

Supporting Transgender and Gender Diverse Students

Introduction:

"We can only build the future by standing together, including everyone." - Pope Francis April 26, 2017

All Renfrew County Catholic schools are called to be safe environments characterized by warmth, hospitality, good humour and joy. In our schools, all students need to feel welcome, safe, included and engaged. We reverence the dignity of the whole person including their gender identity and/or expression. As staff members in Catholic schools, it is our duty to create an environment of responsive pastoral care for all students and their families. Our goal is to ensure a positive sense of well-being so each of our students will be successful and happy in our schools.

A safe, inclusive, and accepting school environment is necessary for our students to succeed. We want every student to feel secure and safe at school. We believe that all are created in the image and likeness of God, and have the right to be treated with dignity and respect.

"We reverence the dignity of the whole person as we grow safe environments characterized by warmth, hospitality, good humour and joy." - RCCDSB Strategic Plan 2018-2022

Our practice is rooted in love based on the Gospel values and teachings of Jesus, the Institute for Catholic Education resource <u>Supporting Students who Identify as Transgender in Our</u> <u>Catholic Schools</u>, the <u>Ontario Equity and Inclusive Education Strategy</u>, the <u>Accepting Schools</u>



<u>Act (Bill 13)</u>, and the <u>RCCDSB Mental Health and Well-Being Strategy</u>, all recognize the fundamental values of human rights, diversity, and well-being.

"We seek to treat students who identify as transgender with the respect, understanding and dignity that we accord to all students in our care."

- Institute for Catholic Education, 2019

The Ontario Ministry of Education recognizes that all students require a caring and safe environment and individualized support in order to learn, develop their potential, and stay in school. (<u>Caring and Safe Schools in Ontario, 2010</u>) This document is intended to support a positive school climate while ensuring students are receiving individualized care.

Proactive Strategies:

Increasing knowledge within your school community

It is important to understand the appropriate terminology and the language students use to describe themselves. Using correct language is a simple way to affirm and support. The following list is adapted from Kids Help Phone. It is not exhaustive and more information can be found on their <u>website</u>.

Gender identity: Each person's internal and individual experience of gender, including their sense of being a woman, man, both, neither or anywhere along the gender spectrum. A person's gender identity may be the same or different from their birth-assigned sex. Gender identity is fundamentally different from a person's sexual orientation (Source: Ontario Human Rights Commission). Everyone has a gender identity, whether they are cisgender or transgender. Man/boy, woman/girl, and nonbinary are some gender identity terms.

Gender expression: How a person publicly presents their gender. Can include behaviour and outward appearance such as hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender (Source: Ontario Human Rights Commission). Everyone has a gender expression, whether they are cisgender or transgender. Masculine, feminine, and androgynous are some gender expression terms.

Gender non-conforming: A person whose gender expression does not align with expectations for people of their gender identity. Examples of gender non-conforming people are a masculine woman (whether transgender or no), and a feminine man (whether transgender or no). People who are gender non-conforming are at risk of gender expression discrimination, including if they are cisgender

There are many different gender identities, including, but not limited to:

- **Agender:** a person who doesn't identify with any gender, or identifies as being genderless. Agender people may or may not identify as transgender (trans).
- **Androgynous (androgyne)**: a person whose gender expression (e.g. clothing, hairstyle, etc.) doesn't fall into the gender binary, or falls between man and woman.
- **Cisgender:** a person whose gender identity and gender expression match the sex they were assigned at birth.
- **Gender fluid**: a person whose gender identity and gender expression are not static, and can shift with time and/or circumstance.
- **Gender queer**: a person who identifies as neither, both or a mix of man and woman. Individuals who identify as genderqueer may or may not also identify as trans or non-binary.
- Non-binary: a person who doesn't accept a society that only acknowledges the gender binary of man and woman and defines their gender outside of those norms.
 People who are non-binary may identify as having no gender, feel in between genders or have a gender that is not always the same. Individuals who identify as non-binary may or may not also identify as trans.
- **Transgender (trans)**: a person who identifies with a gender that's different from the sex they were assigned at birth. People whose gender identity falls outside of the gender binary may also call themselves trans.
- Two-spirit (2 Spirit or 2S): a person with both a feminine and a masculine spirit living in the same body. It's an important term within some Indigenous cultures and some Indigenous people use it to describe their sexual orientation, gender identity and/or spiritual identity.¹

