

Measures for openness to and support for trans and non-binary students

A guide for educational institutions

Rights of trans and non-binary youth

Gender identity awareness

Legislative framework and responsibility of educational institutions

Direction of ministère de l'Éducation et de l'Enseignement supérieur

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TABLE NATIONALE DE LUTTE CONTRE
L'HOMOPHOBIE ET LA TRANSPHOBIE
DES RÉSEAUX DE L'ÉDUCATION

s regarding bullying and harassment

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Abbreviations and acronyms

APE Act respecting private education

EA Education Act

MEES Ministère de l'Éducation et de l'Enseignement supérieur

Notes

In this document,

- the term “**young person**” is used in the generic sense for increased readability; it represents a feminine, masculine and neutral value
- the term “**educational institution**” refers to school boards, private educational institutions, CEGEPs, private colleges, universities and public schools
- the term “**education personnel**” covers individuals working in the education field, from preschool through university; it includes teachers, management staff, professionals, support staff, administrators and contract workers (coaches, sports referees, healthcare workers, school bus drivers, etc.)

The recommendations can also be applied to **adult learners** attending the educational institutions, with the necessary adjustments.

Certain **challenges specific to universities** are not addressed in this document; however, in terms of fundamental principles and the resulting general recommendations, it remains relevant to universities.

The question of trans and non-binary youth in “Sport-études” programs and competitive sports (at the provincial, national and international levels) will be covered in a document to be published in 2018.

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List of member organizations of the Table nationale de lutte contre l'homophobie et la transphobie des réseaux de l'éducation

Ministries

- Ministère de l'Éducation et de l'Enseignement supérieur (MEES)
- Ministère de la Justice, one person from the Bureau de lutte contre l'homophobie

Employer and service organizations

- Association des collèges privés du Québec (ACPQ)
- Association des commissions scolaires anglophones du Québec/Québec English School Boards Association (ACSAQ/QESBA)
- Fédération des cégeps (represented by the Commission des affaires étudiantes)
- Fédération des commissions scolaires du Québec (FCSQ)
- Fédération des établissements d'enseignement privés (FEEP)

Administrative and managerial personnel

- Association des directions générales des commissions scolaires (ADIGECS)
- Association montréalaise des directions d'établissement scolaire (AMDES)
- Association québécoise des cadres scolaires (AQCS)
- Association québécoise du personnel de direction des écoles (AQPDE)
- Fédération québécoise des directions d'établissement d'enseignement (FQDE)

Labour organizations

- Association provinciale des enseignantes et enseignants du Québec/Québec Provincial Association of Teachers (APEQ/QPAT)
- Centrale des syndicats du Québec (CSQ) and its education federations:
 - Fédération des syndicats de l'enseignement (FSE-CSQ)
 - Fédération des professionnelles et professionnels de l'éducation du Québec (FPPE-CSQ)
 - Fédération du personnel de soutien scolaire (FPSS-CSQ)
 - Fédération du personnel de l'enseignement privé (FPEP-CSQ)
 - Fédération des enseignantes et enseignants de cégep (FEC-CSQ)
 - Fédération du personnel professionnel des collèges (FPPC-CSQ)
 - Fédération du personnel de soutien de l'enseignement supérieur (FPSES-CSQ)

- Confédération des syndicats nationaux (CSN) and its education federations:
 - Fédération nationale des enseignantes et enseignants du Québec (FNÉECCSN)
 - CEGEP cluster and private cluster
 - Fédération des employées et employés des services publics (FEESP-CSN) – educational support sector and CEGEP support sector
- Fédération autonome de l'enseignement (FAE)
- Fédération des travailleurs et travailleuses du Québec (FTQ) and its education unions:
 - Canadian Union of Public Employees (CUPE)
 - Syndicat des employées et employés professionnels-les et de bureau (SEPB)
- Syndicat de professionnelles et professionnels du gouvernement du Québec (SPGQ), college sector

Parents' association

- Québec Federation of Parents' Committees (QFPC)

Student associations

- Association pour une solidarité syndicale étudiante (ASSÉ)
- Fédération étudiante collégiale du Québec (FECQ)

Sports

- Réseau du sport étudiant du Québec (RSEQ)

Other organizations

- Chaire de recherche sur l'homophobie de l'UQAM
- Table provinciale de concertation sur la violence, les jeunes et le milieu scolaire (TPCVJMS)

On June 10, 2016, the National Assembly unanimously adopted Bill 103: *An Act to strengthen the fight against transphobia and improve the situation of transgender minors in particular*.¹

Specifically, this Bill amends the Québec *Charter of Human Rights and Freedoms* with the addition of “gender identity or expression” to the grounds for discrimination prohibited by section 10, thereby providing explicit protection to trans individuals.

Introduction

1

Over the last decade, education personnel have become aware of the realities of trans and non-binary youth.²



² The terms used are defined in the glossary in section 9.

This reality is not new: many trans and non-binary individuals feel the need to express their gender identity and convey their gender expression as early as preschool. A growing number of these young people³ are now transitioning while attending educational institutions.⁴ Legislative changes were made in June 2016 in order to better respect the rights of trans and non-binary individuals.

With this guide, the Table nationale de lutte contre l'homophobie et la transphobie des réseaux de l'éducation⁵ aims to provide a reflective framework for supporting educational institutions in the implementation of concrete measures for openness to and support for trans and non-binary students.

1.1 Issues facing trans and non-binary youth

Educational institutions can play a fundamental role in supporting trans and non-binary students by protecting their right to privacy and by adapting practices to allow for their affirmation of gender identity (self-identification). These young people are particularly vulnerable in Québec society. Studies show that they are more at risk for experiencing psychological distress, suicidal thoughts, and verbal, psychological or physical abuse.

Providing trans and non-binary youth with access to services while supporting their gender identity is one example of a promising intervention practice.⁶ An increasing number of professional associations and public organizations⁷ recognize the importance of a trans-affirmative approach aiming for, on the one hand, the individual's self-determination and, on the other hand, support for the youth and their family throughout the acceptance process. The American Psychological Association (APA) emphasizes that interventions in support of the trans student's affirmation of identity can improve their sense of well-being, general health and overall quality of life.⁸

Adapting practices in the education system is paramount for trans and non-binary students. For example, encouraging the use of the individual's preferred first name as well as the pronouns corresponding to their self-identification, while continuing to respect their privacy, is an easy way to directly contribute to their sense of well-being.



