

# Administrative Procedure 322 – SAFE AND CARING LEARNING ENVIRONMENTS FOR STUDENTS

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## Background

Consistent with its mission and vision, the Board of Trustees of East Central Alberta Catholic Separate Schools Regional Division No. 16 ("Board") is committed to a safe, caring, respectful, inclusive and welcoming learning and teaching environment for all staff and students in accordance with Board Policy 1 – Foundation Statements.

To ensure that all members of the District's school communities work together in an atmosphere of respect for the dignity of all persons, this Administrative Procedure is adopted to ensure that each student and staff member is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.

The Board will not tolerate harassment, bullying, intimidation or discrimination of students or staff as provided for in the *Alberta Human Rights Act* or the *Canadian Charter of Rights and Freedoms* which includes discrimination on the basis of an individual's actual or perceived differences, including sexual orientation, gender identity and gender expression.

To achieve this goal, the Board requires that its schools and staff and students promote a welcoming, caring, respectful, safe learning environment that respects diversity and fosters a sense of belonging in accordance with the rights of staff and students under the following legislation and as reflected in District procedures:

- Canadian Charter of Rights and Freedoms.
- Alberta Human Rights Act.
- Alberta Bill of Rights.
- School Act.
- An Act to Support Gay-Straight Alliances
- Administrative Procedure 415 – Harassment
- Administrative Procedure 305 – Student Code of Conduct
- Administrative Procedure 103 – Channels of Communication
- Administrative Procedure 318 – Appeals Regarding Student Matters

## Rationale

1. This Administrative Procedure has been developed to:
  - (a) support and affirm the dignity of all students in every aspect of school life;

- (b) prove the understanding of the lives of all students and find ways to increase respect for the dignity of each other in ways appropriate to the Catholic school setting;
  - (c) provide training consistent with the Catholic faith for all teachers and other staff that promotes a welcoming, caring, respectful and safe learning environment that respect diversity and fosters a sense of belonging including with respect to gender identity and gender expression;
  - (d) provide resources consistent with Catholic teaching on social relationships and to support students who require assistance as a result of their gender identity or gender expression. As St. Paul reminds us, "For in Christ Jesus, you are all children of God, through faith. There is neither Jew nor Greek, neither slave nor free, there is neither male nor female; for you are all one in Christ." (Galatians 3:27-28); and
  - (e) outline the Board's responsibilities under Section 16.1 of the *School Act*.
2. Given that all students are created in the divine image and likeness of God, and are therefore endowed with an inalienable worth that cannot be violated, circumstances involving gender identity or gender expression, as they affect a student, are to be addressed with a high degree of sensitivity, respect, and inclusion, and where required, expertise and support (in the context of the school's resources).
  3. The goal of any reasonable accommodation made by a school in this area is to afford dignity and success in learning for a student who has advised the school of their gender identity or gender expression needs.
  4. With this context and based on available school resources, staff are committed to creating a student learning environment that is inclusive, flexible and responsive to the student's needs. To this end, staff may:
    - (a) take into consideration a continuum of supports and services in the context of a reasonable accommodation; and
    - (b) collaborate with families and, if permissible, community support services for accommodation purposes.

## Principles

1. Students at all grade levels may need support and guidance with respect to their gender identity or gender expression.
2. A teacher or administrator who is approached with a request for assistance, support or an accommodation must respond in a timely manner with sensitivity, respect, and understanding mercy and compassion.

3. Since all students have been created in the divine image and likeness of God, and are therefore endowed with an inalienable worth that cannot be violated, circumstances involving issues with gender identity or gender expression as it affects a student shall:
  - (a) be addressed with fairness, sensitivity, respect and inclusion;
  - (b) be addressed in a positive manner by all school personnel;
  - (c) be addressed in a manner where students have reasonable resources available to them without fear of reprisal, when they are victims of harassment, prejudice, discrimination, intimidation, bullying and/or violence;
  - (d) protect student confidentiality (subject to circumstances which require disclosure of personal information in accordance with the *Freedom of Information and Protection of Privacy Act*).
4. The goal of a reasonable accommodation in this area is to afford dignity and success in learning for a student who has gender identity or gender expression needs. To this end, based on available resources, staff may collaborate with families and, with the student and/or family's permission, community support services to reasonably address student needs and take into consideration a continuum of available reasonable supports and services.

