duty to report identity-based bullying or discrimination based on gender and sexual expression.

- Students, parents/caregivers/guardians should report to teachers, school counsellors, school administrators or other school staff.
- Staff should report incidents to the school administration immediately.

2. Responding

Staff will respond in the following manner:

- All staff involved will support the student who experienced the act by prioritizing their feelings, needs and voice.
- Parents/caregivers/ guardians of the students involved will be notified.
- Response by schools should include explicitly naming the act as discriminatory, followed by taking necessary steps in accountability.
- After responsibility has been taken, restorative and collaborative approaches to responding will be emphasized.



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- School staff will extend efforts to provide learning for the student who committed the act on the impact of their actions, and/or observers to the incident, and support from central office can be provided if requested.
- The school-based administrator will follow division discipline procedures when implementing any consequences required.

References:

- Education Act, 1995
- Saskatchewan Human Rights Code, 2018
- The Canadian Charter of Rights and Freedoms
- Criminal Code of Canada
- United Nations Universal Declaration of Human Rights
- Declaration on the Rights of Indigenous Peoples
- The United Nations Convention on the Rights of the Child
- Deepening the Discussion: Gender and Sexual Diversity, Ministry of Education, 2023
- Saskatchewan's Child Abuse Protocol 2023
- Saskatoon Public Schools Human Rights Equity Policy (Policy 15)
- Administrative Procedure 263 – Extra-Curricular Activities
- Administrative Procedure 315 – Reporting of Child Abuse/Neglect
- Administrative Procedure 351 – Duties of Students
- Administrative Procedure 367 – Student Harassment, Intimidation and Bullying

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