³ According to a study published in 2017 by The Williams Institute at UCLA, 0.7% of youth aged 13 to 17 identify as trans in the United States. Document available online: williamsinstitute.law.ucla.edu/research/transgenderissues/new-estimates-show-that-150000-youth-ages-13-to-17-identify-as-transgender-in-the-us/.

⁴ The question of trans youth and the Sports-études programs and competitive sports practised in educational institutions will be addressed in a subsequent document to be prepared in 2018.

⁵ A description of the Table nationale de lutte contre l'homophobie et la transphobie des réseaux de l'éducation can be found in Appendix A.

⁶ Jake Pyne, "Gender Independent Kids: A Paradigm Shift in Approaches to Gender Nonconforming Children," *Canadian Journal of Human Sexuality* (2014), p. 32.

⁷ Professional bodies in Québec, professional associations, particularly the Canadian Association of Social Workers, the Canadian Teachers' Federation (CTF), etc.

⁸ American Psychological Association, "Guideline for Psychological Practice with Transgender and Gender Nonconforming People," *American Psychologist*, vol. 70, no. 9 (December 2015): 832-864. Also available online: apa.org/practice/guidelines/transgender.pdf.

Many trans youth experience mental health issues. Nearly two thirds have admitted to self-harming in the past year, and more than one out of three have attempted suicide.⁹ Their well-being depends largely on the degree of openness demonstrated in their educational environment. Failure to ensure the implementation of measures to enable them to live their affirmed gender identity and expression contributes to an increase in the situations of denial and violence that trans and non-binary students may face.

Trans and non-binary students and their families should not take on the responsibility of approaching every staff member. The administration can play a key role by taking the necessary steps to protect the student's identity and by communicating with education personnel.

1.2 Who should read this guide?

This document was prepared for educational institutions¹⁰ and education personnel¹¹ to help them create environments that guarantee trans and non-binary students the right to equality, dignity, integrity, well-being and safety.

The members of the Table nationale are committed to equipping education personnel at the preschool level through university with the tools to face the realities of trans and non-binary youth. This document serves as a guide to support the implementation of measures for openness to these young people in order to foster their academic success, encourage them to stay in school and give them equal access to studies at all levels while respecting their fundamental rights.



⁹ Jaimie Veale et al., *Being Safe, Being Me: Results of the Canadian Trans Youth Health Survey*, (Vancouver: University of British Columbia, 2015), 2. Also available online: saravyc.sites.olt.ubc.ca/files/2015/05/SARAVYC_Trans-Youth-Health-Report_EN_Final_Web2.pdf.

¹⁰ The term "educational institution" refers to school boards, private educational institutions, CEGEPs, private colleges, universities and government schools.

¹¹ The term "education personnel" covers individuals working in the education field, from preschool through university. This term includes teachers, management staff, professionals, support staff, administrators and contract workers (coaches, sports referees, healthcare workers, school bus drivers, etc.).

Fundamental principles

2

The following principles underpin the development of good practices to promote the well-being and inclusion of trans and non-binary youth. These principles are based on the rights recognized in the *Québec Charter of Human Rights and Freedoms*, in the *2017-2022 Government Action Plan Against Homophobia and Transphobia* and in the *Concerted Action Plan to Prevent and Counter Bullying 2015-2018*.

- The proposed measures for openness must be adapted to the specific needs expressed by the trans or non-binary student, the context and the educational institution. These measures are not a rigid set of rules.
- It is a good idea to consider and implement the proposed measures **before** the presence of trans or non-binary youth among the student body is observed. These young people are most likely already present in your school.
- If you have any questions regarding certain requests made by a trans or non-binary student and require guidance on the steps to take, do not hesitate to contact your institution's competent authority.

- ① The Québec *Charter of Human Rights and Freedoms* must guide interventions with youth, parents and staff.
- ② The sole reliable indicator of a trans or non-binary student's gender identity is their self-identification. The measures implemented in support of these young people must be guided by their personal history, needs, experiences and explicit desire.
- ③ The integrity of trans and non-binary students must be protected. They have the right to be treated with dignity, equality and respect.
- ④ Support for these young people should not result in them being subjected to additional constraints, for example, isolation, marginalization or financial difficulties.
- ⑤ The right to confidentiality and respect for the privacy of trans and non-binary students must be protected.
- ⑥ Under the amendments to the Charter, the educational institution must use the first name preferred by the trans or non-binary student, as well as their gender identity, particularly through the use of the corresponding pronouns.
- ⑦ The student's first name or sex designation does not have to be legally changed in the Québec register of civil status or in their internal administrative file for their self-identification to be respected.
- ⑧ The intentional or continued refusal to respect the trans or non-binary student's gender identity or expression may be considered a form of harassment or discrimination that could lead to legal consequences.
- ⑨ The trans or non-binary student's consent is needed prior to involving their parents in any support measures taken by the educational institution, particularly for students aged 14 or older.

- ⑩ Every educational institution should offer activities and training to raise awareness of the realities of trans and non-binary individuals to provide staff (administration, management, teachers, professionals and support staff) with the skills necessary for intervening with these young people and their families.

On the basis of these principles, educational institutions should implement measures that offer all young people a healthy and safe learning environment free from bullying, harassment, discrimination and any other form of violence in order to encourage student retention and academic success.

Realities of trans youth and their impacts

3

Gender identity is defined as the intrinsic feeling of being male, female or somewhere in between. Studies suggest that gender identity is established by age 3 (Ryan, 2009).¹² *Gender identity, much like sexual orientation, is not a choice.*



¹² Caitlin Ryan, *Supportive Families, Healthy Children: Helping Families with Lesbian, Gay, Bisexual, and Transgender Children*, Family Acceptance Project, (San Francisco: San Francisco State University, 2009), p. 17. Also available online: familyproject.sfsu.edu/sites/default/files/FAP_English%20Booklet_pst.pdf.

3.1 Awareness of identity

Some young children describe the extent to which their internal feeling of masculinity or femininity (their gender identity) does not correspond to the sex they were assigned at birth. Gender identity is a very personal and complex experience. Some young people report feeling they are neither male nor female, whereas others feel they are both.¹³

The following firsthand accounts of trans youth are taken from a study conducted by Line Chamberland.¹⁴



Interviewer: *Did you ever question your sexuality in high school or was that something that came later on?*



Participant: *It came later, but I already knew that I was different from everyone else. I had short hair and dressed like a guy. I pretty much always hung out with guys. Even when I was younger, I couldn't understand why my hanging out with guys was frowned upon . . . personally, my clothes and how I fixed my hair . . . I was teased a lot for that. But I couldn't understand what I was doing wrong.* (Claude, a young questioning trans man, secondary school) p. 304.