## **Procedures**

1. These accommodation guidelines explain the District's best practices related to support and accommodation based on gender identity and gender expression.
2. Schools will provide opportunities for staff to increase their knowledge, awareness, skills and attitudes in promoting respect for human rights, respecting diversity and understanding issues related to gender identity and gender expression in relation to the Catholic faith as well as the greater society.
3. The District shall provide support for student organizations in accordance with Section 16.1 of the School Act. Specifically:
  - (a) If one or more students attending a school operated by a board request a staff member employed by the board for support to establish a voluntary student organization, or to lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall:

- i. immediately grant permission for the establishment of the student organization or the holding of the activity at the school, and
  - ii. subject to subsection (d), within a reasonable time from the date the principal receives the request designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity.
- (b) For the purposes of this procedure, an organization or activity includes an organization or activity that promotes equality and non-discrimination with respect to, without limitation, race, religious belief, colour, gender, gender identity, gender expression, physical disability, mental disability, family status or sexual orientation, including but not limited to organizations such as gay-straight alliances, diversity clubs, anti-racism clubs and anti-bullying clubs.
- (c) The students may select a respectful and inclusive name for the organization or activity, including the name “gay-straight alliance” or “queer-straight alliance”, after consulting with the principal.
  - i. For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer-straight alliance”.
- (d) The principal shall immediately inform the board and the Minister if no staff member is available to serve as a staff liaison referred to in 3(a), and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school.
- 4. The principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in section 3 is limited to the fact of the establishment of the organization or the holding of the activity. As with all extra-curricular offering, parents are invited to converse with the school regarding the intention of the student organization or activity.
- 5. Student privacy and confidentiality of personal information will be protected and only disclosed when required in accordance with the *Alberta Freedom of Information and Protection of Privacy Act*.
- 6. Athletic eligibility for all students participating in school sports is determined by the Alberta Schools’ Athletic Association (ASAA) and local division athletic associations. Eligibility at secondary level reflects criteria of these associations to ensure consistency and alignment. For intramurals, the Principal will determine best practice and rationale for all individuals involved. Based on specific student circumstances, educators address additional needs in consultation with the Principal and district leadership.

7. Schools may choose to offer gender specific courses (i.e. physical education). The Principal will determine the best practice and rationale for all individuals involved.
8. Schools maintain dress codes that provide students with positive guidelines for appropriate dress in an educational setting and the context of a Catholic school environment. These dress codes should be flexible enough, and worded such, that all people feel comfortable in school environments.
9. The District shall allow for Student Records to reflect the preferred name of the student including on report cards, class lists and IPPs without the need for documented proof of change in sex or gender or a medical diagnosis. However, a legal name change, as registered under the *Vital Statistics Act* is required if the student desires their official Alberta Education documents to reflect their preferred name.
10. Overnight field trips are planned to accommodate individual needs, protecting the privacy and confidentiality of students, and allowing students to participate without the requirement to disclose personal information. The Principal, in consultation with the student and family, determines the best practice and rationale for all individuals involved.
11. Each school is encouraged to designate gender neutral single stall washrooms available for all students as a washroom and change room. This supports students with their gender identity and expression, body image concerns, or request for additional privacy for any reason.
12. The District will establish a code of conduct for students that addresses bullying behavior.

*Nothing in this Administrative Procedure is to be interpreted so as to limit or be a waiver of the East Central Catholic School's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools. If any of the provisions in this Administrative Procedure conflict with the East Central Catholic School's rights and powers pursuant to the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools, the Lakeland Catholic School Board's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools will govern.*

Reviewed/Revised:      March 2016,      April 2018      September 2019

Reference:

Canadian Charter of Rights and Freedoms  
 Alberta Human Rights Act  
 Alberta Bill of Rights  
 School Act  
 Administrative Procedure 415 – Harassment  
 Administrative Procedure 305 – Student Code of Conduct  
 Administrative Procedure 103 – Channels of Communication  
 Administrative Procedure 318 – Appeals Regarding Student Matters  
 Greater St. Albert R.C.S.S.D. No. 734 – Administrative Procedure 360 LIFE Framework (CCSSA)  
 Inclusive Communities (CCSSA)  
 Lakeland RCSSD No. 16 – Administrative Procedure 324 Inclusive Communities:  
 Accommodating and Respecting Gender Identity and Expression.