Increasing staff knowledge, awareness, and understanding of transgender and gender diverse children and youth, and their challenges, can help foster a supportive environment, reduce stigma, and improve outcomes. Staff must implement practices appropriate to their roles, that ensure students who identify as transgender feel safe, are informed and receive pastoral care.

For Reflection:

- Reflecting on your community, what opportunities for learning might be needed by different levels of students, staff, and parents/guardians?
- How will you reach out to these groups to welcome them into this discussion and learning?

"With the help of God's grace, work hard to remove whatever may prevent you from welcoming them warmly. Be aware that your language and attitudes can inadvertently communicate a message that has nothing to do with the Church's authentic teaching." - Canadian Conference of Catholic Bishops, 2011

¹ Adapted from "Gender Identity and Gender Expression." *Kids Help Phone*, 12 May 2021, kidshelpphone.ca/get-info/gender-identity-gender-expression.

Inclusive language

Schools are called to model gender-inclusive language to reflect our diversity. Educators are encouraged to consider the impact of non-inclusive language. Language that is non-inclusive should be addressed and staff, students and visitors should know the importance of language in creating a safe, welcoming space for all.

For Reflection:

- What language can be heard in the classrooms, outdoor spaces, offices and hallways of your school?
- Is non-inclusive language being addressed?

Gender roles in the classroom and school

It is important to develop and maintain inclusive environments that allow for and respect students' full expression of who they are. This includes not requiring students to play, learn, dress/present, or express themselves in stereotypically feminine or masculine ways. It is imperative to intervene and take appropriate action when students use gender-specific language to make fun of each other.

In circumstances where students are separated by assigned sex, staff are to help students access inclusive activities and spaces in alignment with their gender identity and/or gender expression. Students and families sometimes have fixed ideas about gender roles and what it means to be a boy or a girl. School staff need to have conversations that encourage the acceptance of everyone. To promote gender equality, we are called to ensure that we acknowledge the diverse family make-ups reflected in our society using available resources and curriculum choices.

For Reflection:

- In your school community, are there fixed ideas about gender roles and expression?
- How will you safely and respectfully challenge those?

Gay-Straight Alliances (GSA)

The Accepting Schools Act (Bill 13) requires all schools to create an all gender identities inclusive student alliance or club, if requested. The creation of similar types of clubs helps to create a culture of equity, acceptance and normalization. These clubs support actions, activities and campaigns that recognize gender diversity and are trans-positive. They also create awareness about and seek to end, transphobia, gender stereotypes, and gender-based violence. Should a request for a GSA be made, the principal must welcome the idea and work with the school community to support it. Any request for a GSA, should be shared with the schools' Supervisory Officer in a timely manner.

For Reflection:

• Are you prepared to respond expectedly to a request for a GSA?

"Members of the community are encouraged to develop personal maturity by overcoming fear of or discomfort with persons who identify as transgender. This can only happen by welcoming and engaging them, and in so doing, developing a deep and nuanced understanding of their lived reality."

- Institute for Catholic Education, 2019

RCCDSB Guidelines for Supporting Gender Diverse Students

The following guidelines are intended to offer a structure for administrators, educators, and support staff to support and affirm transgender and gender diverse students. Each experience will be as unique as the student, the family, and the school community.

It is important to recognize that the terminology with regard to gender identity and/or expression is evolving and does change over time. <u>The Ontario Human Rights Commission</u> provides up-to-date terminology and corresponding definitions.

Some members of our Board Team have more experience with supporting Gender Diverse youth. Please ensure your Supervisory Officer is aware and consider reaching out to Social Workers, the Coordinator of Safe Schools, SACs or other admin members for support.