Participant: *In high school, I knew that something wasn't exactly normal. I felt like I needed to feel feminine and didn't know why.* (Julie, young trans woman, secondary school) p. 304.

3.2 Various challenges faced

Chamberland's study reveals that the homophobic and transphobic manifestations reported take on three main forms:

- ① exclusion
- ② verbal harassment and abuse
- ③ physical harassment and assault

Overall, Chamberland's study finds that verbal manifestations of transphobia and homophobia are the most prevalent and are demonstrated in the form of insults, rumours or the use of the incorrect first name or pronoun. Some young participants in the study were also subjected to physical violence, such as being tripped or beaten up.



¹³ Canadian Teachers' Federation, *Supporting Transgender and Transsexual Students in K-12 Schools: A Guide for Educators*, (Ottawa: CTF, 2011), p. 12.

¹⁴ Line Chamberland, Natalie Duchesne and Alexandre Baril, "Les expériences des étudiantes et étudiants transsexuels, transsexuelles et transgenres en milieu scolaire," in *Impact de l'homophobie et de la violence homophobe sur la persévérance et la réussite scolaires*, Appendix N, Line Chamberland et al., (Montréal: Université du Québec à Montréal, 2010), pp. 289-332 [Translation].


Some young people make the connection between the transphobia they experienced in secondary school, their psychological issues and their academic performance. Others were absent from school due to depression caused by comments directed at them. Loss of appetite, trouble sleeping and an inability to focus in class are further examples of negative impacts.¹⁵


Moreover, Chamberland's study documents the following observations:¹⁶


- Trans students encounter both homophobia and transphobia at school. On the one hand, they are often labelled gay or lesbian because of their atypical gender expression and, as a result, are subjected to the homophobic attitudes and behaviours of their peers and sometimes even of the education personnel. On the other hand, they are faced with difficulties specific to their situation (change of first name, obligation to identify as their assigned sex at birth, student ID card, use of washrooms and locker rooms, etc.).

In addition to being victims themselves, some young people report having witnessed aggression toward their peers, thereby creating an unsafe feeling in the school.

- Trans youth are confronted with many types of discrimination at school, especially at the secondary level. They report being excluded and rejected, verbally harassed and assaulted (insults, threats, use of incorrect first name and pronouns), and physically attacked (being followed, confined in an empty locker, beaten up, etc.).

 **Participant:** *There was graffiti on my locker, but, mostly, I was verbally abused in the halls. I was told I was a dirty lesbian and that I was going to Hell.* (Christopher, young trans man, secondary school) p. 308.

 **Participant:** *Every day after school I was beaten up.* (Christopher, young trans man, secondary school) p. 309.

 **Participant:** *Violence . . . Like I said, being shoved into lockers, into walls, things like that. Having rocks or water bottles thrown at me. Being tripped, too. No one really notices if someone trips you. You fall, so then you jump on them, and you're the one who ends up looking guilty.* (Benoit, young trans man, secondary school) p. 310.

- The study does not describe a particular aggressor profile, though peers seem to be the main perpetrators of acts of violence targeting trans youth. However, trans youth claim that all categories of education personnel sometimes project transphobic or homophobic attitudes when dealing with them, or do not offer them the necessary support in connection with these situations.



¹⁵ Line Chamberland, Natalie Duchesne and Alexandre Baril, *op. cit.*, p. 318

¹⁶ *Ibid.*, pp. 292-293.

... **Participant:** *Let's just say that some teachers had trouble, especially with that fact that, in our system, attendance is taken using the official name, the legal name. So, often when the teachers took attendance, they couldn't change the name. It was recorded in the school's database and everything was under "(her original name)". So, that wasn't easy for me. I'd often go up to the teachers and say, "Actually, it's Julie. If you could try to use that name." And usually after a few weeks, "Julie" would pop out automatically.* (Julie, young trans woman, college level) p. 315.

... **Participant:** *I sent emails to my teachers letting them know that the name they had on their list wasn't the name I used, and asking if they could please refer to me as a male. With some teachers, things went well. With others, not so much.*

No, it went okay, but they didn't want to use male pronouns for me. And one of my teachers said, "You'll always be a woman to me." (Christopher, young trans man, college level) p. 315.

- Gendered activities and spaces (locker rooms, washrooms, physical education classes and sports) create difficulties for trans students. For example, they may experience anxiety when the time comes to use the washrooms or locker rooms at school, since these spaces are usually segregated areas to which access is reserved for one of the traditional genders or the other.

... **Participant:** *I just didn't go to the washroom, I'd hold it in all day. Jacques wouldn't go into the boys' washroom either, because he was afraid of getting beaten up. So, we went to La Belle Province (restaurant).* (Benoît, young trans man, secondary level) p. 312.

... **Participant:** *If you go into the boys' locker room, you get thrown out because they don't want you there. They won't want you in the girls' locker room, either. So I just didn't go to my phys. ed. classes. It was easier just to skip. I wrote a fake doctor's note and it worked at one point.* (Benoît, young trans man, secondary level) p. 313.

- Trans youth expressed a weak sense of security at school, which has significant repercussions on their academic progress (absenteeism, difficulty concentrating, uncertain success).



Interviewer: *Your sense of security at school?*



Participant: *None at all. Nowhere.* (Benoît, young trans man, secondary level) p. 315.



Interviewer: *(...) did you feel safe at school?*



Participant: *No, not physically. All throughout high school. It was constant.* (Christopher, young trans man, secondary level) p. 316.



Participant: *Not at all. Because I didn't know. If someone got up on the wrong side of the bed and decided that, today, he was going to tease me and not stop, how far would it go? If it degenerated, which one of us was going to be blamed? Who was it easier to blame? If there were four others who said it was my fault, and I said it was the other guy's fault, who was most likely to be believed? That's why I didn't feel safe there at all. Every single day, I really had to pay attention to who was in front of me and who was behind me to try to avoid certain people.* (Claude, young questioning trans man, secondary level) p. 317.