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## **CCSSA's LIFE Framework**

### **“Living Inclusion Faithfully for Everyone”**

#### **A. BACKGROUND**

Catholic Schools share a foundational belief that all children are loved by God, are individually unique and that the school has a mission to help each student to fulfill their God-given potential in all aspects of their person: physically, academically, socially, morally and spiritually.

Alberta's Catholic school districts are responsible for creating a Catholic faith community, which provides education for all students within the Catholic tradition. The authenticity of each school's faith community is determined by its adherence to the faith under the collective leadership of the teachers, administrators, clerical advisors, and all other adults within the school. It is the task of those individuals to integrate the faith into every program and aspect of their Catholic school. Parents and guardians, the primary educators of children, entrust their children to Catholic schools so that they may flourish and be pastorally nurtured as they learn the subjects in the Alberta curriculum.

To provide guidance to the Catholic school faith community, in order that it may act in accord with the teachings of the Roman Catholic Church, Alberta's Catholic Bishops have provided the *Pastoral Guideline for the LIFE Framework* in 2018 to support the faithfulness of the *LIFE Framework*. This Guideline provides an explanation in accordance with the episcopal teaching role described in Canon Law, Can. 806 §1, and is fundamental to the understanding and application of the *LIFE Framework*. The *Pastoral Guideline* consists of a thematic overview, followed by some practical and more specific guidance for the development of policy and administrative guidelines regarding the establishment of student-led organizations and activities in Catholic schools as well as information about discerning conflict resolution to further positive relationships between all partners in Catholic Education.

#### **B. COMMITMENT TO THE LIFE FRAMEWORK**

Catholic Schools are committed to using the *Pastoral Guideline for the LIFE Framework* (2018) and the *LIFE Framework* (2015, revised 2018 & 2019) to inform the creation and operation of student groups and activities which seek to promote student inclusion within the schools and, in fidelity to Catholic teachings, eliminates all forms of bullying including - but not restricted to - harassment and discrimination with regard to sexual orientation and gender identity; and to promote justice, respectful relationships and language within Catholic schools.

#### **C. NAMING OF LIFE FRAMEWORK STUDENT GROUPS AND ACTIVITIES**

Students may select a respectful and inclusive name for the LIFE group or activity after consulting with the principal. The principal will adhere to the *Education Act*, s.35.1 (3).

#### **D. WHO MIGHT BE SERVED BY LIFE FRAMEWORK STUDENT GROUPS/ACTIVITIES**

- All students

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### ***Vision Statement***

“The Council of Catholic School Superintendents of Alberta is a community of disciples providing a valuable and valued voice that influences the development and direction of Catholic Education in Alberta”

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## **E. GUIDELINES FOR THE ESTABLISHMENT OF STUDENT GROUPS AND ACTIVITIES**

These Guidelines will be interpreted and applied so as to be in concert with the *Pastoral Guideline for the LIFE Framework* (2018).

Some students, especially those with same sex attractions, and those who identify with different genders, as well as those who experience discrimination or isolation based on body image, race, culture, language, performance in school, social anxiety/lack of social connection, or other individual attributes, may be at-risk in schools. Therefore, every school is required to respond to establish student groups and/or activities when there is a student request.

When students wish to establish a group or hold an activity, it is important to determine the nature of the request and how best to meet the expressed needs. ‘What are you looking for?’ Through conversations with students, the purpose for the group needs to be identified, so it can be properly structured within the guidelines. Flexibility and responsiveness, based on needs, are critical. Student groups may be established for the following purposes:

### Advocacy

- To support a faithful vision of an inclusive Catholic school

### Peer support

- To foster and support the individual student and inclusion within the Catholic school

In each type of group, issues that result in discrimination and bullying may be addressed, including, but not limited to:

- Sexual orientation
- Gender identity
- Gender
- Body image
- Race, culture or language
- Performance in school
- Social rejection, peer acceptance

General norms also govern all types of student groups. Groups shall:

- Support the mission, vision and core religious values of the school and the school jurisdiction
- Reflect the philosophy and theology of communion and emphasize inclusion, hospitality, respect, justice and religious fidelity.

Since each type of group addresses different needs (advocacy, peer support), specific guidelines and additional norms follow.

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## Advocacy Groups

### Purpose

- To advocate in the Catholic tradition against all forms of discrimination and/or behaviours that cause students to feel isolated and not included.
- To provide students who experience discrimination and isolation, the opportunity to engage with other students so as to support them and to engage in anti-discriminatory activities.
- To empower students to use their unique God-given gifts for the benefit of furthering a more just community for everyone.
- To discuss issues that cause harm to young people in society.