Guideline 1: Support for the Student's Individual Process

"It is impossible to experience a person's life, or to be compassionate, if you do not listen to the person or if you do not ask questions." - James Martin SJ

Every person is able to define their own gender identity and/or expression. A person's self-identification is the sole measure of gender. Each student is unique with different needs. Supports that work for one student cannot be assumed to work for another. Specific supports, if necessary — in addition to those outlined in these guidelines — may be sought to enable a student's full expression of their gender identity and/or expression and/or to protect the student's safety. All adult members of the school community are called to respect and respond to the student's needs and concerns, and work collaboratively to identify and provide support. When appropriate, a caring adult could be identified as the main contact and could schedule regular check-ins with the student.

Responses to student needs and requests are to be fulfilled on a case-by-case basis and individualized to best meet the needs of the student making the requests. If an issue arises about a transgender or gender diverse student's full participation in school life, it should be resolved in a manner that involves the student and, when appropriate, the parents or guardians in the decision-making process. Best outcomes will be achieved by ensuring reasonable adaptations, maximizing inclusiveness, and addressing the interests of the student.

For consideration:

- Where is the student in their own self-awareness of their identity?
- What is the nature of the student's transition (a shift in gender expression, male to female, female to male, etc.)?
- Where is the student on their journey (sharing or seeking to make changes)?
- Is the student experiencing distress regarding their gender?
- Is the need to transition urgent?
- Does the student have any questions or concerns they would like discussed?
- Who is going to be the key 'caring adult' who will do regular check-ins with the student?

Guideline 2: Involvement of Parents and Guardians

Research has shown that supportive parenting can have a very important and positive impact on transgender and gender diverse children and youth, and correlates with these children and youth having a positive outlook on life, improved mental health, and greater self-esteem (Travers et al.; Ryan et al.; Ryan, *Helping Families*). Conversely, rejection by parents/guardians directly correlates with transgender and gender diverse children and youth having an increased risk of depression, suicide attempts, self-harm, and substance abuse (Ryan et al.; Ryan, *Helping Families*).

Many parents/guardians will be supportive when their child identifies as transgender or gender diverse; however, familial rejection is also possible. In cases where parents/guardians are not aware or not supportive, the administrator will work with the student and may consult with Board clinical staff to determine the best approach. In some cases, students will choose to transition even when their parents/guardians refuse to affirm their gender identity and/or expression. In these situations, schools must carefully balance the need for parents/guardians to be informed about their child's experiences with the student's right to live freely in their affirmed gender.

Communication with parents/guardians may be further complicated on occasions when the school needs to inform the child's family of events or incidents related to the child's gender identity and/or expression (e.g. online bullying). Regardless of age, confidential information about a student must not be shared, even with the parents/guardians, without the student's consent unless there are overarching safeguarding reasons for sharing the information.

However, this is a balance and by law, parents have a legal right to access information concerning their children's education. Parents of a student have the right to access the student's OSR until the student becomes an adult (18 or older). Therefore, the student should be made aware of the Board's legal obligation to provide parents access to the student's records, upon request, as access to these records may disclose the student's transgender status.

For consideration:

- Are the parents/guardians aware and supportive of their child's gender expression and/or gender transition?
- If not, are there safety concerns that need to be considered?
- If not, what are the implications of communication with home name, pronouns, privacy in relation to report cards, notes, awards, recognition, etc.?
- Is it appropriate that any communication going home is reviewed by a principal or vice-principal?
- Do the parents/guardians have questions or concerns they would like to discuss?
- What considerations are in place for siblings? Are the siblings aware? Do they need to have a regular check in?