Being Safe, Being Me, a Canadian study conducted by the team at the University of British Columbia among 923 trans youth aged 14 to 25 from all provinces and one territory, shows the following elements:¹⁷

- Many trans youth have had to deal with mental health issues, with nearly two thirds reporting having self-harmed in the past year and more than one out of three having attempted suicide.
- One young trans person out of three did not have an adult family member to discuss their concerns with, and seven out of ten felt that their family did not understand them.

3.3 Sources of support

Being Safe, Being Me highlights positive sources of support in the lives of trans individuals, such as parents, family, education personnel and adults in their community, especially when these adults support them in living according to their affirmed gender identity. Young people with the support of their family report feeling healthier.

Despite the fact that the impacts of transphobia are significant, not all young people suffer equally. There are seven factors that may impact the resilience of trans students and their vulnerability at school, namely:¹⁸



¹⁷ Jaimie Veale et al., *op. cit.*, p. 2.

¹⁸ Line Chamberland, Natalie Duchesne and Alexandre Baril, *op. cit.*, p. 319.

- the attitude of the administration
- the role of the teaching staff
- whether teaching staff talk about gender identity and gender expression in class
- the role of service providers
- the circle of friends
- the support of parents and family
- the support of community organizations

In short, with active support from people in all areas of their lives, the trans or non-binary individual's affirmation or transition can not only be carried out with relative ease, but can also become a rich and positive experience of self-discovery.



Participant (23 years old): *There are still many challenges to be faced and overcome, but feeling confident in being out and generally having people be receptive to my explanations of gender (and lots of folks respecting my request for neutral pronouns even if it is a challenge), and being able to inspire others to feel safe in being out, has had a very positive impact on my life.*¹⁹

Rights of trans youth: Legislative framework and responsibilities of the educational institutions

4

On June 10, 2016, the National Assembly unanimously adopted Bill 103: An Act to strengthen the fight against homophobia and transphobia and improve the situation of transgender minors in particular.²⁰



²⁰ Québec, *Bill 103: An Act to strengthen the fight against transphobia and improve the situation of transgender minors in particular*, Québec, 2016.

Specifically, this Bill amends the Québec Charter of Human Rights and Freedoms to add “**gender identity or expression**” to the grounds for discrimination prohibited by section 10, thereby providing explicit protection to trans individuals.²¹

The *Charter of Human Rights and Freedoms* stipulates that “no one may harass a person on the basis of any ground mentioned in section 10,” regardless of whether this harassment takes the form of offensive words, negative attitudes, acts of violence or other. Denial of the rights of trans individuals could have legal consequences, particularly for educational institutions that do not take measures to ensure that these rights are respected.

In accordance with the Québec Charter of Human Rights and Freedoms:

- the intentional or persistent refusal to respect the trans or non-binary individual’s gender identity or expression, and
- the refusal to implement measures to ensure the trans or non-binary person’s physical, emotional and psychological development may be considered a form of harassment or discrimination that could lead to legal consequences.

In accordance with the *Education Act* (EA) and the *Act respecting private education* (APE), the rights of these young people are also protected, specifically by the sections aiming to prevent and stop bullying and violence in the schools (EA, s. 75.1 and APE, s. 63.1).

Consequently, educational institutions must set out concrete measures to safeguard the right to dignity, equality, integrity, well-being and safety for all young people, including trans and non-binary individuals. In this way, they help to ensure the trans or non-binary person’s development while respecting their gender identity and expression in order to guarantee their physical, emotional and psychological development, as well as their academic perseverance and success.

These measures for openness and support can help trans and non-binary students avoid situations of bullying, harassment, discrimination, homophobia, transphobia and exclusion. They also help these young people and their parents avoid having to take steps to ensure that their rights are respected.



²¹ A more detailed overview of the evolution of the rights of trans individuals in Québec can be found in Appendix C, particularly with regard to the conditions for changing the sex designation on a birth certificate.

Orientations of the Ministère de l'Éducation et de l'Enseignement supérieur

5

The Ministère de l'Éducation et de l'Enseignement supérieur (MEES) is concerned with the well-being and specific needs of young people in the schools, especially those questioning their gender identity. In that respect, provisions of the EA and the APE aim for the establishment of a safe, positive and caring school environment that ensures the development of the students' full potential and overall well-being.

Moreover, the *Concerted Action Plan to Prevent and Counter Bullying 2015-2018* reflects the orientations presented in this guide, particularly with regard to supporting schools in better acknowledging gender diversity and family diversity through, among other things, the development of guidelines and practical tools for ensuring that the fundamental rights of students and families are respected.

5.1 Provisions of the *Education Act* and the *Act respecting private education* aimed at preventing and stopping bullying and violence in schools

In 2012, the EA and the APE were amended to more specifically address intervention in and prevention of bullying and violence in the schools.

In particular, the EA and the APE stipulate that school boards and private educational institutions shall ensure that all of their schools offer a healthy and safe environment, allowing all students to develop their full potential free from any form of bullying or violence (EA, s. 75.1 and APE, s. 63.1). To that effect, the school boards support their school principals in their efforts to prevent and stop bullying and violence (EA, s. 210.1).

The EA and the APE also require that both public and private educational institutions adopt and implement an anti-bullying and anti-violence plan (EA, s. 75.1 and APE, s. 63.2). Specifically, this plan must provide for prevention measures aimed at stopping any form of bullying or violence motivated by sexual orientation, sexual identity and homophobia, among other things. The institutions must also specify the actions to take when an act of bullying or violence is observed, as well as the ensuing measures for support and guidance to be offered.

The school principal must set up a team and designate a member of the education personnel who is tasked with coordinating the school's anti-bullying and anti-violence efforts as part of their regular duties (EA, s. 96.12 and APE, s. 63.5).

It is also the teacher's responsibility to contribute to the intellectual and overall personal development of each student entrusted to their care (EA, s. 22, par. 1) and to take the appropriate means to foster the students' respect for human rights (EA, s. 22, par. 3).

The education community has come together to ensure the well-being of victims of acts of violence and bullying, individuals who commit these acts, and individuals who have witnessed them. There are measures to promote prosocial behaviours and mutual respect, and others to prevent and reduce aggressive behaviours, both at the elementary and secondary levels. **The objective is to offer a safe, positive and caring school climate for all students and adults in educational institutions.**

The *Concerted Action Plan to Prevent and Counter Bullying 2015-2018* includes different measures that are aligned with these guidelines for young people, including trans and non-binary people. MEES is responsible for implementing measures as part of the following orientations.

