

# HOW TO ESTABLISH INCLUSIVE AND NON-DISCRIMINATORY POLICIES



**Mona Greenbaum**  
*LGBT Family Coalition Director*



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Homophobic and transphobic discrimination and exclusion can take many forms. For example, children use words like “gay” or “fag” as insults in the schoolyard; a teacher is harassed because she is perceived as being a lesbian; a girl with two dads is teased because her family is different; a school library contains no books reflecting family diversity. During discussions with teachers about best practices for creating inclusive environments, they frequently cited a lack of support or a fear for their job security if they were to discuss LGBT+ families, or sexual and gender diversity in general, in their classrooms.



# POLICY

**Schools with clear inclusive and non-discriminatory policies give teachers the power to intervene appropriately in the case of homophobic and transphobic incidents. If a school does not have such a policy, one should be adopted.**

Studies in school environments show that inclusive and non-discriminatory policies have a positive impact on students' health and well-being. Homophobic and transphobic bullying, harassment, teasing and violence are all behaviours that make children feel unsafe, and distance schools from their mission of teaching children to be responsible citizens.

To bring about positive change, Québec schools' policies must clearly state that bullying and harassment will not be tolerated and that individual and familial diversity is to be celebrated. This section contains suggestions for adapting current school policies to better include LGBT+ families. Each suggestion is vital for creating an effective policy, and is accompanied by a concrete example to better explain its purpose.



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## A STATEMENT PROHIBITING BOTH DISCRIMINATION AND HARASSMENT:

**From a legal standpoint, harassment is a form of discrimination, but discrimination is not always a form of harassment.** Prohibiting a student from participating in an activity because his father is gay or his mother is trans constitutes discrimination, but not necessarily harassment. Verbally attacking a student in the hallway because he is raised by his lesbian aunts constitutes harassment and discrimination. It is best that the policy explicitly protect individuals from both.

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## A DEFINITION OF HARASSMENT CONTAINING AT LEAST THE FOLLOWING ELEMENTS:

Include this complete definition to ensure the fullest protection for students. Protection based on any of the listed characteristics, be they “real or perceived” constitutes an essential aspect of the definition. It protects children from bullying even when they are not part of a given category, but merely perceived as such. For example, a student who insists he is heterosexual can still suffer from continual homophobic insults and threats. Even if he is not gay, he is protected by the policy which prohibits discrimination since he is perceived as being homosexual.

Furthermore, the definition of harassment that appears on the right also ensures protection for those victimized for associating with someone who is a part of one of the protected categories. This vocabulary was developed to specifically protect children with LGBT+ parents who are often victims of bullying due to their association with family members. The children of LGBT+ parents will be protected from harassment and discrimination directed at them because their parents are LGBT+.

### DEFINITION OF HARASSMENT

Any action, words or writing (including on the Internet):

- that makes a student or school employee reasonably fear for his or her psychological or physical well-being or the safety of his or her possessions; that interferes substantially with academic or professional performance, opportunities or advantages; that substantially disturbs functioning at school;
- that is based on a real or perceived characteristic such as ethnicity, skin colour, religion, nationality, gender, gender identity, gender expression, sexual orientation or by associating with a person in one of these categories;
- that is committed or spoken on school grounds, in a place sponsored by the school, on the Internet or on a school bus.

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### A DESCRIPTION OF THE TYPE OF BEHAVIOUR EXPECTED OF ALL STUDENTS AND STAFF AT THE SCHOOL:

This list should include terms such as “respectful association with others,” “honest and timely reporting of incidents,” and “meaningful intervention in conflicts between students” (for staff). Schools can decide exactly what kind of behaviour is expected of staff and students in response to discriminatory behaviour.