Guideline 3: Respect for Student Rights to Confidentiality & Privacy

"In each case, it is important to remember that accommodations are offered in an attempt to meet a struggling student where they are, in the midst of an ongoing journey toward an ever deeper and fuller experience of the Catholic vision of the person and sexuality." - Archdiocese of Toronto, 2019

All educators and school personnel must ensure that they follow professional codes of conduct and protect the confidentiality and privacy of all students. It is also important to share with the student that their confidentiality and privacy cannot be guaranteed in a modern school environment and to discuss with them how to handle an unintentional disclosure. Deliberate or accidental sharing of a student's gender identity or other personal information without the student's consent can have significant negative consequences for them. Staff who are aware of the child's disclosure need to ensure that the student's confidentiality and privacy are protected.

For consideration:

- How does the student want to be identified?
- With whom has the student shared their identity? Has this been shared on social media?
- With whom does this student want to share their identity (parents/guardians, siblings, students, staff, board support team, board)?

- What is the communication plan to respond to questions from parents, siblings, other students, staff, and the community? The scope will depend on who knows/doesn't know.
- What is the contingency plan how will the situation be handled if others find out?
- What, if anything, needs to be shared with school staff, peer allies and other families?
- Should you involve the Coordinator of Safe Schools as additional support?

Guideline 4: Planning for Student Safety

In 2011, Egale Canada released results from the first national climate survey on homophobia, transphobia and heterosexism in Canadian schools. Of the transgender youth surveyed, 79% reported feeling unsafe at school. In addition to transgender youth, the lesbian, gay and bisexual youth surveyed identified change rooms (49%), washrooms (43%) and hallways (43%) as unsafe spaces in their schools. The safety of all our students remains the highest priority. When supporting a transgender or gender diverse student, being proactive in planning for student safety is a key element of a positive school experience.

For consideration:

- Who are the student's caring adults at school and in the community?
- What areas, if any, of the school, are more problematic for the student?
- Is there a way for those areas to be monitored or for safer spaces to be created for the student?
- What is the safety plan should the student feel unsafe?
- How will the student indicate their need for help in class, hallway, washrooms, yard, bus, extra-curricular activities, and experiential learning experiences?

Guideline 5: Names, Pronouns, and Official Records

"The use of a requested pronoun can be received by the student as a sincere gesture of good will. It can be a first step in an ongoing path of pastoral care, aimed at opening a relationship with the person." - Archdiocese of Toronto, 2019

All students have the right to choose the name by which they wish to be addressed. Transgender and gender diverse students have the right to be addressed by their preferred name(s) and pronoun(s) that correspond to their gender identity and/or gender expression. This can include their school email address. This is true whether or not the student has obtained legal documentation of a change of name or sex designation. Respecting a student's request to change their name(s) and pronoun(s) is a key aspect of supporting and affirming that person's identity.

For students wishing to use gender-neutral language, an increasingly common practice is the use of 'they', 'their', 'theirs'. While it is understood that inadvertent slips or honest mistakes

may occur, the intentional or persistent refusal to acknowledge or use a student's identified gender is unacceptable and may be considered to be bullying or harassment.

For changes to name and/or gender in our Student Information System (Edsembli), please reach out to your Supervisory Officer for support. For changes to official school records, school staff will work collaboratively with the student and parents/guardians. If uncertain about how to proceed, the administrator should consult with their Supervisory Officer. When required to use or report a transgender or gender diverse student's legal name or legal sex designation, staff should adopt practices that avoid inadvertent disclosure to others.

More information and support regarding our legal responsibilities can be found in Appendix 1.

For consideration:

- What is the student's preferred name and pronouns?
- Is the student aware of the difference between using preferred names and legal name changes on official records? (Please discuss name changes with your SO.)
- How will situations be handled when the incorrect name or pronoun is used (by mistake or intentionally)?
- Where is the class list kept so that it is always available for occasional teachers?
- What are some other ways the school needs to anticipate information about the student's preferred name and gender potentially being compromised? How will these be handled?
- If home and school are not consistent, is a school-based plan needed for communication with home (attendance, ongoing home school communication)?

Guideline 6: Access to Washrooms

All students have a right to a safe accessible washroom and change room. Students also have the right to use the facility that corresponds to their gender identity and/or gender expression, regardless of their sex at birth.