Orientation 1

Benevolent living environment respectful of everyone; egalitarian relationships and civic behaviour

Regardless of their nature, differences are often the source of bullying. These acts are often the result of attitudes of exclusion, prejudice, discrimination, intolerance, or the absence of egalitarian belief. Civility, respect for differences, the equality of all people, inclusion, and mutual support are values to be encouraged in living environments for the enhancements of social participation, the growth of individuals and harmonious relations, and the removal of sources of bullying.²²

Building a benevolent society starts in early childhood. It is important to act early to support the social and emotional development of young children and to allow them to learn the prosocial skills necessary for them to adopt healthy attitudes toward relationships that they will use throughout their life.²³

It is **essential to counter stereotypes and prejudices**, whether they are related to **sex, sexual orientation, gender expression or gender identity**.

Measure 1.5 of the *Concerted Action Plan to Prevent and Counter Bullying 2015-2018* states that MEES will “assist public and private schools in improving the way they take into account diversity in both gender and families” (p. 24).

Measure 1.9 states that the Recreation and Sports sector of MEES will “promote sportsmanlike conduct and the positive values of sport” (p. 25).



²² Québec, Ministère de la Famille, Direction générale des politiques, *Together Against Bullying: A Shared Responsibility - Concerted Action Plan to Prevent and Counter Bullying 2015-2018* (Québec, 2015). <https://www.mfa.gouv.qc.ca/fr/publication/Documents/plan-action-intimidation-2015-en.pdf>.

²³ Ibid.

Orientation 3

Service providers who are trained and equipped

Service providers and management staff may at times have to act to prevent situations of bullying or to make them stop, regardless of their environment. They must be assured access not only to training and support but also to a wide array of tools. Every service provider will thus be better prepared to prevent bullying; to recognize its manifestations, in person or in cyberspace; to make use of best practices to appropriately support those targeted by bullying, people who commit acts of bullying, witnesses, and those close to them; and to direct them to the appropriate resources.²⁴

Measure 3.1

Raise awareness among managers of college education programs of the importance of covering prevention and intervention in the context of bullying, including cyberbullying, citing, for example, the use of information and communications technologies and online intervention, targeting certain courses within technical training programs such as:

- police training, including the initial training of police officers at the École nationale de police du Québec
- delinquency intervention
- early childhood care and education
- special care counselling
- social work
- community recreation and leadership training²⁵

Measure 3.9

Support and accompany school boards and schools with the help of regional support agents:

- in the development, at the start of elementary school, of prosocial behaviours among students, education on egalitarian relationships, education on civic behaviour and on the challenges inherent in the use of information and communications technologies relating to respect for others and legal rights, especially regarding freedom of expression, illicit activities, and the right to privacy

- when creating and updating action plans to fight violence, bullying, and cyber-bullying
- by sharing best practices
- by encouraging community participation, including parents, at every step of the process in the school
- by promoting inclusion and openness to diversity (sexual, cultural, etc.)²⁶

Measure 3.12

Encourage colleges to prevent and counter bullying in their institutions.²⁷

Measure 3.14

Review the existing material (information for parents and guidelines for coaches and administrators) in sports for preventing and punishing unethical acts (violence, abuse, harassment, homophobia, racism, sexism, etc.).²⁸

5.2 Sexuality education

Children and adolescents already receive sexuality education in Québec schools, but what they learn varies from one school to another. In order to offer all students a basic knowledge of all the major topics normally covered in sexuality education, MEES wants to give the subject a more formal place in the schools.

A pilot project is currently being carried out in some 15 schools. During the 2015-2016 and 2016-2017 school years, these schools offered learning content defined by the Ministère and tailored to the student's age and level of development. This content may be extended across all schools who want to offer it as of the 2017-2018 school year.²⁹

In this way, Québec students will be able to benefit from essential learning, enabling them to:

- better understand sexuality
- better understand themselves and others, and be able to intervene
- reflect on issues such as messages about sexuality in public spaces, sexual stereotypes and the use of social networks

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²⁶ Ibid., p. 31.

²⁷ Ibid.

²⁸ Ibid., p. 32.

²⁹ A press release from the Ministère de l'Éducation et de l'Enseignement supérieur specifies that sexuality education can be offered by any school in any region of Québec expressing its intention to integrate the program into its curriculum starting in the fall of 2017. The Ministère will provide schools with the necessary support, specifically by supplying appropriate training and tools. It will examine the results of the two-year pilot project before requiring the program to be compulsory in all schools. This assessment will allow the Ministère to study the possibility of modifications and to foster the success of the compulsory implementation.

- be less vulnerable to problems such as:
 - sexually transmitted and blood-borne infections (STBBIs)
 - homophobia
 - sexual assault
 - unplanned pregnancy
- develop attitudes and skills that will be useful both now and in the future (respect for diversity, self-knowledge and assertiveness, conflict resolution)

Respect for sexual diversity, the fight against homophobia and other learning content implemented in the schools involved in the pilot project make it possible to consider the realities and needs of lesbian, gay, bisexual and trans students. The Ministère offers training, support and guidance to school boards and pilot schools.

The pilot project will help to identify any adjustments to be made to the learning content and to the training of education personnel, if necessary.

5.3 Context of post-secondary institutions

The Ministère is aware of the need to promote the fight against transphobia in post-secondary institutions. Furthermore, the measures taken and efforts made by elementary and secondary schools must continue throughout the course of study of trans or non-binary students who choose to pursue post-secondary education. This sustainability is vital for the integration, safety and well-being of trans and non-binary students, as well as for encouraging them to stay in school and fostering their academic success.

Even though the needs and demands of trans and non-binary youth may differ once they reach the post-secondary level, the educational institutions they attend must show concern for them, specifically by implementing concrete measures for openness to and support for these individuals.

Given that post-secondary institutions enjoy considerable autonomy on a number of fronts, including their operations, offer of programs of study, pedagogical support activities and student services, MEES cannot force them to provide special support to trans and non-binary individuals. It can, however, support these institutions in their offer, particularly by encouraging:

- collaboration between the different educational institutions
- the implementation or continuation of measures conducive to openness to and support for trans and non-binary individuals
- the development of institutional policies to support trans and non-binary individuals

Measures for openness to and support for trans and non-binary students

6

This section is aimed at the administration of educational institutions as well as their staff.