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### APPROPRIATE CONSEQUENCES AND REACTIONS TO AN INDIVIDUAL WHO COMMITS AN ACT OF DISCRIMINATION OR HARASSMENT:

Inclusive policies against harassment are of no use unless they are put into practice. To ensure that policies are effective, they must include clear consequences, such as disciplinary measures and appropriate educational interventions for students who commit infractions, as well as appropriate measures for staff. Consequences for a primary school student might include:

- **A meeting with any or all of the following people: students involved, parent/guardian, teacher, administrator, counsellor, etc.**
- **Written apology**
- **Detention**
- **Loss of privileges at school**
- **Suspension**

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## A REPORTING PROCEDURE FOR ALL ACTS OF HARASSMENT OR DISCRIMINATION

A policy against discrimination should provide for an effective mechanism for reporting incidents to the appropriate authorities. The policy must contain a clear statement about the responsibility of staff and students to report all incidents in a timely manner. The statement could read as follows:

« *Any individual (staff member, student, volunteer, etc.) that witnesses or holds reliable information about an act of harassment or discrimination towards a student or staff member must report this incident to the appropriate school authorities.* »



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## INFORMATION ON HOW THE POLICY WILL BE MADE PUBLIC, INCLUDING MENTION THAT THIS POLICY APPLIES TO ALL SCHOOL-SPONSORED EVENTS:

The breadth of the antidiscrimination policy must be clear. The following vocabulary can be used to explain what the policy covers, as well as to whom and where it applies:

« *This policy covers all activities or programs that take place on the grounds of the institution during school hours, all programs and activities associated with the school or sponsored by it, during school bus transportation to or from the school, or to or from any school-related or sponsored events.* »

Harassment and discrimination will not be tolerated anywhere, including during fieldtrips, in the cafeteria, on sports teams, etc. Furthermore, the policy should require that its content be made public in all school documents that present the rules, procedures and norms for in-school behaviour as well as in all student or staff handbooks.

The anti-harassment policy should name and specifically define behaviours that constitute harassment, from verbal to physical, and should state that it is the right of all students, families and school staff to be protected from hurtful remarks or violence, regardless of their skin colour, cultural background, nationality, gender, gender identity, gender expression or sexual orientation (real or perceived). Finally, the policy must indicate clear disciplinary procedures.

# CODE OF CONDUCT

Based on the school's policies, the code of conduct should also describe infractions, as well as associated disciplinary action, so that responses are consistent from staff member to staff member and student to student. This procedure should clearly explain to parents how the school will handle infractions so that all people involved, whether authors or victims, know the consequences of such behaviour. The following page provides an example to help schools establish a code of conduct that prohibits insults and harassment.

Depending on the nature and seriousness of the behaviour, the consequences for a primary school student might include:

- A meeting with any or all of the following people: students involved, parent/guardian, teacher, administrator, counsellor, etc.
- Written apology
- Detention
- Loss of privileges at school
- Suspension



## CODE OF CONDUCT

The school prohibits all harassing and/or discriminatory language or behaviour related to:

- Ethnicity;
- Language;
- Heritage;
- Family Type;
- Religion;
- Sexual orientation;
- Gender identity;
- Gender expression,
- Physical appearance;
- Talent;
- Learning style;
- Power dynamics;
- Or for any other reason, perceived or real, including association with people having these characteristics.

# MISSION

Schools can also adopt a mission statement that clarifies both the values promoted by the school and behaviours that will not be tolerated. The statement should explicitly protect the rights of all students, staff and families, regardless of race, ethnicity, nationality, gender, gender identity, gender expression or sexual orientation (real or perceived).

**This declaration of fundamental values in the mission statement** should be published on the school's website and in all promotional material.

The mission statement values should also be communicated during the back-to-school period and during all school gatherings so that it is clear that all families are welcome and that the school is a safe and inclusive environment for all children and all families.

On the following page, you will find an example to help schools establish a more inclusive mission statement.





# EXAMPLE OF A MISSION STATEMENT

## TARGETING THE INCLUSION OF ALL FAMILIES

\_\_\_\_\_ School treats the uniqueness and diversity of every person and every family with great respect. We welcome all families: single-parent families; families with two parents, regardless of sexual orientation or gender identity; adoptive families and foster families; blended families; extended families; families of colour; multiparent families; children who live with their parents or not. We embrace different origins, values and points of view in order to build a strong and inclusive community and to prepare students for life in our multicultural society. We believe that the best education comes from a school composed of students, teachers and families from all walks of life, all cultures, ethnicities, religions, gender identities and expressions, and sexual orientations that share our institution respectfully.

We provide a safe environment that encourages the expression of differences in a way that promotes dialogue and learning rather than alienation. We encourage curiosity in order to learn about different experiences and different points of view.

\_\_\_\_\_ School is resolved to creating and maintaining a community in which children and adults alike can work and learn together in an environment free of harassment, including insults, labelling, bullying and exploitation.





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