Where possible, schools will also provide an easily accessible universal single stall washroom for use by any student who desires increased privacy, regardless of the underlying reason. Accessible refers to a non-stigmatizing location within the school, a non-stigmatizing process for access, and physical accessibility for someone with a wheelchair. It is important that the use of a universal, single-stall washroom is a matter of choice for a student. Any requirement for Maintenance and Operations to facilitate the installation of an inclusive washroom sign should be discussed with the Supervisory Officer.

For consideration

- What washroom/change room does the student want to use?
- What washrooms/change rooms are available?

- How will the school meet the needs of the transgender or gender diverse student, and other students?
- Are the necessary staff aware of these details?

Guideline 7: Access to Physical Education and Change Rooms

Students have the right to participate in health and physical education class activities, gender-segregated sports and interscholastic athletics in accordance with the student's gender identity (Ontario Federation for Secondary School Athletics). School staff will work to address each student's needs and to ensure their physical and emotional safety.

For information around school sports and the Ontario Federation for Secondary School Athletics (OFSAA), refer to <u>OFSAA Gender Equity Policy</u>.

When accessing change rooms, a student, in consultation with the school, should be able to choose among the following supports:

- access to a change room that corresponds to the student's gender identity (their basic right);
- access to a nearby universal single-stall washroom;
- use of a private area within the public area (such as a washroom stall with a door or an area separated by a curtain or divider);
- a separate changing schedule in the public area (using the change room either before or after the other students); and
- access to a change room that corresponds to the student's sex at birth.

The guidelines for access to washroom and change room facilities apply while students travel for competition at another location.

For consideration:

- What courses is the student involved in?
- What supports are needed to ensure the student is able to participate?
- How will the school meet the needs of transgender or gender diverse students, other students and the system?
- What structures need to be in place to support confidentiality and privacy?

Guideline 8: Access to Extracurricular Activities (including sports)

For all extracurricular activities, schools are responsible for ensuring access to appropriate changing, showering, or bathroom facilities, based on the needs of students. If staff are concerned that travel to another site could pose safety issues, the school should be proactive and investigate options in consultation with the student. It is important to maintain the

student's confidentiality by not disclosing their transgender or gender diverse identity without their permission.

On field trips and/or on overnight trips, student privacy concerns should be addressed on a case by case basis to ensure a safe and respectful environment at all times. A student should not be disadvantaged by additional costs to ensure their privacy and safety.

For consideration:

- What activities is the student involved in?
- What supports are needed to ensure the student is able to participate?
- How will the school meet the needs of the gender diverse student, other students and the system?
- What structures need to be in place to support confidentiality and privacy?

Other factors to consider:

- Does the student participate in the before or after school program? What supports are needed to support the student in this program?
- Are there social dynamics that need to be discussed and planned for?
- Siblings Are there any siblings? If the siblings are aware, are there any factors to be considered regarding the sibling's needs? In the process of determining how best to support the transgender or gender diverse student, it is natural to focus on the individual student. Siblings of the student should, however, also be considered in terms of their own reaction to the process and the possible need for support, the potential for bullying or harassment, or the role they can play in supporting their sibling.
- What support/check-ins should be in place for staff members? What do they need? Who do they contact with concerns?

Resources and references to support gender diversity

RCCDSB Gender Support Plan - Guide to help you plan the best support Canadian Mental Health Assn Services for Sexual Minority Youth PFLag Renfrew County CHEO's Sexual Orientation and Gender Identity Resource Page Champlain Region Gender Diverse Health Resource Guide Central Toronto Youth Services - Guide for Families in Transition Kids Help Phone - Terms and Definitions

Acknowledgments

Parts of this document have been adapted from documents created by the Ottawa Catholic District School Board. We acknowledge and thank them for their efforts in creating guidelines to support transgender and gender diverse students.

"The pastoral care of the Church must reach out to all with an unconditional love. There are no expectations to this. There is no one who falls outside the love and saving power of God. And there is nothing at all that a person can do would make God love ... [them] more or less. In our actions and attitudes, the starting point of all pastoral care is the inherent value of each and every individual human being and the response of unconditional love that this value demands."