### Norms

- Ensure the student groups are led by trained Catholic facilitators and assisted, when possible, by counsellors, chaplains or social workers.
- Be open to exploration of a variety of issues, including sexual orientation, gender identity, bullying, discrimination, justice, and respectful relationships and language from the Catholic tradition.
- Ensure advocacy efforts are directed against all forms of bullying and discrimination.

### Activities

- Exploring how inclusive practices enhance the lives of all within the school's faith community.
- Sponsoring activities throughout the school year to address these areas (i.e. bullying awareness week activities, peer advocacy, guest speakers, and frequent liaison with the school principal).
- Promoting social justice activities to address needs locally, nationally or internationally.

## Peer Support Groups

### Purpose

- To provide students who experience discrimination, isolation, and a lack of feeling included in their school community or society an opportunity to meet with other students who offer their support through facilitated discussions. To support students experiencing a variety of challenges related to, but not restricted to, feelings of belonging, self-worth, identity, and friendship.
- To support marginalized students suffering from bullying, and/or social exclusion based on gender, sexual orientation, culture, size, physical or academic ability, or other criteria.
- To support students who may be experiencing challenges related to their sexuality (e.g. how to talk to parents, friends, etc.).

### Norms

- Ensure that student groups are led by trained Catholic facilitators and assisted, when possible, by counselors, chaplains or social workers, as appropriate.
- Ensure boundaries, related to personal privacy and confidentiality, prior to the discussion of any topic, so members do not feel pressured to make personal disclosures.

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- If a student discloses information to a staff member, regarding her or his sexual orientation or gender identity, it is important to respect the student's right to confidentiality subject to the necessity to protect the safety of the student and others.
  - Be sensitive to the safety of all students who are at risk.
  - Do not label or discuss students who are not members.
  - Consider inviting students to develop additional norms and procedures with the facilitator carefully guiding this process.
  - Ensure all normal group processes, as understood and practiced by Catholic school counselors, are followed.
  - If individuals are experiencing mental health issues, and/or are 'at-risk', to provide individual counselling support, separate from the group, to best support this student and maintain privacy and confidentiality.

### **Activities**

- Exploring those areas with staff facilitators where inclusion could be improved (e.g. student group discussions as per "norms" outlined through the leadership of the facilitator).

### **F. FACILITATION OF STUDENT GROUPS/ACTIVITIES:**

- The principal shall designate a Catholic teacher(s) to facilitate all LIFE groups/activities.
- As faith guides, strengthening every aspect of Catholic education, facilitators integrate prayer, scripture, and Catholic teaching (e.g. 'the dignity of the human person' and 'a preferential option for the poor and vulnerable') into their discussions as appropriate. The groups will be permeated in a manner consistent with all Catholic school programming.
- The principal shall ensure the facilitator(s) receives in-service or information on both relevant Catholic teachings and the facilitation of group discussion.
- At the principal's discretion, if the school has a counsellor, social worker, Family School Liaison Worker (FSLW), chaplain or a staff member with a similar designation, that staff member should co-facilitate.
- The facilitator(s) shall attend every meeting.

### **G. INFORMING PARENTS ABOUT STUDENT GROUPS:**

The *Alberta Bill of Rights*, s.1 (g) recognizes that parents have the right to make informed decisions respecting the education of their children. The eighth paragraph of the preamble to the *Education Act*, recognizes parent's rights and responsibility to make informed decisions respecting the education of their children.

The following two step process is recommended to advise parents regarding the formation of student groups/organizations:

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Step 1 – A general notice is provided to the school community (included in each school’s student handbook) that students may be organizing groups or clubs at the school in the future based on interest or need, and notifying parents that human sexuality topics may be addressed within the groups or clubs.

Step 2 – If a new student group or club is established in a school, as in Step 1, notification of the establishment of the group or club is sent to all parents (not naming any students involved in the group or club). This notification will include a statement that it is the parents who are responsible for discussing with their child the purpose and nature of the club, whether their child wishes to become a member, and their child’s obligation to contribute to a welcoming, caring, respectful, and safe learning environment that respects diversity and fosters a sense of belonging. Parents will be invited to discuss with the school administration all aspects of student groups, clubs, and activities excepting that the names of student members will not be provided.

September 16, 2019

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