The following are examples of concrete measures to foster the physical, emotional and psychological development of trans and non-binary students, as well as to encourage them to stay in school and to achieve academic success. At the same time, these measures fight against sexual stereotypes, prejudices, homophobia and transphobia.

6.1 Support trans and non-binary students in their personal development³⁰

Every trans or non-binary person navigates transitioning in their own unique way and has specific personal needs. As with other personal differences (ethnic, physiognomic, economic, etc.), no two experiences are alike. The individual's immediate health, safety and education needs must be kept in mind, and any necessary adjustments based on the opinions expressed by the student and their parents should be made, if applicable. The requests of trans and non-binary students should be processed on a case-by-case basis to respond to each in the best possible way.

The implementation of support measures focuses on collaboration between the school team for the network of school boards—or student services along with the school in the case of private educational institutions, CEGEPs and universities—and the trans or non-binary student and their parents. They work together to outline the necessary support structures, which involves listening to the student's needs and concerns.

Moreover, it is recommended that the trans or non-binary student's consent be obtained prior to involving their parents in support measures, particularly for students aged 14 and older.

Based on the needs expressed by these young people, the school's resources and the level of confidentiality required, the institution may, for example, set up a committee of various stakeholders (psychoeducator, teacher, vice-principal, special education technician or social worker, school secretary, etc.) tasked with developing a strategy for the local integration and the protection of personal information for the individual.

Should any questions arise regarding certain requests made by the trans or non-binary student, contact your institution's competent authority.

6.2 Use the trans or non-binary student's preferred first name and corresponding pronouns (female, male or gender neutral)

For all trans and non-binary individuals, changing their first name (officially or unofficially) and requesting the use of pronouns different from those associated with their assigned sex at birth are important steps in their identity journey. The preferred or corresponding pronouns may be gender neutral, female or male in accordance with their wishes.



³⁰ This section was inspired by the following document: Commission scolaire de Montréal, *Lignes directrices relatives aux élèves transgenres de la Commission scolaire de Montréal*, Document adopted by the Council of Commissioners at its March 23, 2016 session, (Montréal: CSDM, 2016), p. 10.

Members of the educational institution's staff must be instructed to use the first name and pronouns preferred by the trans or non-binary student, as much for the young person's well-being as for the legal obligations set out in the Québec *Charter of Human Rights and Freedoms*. All trans and non-binary youth have the right to self-identify and to be addressed by their preferred first name and pronouns.

Failure to respect the young person's wishes may carry negative consequences, such as being outed as transgender against their will (e.g. during roll call). Some young people report that this behaviour can call their self-identification into question.

6.3 Implement measures to protect the confidentiality of information about trans and non-binary students

Respecting the confidentiality of the trans or non-binary individual's situation and transition process is vitally important. Some may wish to keep their gender identity private, especially if they have yet to transition socially. Conversely, they may prefer to have their assigned sex at birth remain confidential. Therefore, it is essential that the student's privacy needs and explicit wishes be verified.

In some cases, unwanted disclosure (of the gender identity or assigned sex at birth, as the case may be) could expose the youth to a serious risk of psychological distress, ostracism or violence. The institution must therefore take the necessary steps to prevent any accidental disclosure, despite any administrative constraints.

Specifically, the educational institution's administration and staff are not to disclose any information that might reveal the trans student's gender identity to any other individual, including their parents (if the student is over 14 years old) and other members of the education staff without their express authorization. Only the trans or non-binary person, and their parents if they are under the age of 14, can decide which information they want to disclose and to whom, even if they assume their identity publicly at the school, centre, CEGEP or university.

6.4 Make parents aware of the rights of trans and non-binary students

Parents may contact the institution to express concern or ask questions regarding the presence of trans and non-binary students in the school. As with any other human rights-related intervention, the principles of the Québec *Charter of Human Rights and Freedoms* apply.

It is the responsibility of the school administration (for the school system) and the dean of student affairs (for the college system) to respond to these questions while keeping the identity of the trans or non-binary student in question confidential.

6.5 Allow trans and non-binary students to use the washrooms, locker rooms and residences in which they feel most comfortable, regardless of their assigned sex at birth

The use of segregated spaces can be a significant source of stress for trans and non-binary youth. Some will even avoid them out of fear of being exposed to harassment or violence when using them. Yet, access to washrooms, for example, is a basic biological need and, therefore, a fundamental component of human dignity.

The measures for adapting segregated spaces must be determined by taking into account the following premises:

- 1 Trans and non-binary students can choose the washrooms, locker rooms and residences where they feel most comfortable, regardless of their assigned sex at birth.
- 2 Should these students feel uncomfortable, it is important to work with them to find solutions.
- 3 The measures should not be coercive toward the students.
- 4 The measures should not be defined as a result of pressure from others (peers, staff members or parents).

The implementation of these measures will require education staff to be vigilant and take the steps necessary to ensure the safety of these students. Education and awareness are key to eliminating transphobic and homophobic attitudes.

6.5.1 Access to washrooms

One simple gesture that can be carried out in the short term is to change existing single-stall washrooms in the school into gender-neutral washrooms. Another solution is to allow the trans or non-binary student to use the staff washroom, if it is available and they request it. It is crucial that the youth's wishes be taken into consideration when making decisions pertaining to access to washrooms and locker rooms so as to not further induce feelings of isolation and stigmatization.

6.5.2 Access to locker rooms

A trans or non-binary student might continue to feel uncomfortable even after they have access to the locker rooms of their choice. On occasion, this feeling could be due to the lack of privacy in these spaces. One suggestion is that all students have access to private spaces (for example, stalls for changing clothes or toilet stalls in the locker rooms). If this is deemed impossible, other avenues must be explored with the student concerned, such as allowing them to develop a modified schedule (using the locker room before or after the other students) or to use a nearby private space (a washroom near the locker rooms, for example).

Depending on the context of each school and the individual needs of the student, other solutions may also be examined together. As a result of decisions regarding access to locker rooms, the trans or non-binary student must be guaranteed access to their physical education classes and to extracurricular sports activities without discrimination.

6.5.3 Access to student residences

Some schools offer student residences with separate sections reserved for females and for males. The trans or non-binary student should be allowed to choose between these sections based on their gender identity or on which space makes them feel most comfortable. Again, depending on the school's context and the student's individual needs, other paths may be examined, such as suggesting they share a room with a friend, take a single room, etc.