Assembly of the Catholic Bishops of Ontario, 2016

Appendix 1: Names, Pronouns and Official Records

Name and pronoun change requests need to be considered on an individual basis and with the greatest care. Many challenges and questions can arise when these requests occur. These can be more challenging if, after consultation with the family, there is no consensus with regard to the request. The following information is provided after consultation with RCCDSB legal counsel.

If the Board receives a request for accommodation from a student on the basis of their<u>gender identity</u> or gender expression as defined in <u>Ontario's Human Rights Code</u> ("Code"), it should be processed in accordance with the Code, regardless of whether there is express parental consent. While the response to the student's request for accommodation will depend on the circumstances of each case, the absence of parental consent should not be a barrier to the processing or granting of the accommodation request.

The following questions and answers may be helpful if you are presented with these concerns.

1. If a student is asking for a name and pronoun change at school but the parents are not supportive or are not ready, does the school have to honor the child's request?

The student's request should be processed as a request for accommodation under the Code. As noted above, a student, no matter the age, would have access to the protection under the Code, notwithstanding the involvement of a parent/guardian.

Accordingly, upon receipt of a request from a student to change their surname and/or pronoun/first name, the Board should attempt to understand the student's request and needs. For example:

- Is this a bona fide request?
- Is it based on one or more grounds prohibited under the Code?
- Do the parents/guardians have knowledge of the student's situation? If the answer is no, why not?
- Do the parent(s) consent to the change in the student's given name?

- Is the request only for the use of a different pronoun/first name in the classroom and at school (being addressed by a different pronoun/first name)?
- Does the request extend to changing official Board documents and records?

Please note that the Human Right's **Commission** <u>2014 Policy</u> on preventing discrimination because of gender identity and gender expression describes the procedural aspect of the accommodation process as follows:

The way an accommodation is provided and how it is implemented are subject to human rights standards. The principles of dignity, individualization, inclusion and full participation apply both to the substance of an accommodation, and to the accommodation process.

At the heart of the accommodation process is the responsibility, shared by all parties, to have a meaningful dialogue about accommodation, and to work together respectfully towards accommodation solutions. Everyone involved should cooperatively engage in the process, share information, and work towards potential accommodation solutions.

Where the criteria for accommodation are met, the student's request for accommodation should be processed and implemented where appropriate, to the extent that is possible. In circumstances where it is known that parent(s) and others are not supportive of the child's request, proof of parental/guardian consent should not be required as a condition to the implementation of the accommodation, unless there is a specific reason for doing so. In those (and all) cases, we recommend that the Board ask the student to confirm the request in writing and keep a written record of the request in the student's OSR.

2. If parents share custody and one parent is not in support of the pronoun/name change, are there any implications for the school to consider?

It is important for the Board, in their discussion(s) with the student, to understand the specifics of their request, namely if official records should reflect their lived gender identity. For example: do they wish to have their preferred pronoun/first name and/or requested surname to appear on their report card even if it is a document that may be shared with both parent(s)?

In the event that the student requests that the school provide documents (that reflect the requested surname and preferred pronoun/first name) to one parent and not the other, the Board must acquiesce to the student's request if they are an adult (18 and older). If the student is under 18 years of age, it is important to advise the student that their parent(s) have the right to access the student's records at any time. In addition, under both the *Children's Law Reform Act* and the *Divorce Act*, 1985, a non-custodial parent has a legal right to make inquiries and to be given information concerning the child's health, education, and welfare. This would include the right to review information in the OSR. In these circumstances, a student may request confidentiality. Under the Commission's Policy, it is noted that students have a right to privacy and schools must keep a student's transgender status confidential. For these reasons, we would recommend against disclosure except on a "need to know" basis to fulfill a specific accommodation need, or if the student requests it; however, absolute confidentiality may not be possible in light of the parents' access rights under the *Education Act* and privacy laws.

3. Can our Student Information System (SIS) be changed to honor the child's request, even if there is not yet legal documentation to support the name change?

Where the Board grants the requested accommodation, the Board can modify its records and insert the preferred pronoun/first name and/or requested surname for the purposes of relevant documents, including school databases, the registration system, class lists, schedules, the Board's email address, IEPs, report cards, etc. School staff may also be required to manually edit certain documents to ensure that the student's requested surname and/or preferred pronoun/first name appear on these documents.

In regards to a request to change a surname in the OSR, it is important to distinguish a "Change by repute" from a "Change by law". In the case of a change by repute, the <u>Ontario Student Record (OSR)</u> <u>Guideline, 2000 (revised 2020)</u> provides that when a principal receives a written request from an adult student or the parent(s) of a student who is not an adult, the principal will record the requested surname in Part A of the OSR folder in addition to the legal surname of the student. The legal surname will be enclosed in brackets and the written request will be stored in the documentation file. This will not have the effect of permanently changing the documentation in the OSR as the student's legal first name must remain in the records until a legal name change is properly submitted to the Board in accordance with the *Change of Name Act*.

While not specifically referenced in the *Education Act* or the OSR Guidelines, a similar process could be applied here for the preferred pronoun/first name. Since the Report Card is a component of the OSR, theoretically, it should mirror the name on the OSR. If the student elects to proceed with a name by repute, the Board would follow a comparable process to that contained in the OSR Guidelines [i.e. including the preferred pronoun/name on the Report Card but placing the legal given name in brackets i.e. Laura (Larry) Smith].

It is understood that this is not a perfect resolution and may in fact create new issues where a student is looking to eliminate all references to their given name. In some circumstances, taking this approach could create new/additional issues. For this reason, it is recommended that the principal discuss this process with the student following receipt of the request for accommodation. The discussion will give the principal the opportunity to ensure that the approach honours the student's wishes and avoid a situation where including the preferred pronoun/first name and legal surname on the Report Card would be upsetting to the student or would inadvertently disclose their gender identity to their parent(s) and others.

In the event that the student has had a legal name change in accordance with the <u>Change of Name Act</u>, the Guide provides that the principal will file the document, a copy of the document, or a verification of the student's knowledge of the document in the documentation file, and, on request, will change the first name and/or surname of the student on all components of the OSR so that the record will appear as if the new first name and/or surname had always been there.

4. As names within the Student Information System can be changed upon request, what do we do if the parents do not consent?

In the context of a change by repute without parental consent, the Board must firstly ensure that the request for accommodation is founded under the protected ground of gender expression or gender identity. If that is the case, the Board should process the student's accommodation request despite the lack of parental consent and follow the steps listed above as provided by the Guide, namely, to place the student's legal first name and/or surname in brackets until proof of a legal name change is provided.

Where the request is for a change of legal name with official supporting documentation, the exercise is much simpler. The Board should, where possible, request a copy of the change of name notice issued under the *Change of Name Act*. It should be noted that although the Guide provides that the principal may place an acknowledgement that he or she has read the document, we believe that obtaining a copy of the official document is a more prudent approach.

5. When a child requests they want a name/pronoun change but do not want their parent(s) made aware, what is the school's responsibility?

As noted in the literature, creating a welcoming environment is all the more important when students do not have the support of their parents/guardians. The way in which to achieve this goal will vary depending on the circumstance and parental involvement may, in some cases, become necessary or recommended. At a preliminary stage, it is advisable for the school to explore with the student the possibility of informing their parents/guardians of their desires during their transition. However, if the student does not wish for their parents/guardians to be aware of their transgender status, the principles under the Code suggest that the school should protect, to the extent possible, the student's privacy and should avoid inadvertent disclosures of this information. However, this is a balance and by law, parents have a legal right to access information concerning their children's education. As previously noted, the parents of a student have the right to access the student's OSR until the student becomes an adult (18 or older). Therefore, the student should be made aware of the Board's legal obligation to provide parents access to the student's records, upon request, as access to these records may disclose the student's transgender status.