6.6 Encourage trans and non-binary students to fully participate in physical education classes

Trans and non-binary students must be able to take part in their physical education classes in a safe environment respectful of their gender identity.

6.7 Ensure access to health and psychological counselling services that respect the needs of trans and non-binary students

Many educational institutions offer their students health and psychological services (nursing staff, doctor, psychologist, etc.) provided by their own staff or by professionals from the Centre local de services communautaires (CLSC, local community service centre) or other public organizations. These professionals are on site a few days per week. Under these circumstances, it is important to ensure that they are able to offer trans and non-binary youth the same services as they do other students. Nevertheless, some students report being denied services due to their gender identity.

Chamberland's study suggests that the presence of professionals (social workers, psychologists, psychoeducators, etc.) who are properly equipped and available to address the young person's needs could prove to be a significant resilience factor, since some students have asserted that, in this context, they would consult them more often.³¹

Health and social service professionals providing services in educational institutions should be able to adequately welcome and intervene with students. To accomplish this, these professionals must have access to awareness activities or training addressing the challenges of trans and non-binary students.³²



³¹ Line Chamberland, Natalie Duchesne and Alexandre Baril, *op. cit.*, p. 326.

³² Fédération des associations étudiantes du campus de l'Université de Montréal, *Recherche sur les problématiques liées à la diversité sexuelle à l'Université de Montréal*, document adopted at the 513th session of the Central Council on February 25, 2015, (Montréal: FAÉCUM, 2015), p. 33.

6.8 Minimize activities that separate students by gender, if possible³³

Trans and non-binary students wonder where they should go when taking part in activities that separate females from males (school entrance, educational activities, recreational activities, etc.). As much as possible, practices that separate females from males should be minimized. On occasions where students are separated by gender, it is necessary to ensure that everyone have access to the activities in accordance with their gender identity and expression. Certainly, it is preferable to avoid activities that perpetuate gender stereotypes, such as dividing toys into “girl” and “boy” categories in a preschool class, or restricting the practice of hockey to males and of gymnastics to females.

6.9 Organize activities to raise awareness of sexism, heterosexism, homophobia and transphobia

Education personnel and any other adults working with young people in the school are invited to organize activities aimed at raising awareness of sexism, heterosexism, homophobia and transphobia. For many years, community organizations have been developing educational material for the preschool, elementary and secondary levels addressing stereotypes, LGBTQ family diversity, sexual diversity and gender identity.

The list of organizations and the content they have produced can be found in Appendix D.

Education personnel are advised to integrate examples of sexual diversity, gender diversity and LGBTQ family diversity into their learning content and to avoid heterosexism and cissexism in the scenarios presented in learning and evaluation situations.

6.10 Ensure access to educational resources addressing the realities of sexual, gender and family diversity

The representation of LGBTQ family diversity, sexual and gender diversity, and, particularly, the inclusion of trans and non-binary individuals in the educational material made available to students contributes positively to raising awareness. It gives trans and non-binary youth access to positive examples and helps to bring awareness of sexual diversity to the entire community.

Schools are encouraged to acquire educational material of this sort. A list of organizations offering suggestions for children’s and young adult literature addressing these realities can be found in Appendix E.



³³ This section was inspired by the following document: Nova Scotia, Department of Education and Early Childhood Development, *Guidelines for Supporting Transgender and Gender-nonconforming Students* (Halifax: Nova Scotia, 2014).

6.11 Adapt the code of conduct to explicitly take into account the needs of trans and non-binary students

6.11.1 Add “gender identity and gender expression” to the code of conduct

The code of conduct should reflect the recent amendment to the Québec *Charter of Human Rights and Freedoms* and therefore explicitly include gender identity and expression in addition to sexual orientation as prohibited grounds for discrimination. This modification should also apply to the different rules prescribed by the code of conduct, for example, with regard to dress codes and attendance.

In accordance with the provisions of the EA, the code of conduct in public elementary and secondary schools must be approved by the governing board made up of parents and staff members. The governing board also approves the anti-bullying and anti-violence plan and its updates.

In accordance with the provisions of the APE, the code of conduct and anti-bullying and anti-violence plan must be approved by the governing board of private educational institutions.

It is therefore essential that board members, including the parents, be adequately informed of the issues and challenges associated with the introduction of rules and measures to ensure that the rights of trans and non-binary students are respected. In this way, the board members will be able to make informed decisions to that effect.

6.11.2 Allow trans and non-binary youth to wear clothing that they consider consistent with their gender identity and expression ³⁴

Respecting a young person’s choice of clothing and overall appearance is an important aspect of respecting their gender identity and expression. Trans and non-binary youth, like other young people, must be allowed to wear clothing that reflects their gender identity and gender expression. It is important to remember that some young people, including those who identify outside of the gender binary, may not be comfortable wearing clothing that can be clearly labelled as “feminine” or “masculine.”

Dress code rules, which are often incorporated into the institution’s code of conduct, should be flexible enough so that any restrictions on the student’s clothing or appearance do not infringe upon gender identity. Descriptors and labels referring to girls or boys should be avoided when establishing the dress code.

For example, rather than indicate that “girls must not wear short skirts,” it would be more appropriate to state that “short skirts are not allowed.”



³⁴ This section was inspired by the following document: Commission scolaire de Montréal, *op. cit.*, p. 14.

6.11.3 Ensure flexibility in the application of attendance rules for trans and non-binary youth undergoing hormone treatment

Certain aspects of the hormone treatment that is sometimes associated with transitioning may affect the individual's energy levels or ability to focus, as well as cause unpleasant side effects. On occasion, the student might be entirely unable to attend class. To ensure that the choice to undergo hormone or medical treatment does not prevent the student from continuing in school and achieving academic success, it is recommended that both the education personnel and the administration work together with them to modify the attendance rules set out in the code of conduct.

In keeping with the potential modifications to meet the needs of students with frequent medical appointments (chronic or serious illness, pregnancy, etc.), changes may be made with regard to attendance, adaptive assistance (buddy system, individualized support, remedial work, etc.) or relief measures so as not to penalize the student academically.

However, it is important that the administration and education personnel involved be kept informed of both the process undertaken by the student and its impact on their health. It is the responsibility of the administration or a staff member, who is informed and bound to confidentiality, to question the frequently absent trans or non-binary student to determine whether or not modifications are necessary and, if needed, to discuss the appropriate accommodations with them or with their parents or guardian.

Administrative measures that can be implemented by educational institutions

7

This section is for the administration of school boards, private educational institutions, CEGEPs, private colleges, universities and public schools.

The following are examples of administrative measures to facilitate and promote the measures for openness to and support for trans and non-binary students.

7.1 Implement a process to facilitate changing the trans or non-binary student's first name and sex designation in internal documents

Since June 2016, trans and non-binary youth can officially change their name and sex designation with the Directeur de l'état civil. However, for various personal reasons, the student and their parents may not have undertaken this process. The educational institution should therefore implement a process to facilitate changing the student's first name and sex designation in internal documents. This process should be made clear to staff, students and the various services.

Maintaining the records of trans and non-binary students may pose a certain challenge for school services and staff members. For this reason, the following should be kept in mind:

- ① All trans and non-binary youth have the right to self-identify and to be addressed by their preferred first name and corresponding pronouns.
- ② The first name or sex designation does not need to have been legally modified in the Québec register of civil status, nor changed in the student's internal administrative file, for their self-identification to be respected.
- ③ The intentional or persistent refusal to respect a trans or non-binary student's gender identity or expression may be considered a form of harassment or discrimination that could have legal consequences.

7.2 Evaluate the need to mention students' sex or gender identity in the educational institution's internal documents

Every educational institution should evaluate the need to mention any student's sex or gender identity in internal documents, including their class schedule, transcript, report card, student ID card, intervention plan, etc., by asking why such information would be useful.

7.3 Adjust the computer system to allow for the use of the first name preferred by trans and non-binary students in the educational institution's internal documents³⁵

7.3.1 The youth's permanent code and official identity

Every student's official record must include his or her legal name, sex designation as it appears in the Québec register of civil status and permanent code. At the present time, communications with MEES must use this official information. The modification of the school's computer system would be still more useful if it could automate the differentiated use of information based on the type of document generated (internal documents or documents intended for MEES).

To that end, it would be appropriate to try to find solutions in collaboration with the local computer service or computer service provider (GRICS,³⁶ Skytech,³⁷ SRAM,³⁸ SRACQ,³⁹ SRASL,⁴⁰ COBA,⁴¹ Plurilogic,⁴² etc.). For example, following requests from several colleges, Skytech adapted its Clara software by inserting a new field and making it possible to add the student's preferred name of common usage in addition to the legal name. In August 2017, COBA also adapted its software.

7.3.2 The educational institution's internal documents

To be effective and limit the potential for breaches of confidentiality, the above-mentioned process could be improved by modifying the computer system to include an additional field for the preferred name of common usage and another for the desired sex designation. This way, if explicitly requested by the student or their parents, as the case may be, the information would match that appearing in all internal documents (report card, student lists, schedules, etc.). Changing internal documents in this way will be much more difficult if the computer system is not modified; however, the changes should still be made. Furthermore, all viable administrative measures should be implemented in order to protect any confidential information that the student does not want to disclose.



³⁵ This section was inspired by the following document: Commission scolaire de Montréal, *op. cit.*, pp. 12-13.

³⁶ GRICS – Grouping at the hub of a network of Québec school boards. It offers an exhaustive portfolio of technological solutions and a wide range of services used by all school boards and Québec educational institutions.

³⁷ Skytech Communications – Partner of the educational institutions

³⁸ SRAM – Service régional d'admission du Montréal métropolitain

³⁹ SRACQ – Service régional d'admission au collégial de Québec

⁴⁰ SRASL – Service régional de l'admission des cégeps du Saguenay–Lac-St-Jean

⁴¹ COBA – Developer of management software for public and private administrations

⁴² Plurilogic – Developer of turnkey school management software solutions

7.3.3 Privacy-related issues

It is up to the trans or non-binary student to decide which items of their personal information to be disclosed, when and to whom. Being aware of the person's explicit wishes on whether the privacy measures should protect their gender identity (if they have yet to transition socially), assigned sex at birth or any other information pertaining to them is crucial.

The school team or student services at the college and university levels must, however, support the student in deciding to disclose information so as to ensure their safety and foster their adaptation. The student must be made aware of the necessity of informing their parents or certain education personnel, as the case may be, of their gender identity so they can benefit from the support measures set in place by the educational institution.

Depending on the student's explicit wish, the educational institutions can take the following measures to protect confidentiality:⁴³

- Modify the individual's internal school record as previously mentioned, while making sure that any potential transfer of information to MEES (such as the results of ministerial examinations) be carried out under the student's official identity.
- Implement specific mechanisms, when necessary, such as:
 - keeping official documents that reveal the student's legal name in a sealed envelope in their file, accessible only by the institution's administration
 - ordering answer booklets in advance in order to indicate the preferred name (without the trans person's legal name) or requesting that MEES place the labels in a separate envelope
 - anticipating the different ways of handling situations in which the confidentiality of the trans or non-binary person's file may be compromised (e.g. substitute teacher or staff changes) in order to establish mechanisms for avoiding the involuntary disclosure of confidential personal information
- Inform the trans or non-binary person and their parents or guardian, as the case may be, that, despite all the precautions taken by the institution, the student's permanent code or other information in the management of their record may be involuntarily disclosed. The risk is higher during various changes (transfer to a different school, transition to secondary school, etc.).

7.4 Review anti-bullying, anti-violence and anti-harassment policies

Educational institutions are invited to review their anti-bullying, anti-violence and anti-harassment policies to ensure that they cover discrimination in all its forms (e.g. sexism, racism, homophobia and transphobia).

In accordance with section 75.1 of the EA and section 63.1 of the APE, an anti-bullying and anti-violence plan for elementary and secondary schools must include supervisory or support measures, and measures to prevent and deal with acts of violence in educational institutions. The implementation of this plan also contributes to the creation of a safe, positive, caring and more welcoming school climate, highlighting the fact that any person who is a victim of bullying, violence or harassment will be welcomed and taken seriously, and that measures will be taken to intervene with the perpetrator. It is therefore advisable that both staff and students be reminded of the anti-bullying, anti-violence and anti-harassment policy every year, taking care to carefully explain that it includes gender identity and expression.

If the educational institution's plan refers to the Québec *Charter of Human Rights and Freedoms*, it should be updated to reflect the June 2016 amendments regarding gender identity and expression.

Setting up a committee or appointing someone to be in charge of the sexual and gender diversity file is a path worth exploring. This person or committee could be responsible for updating and monitoring policies and plans related to sexual and gender diversity.

7.5 Adapt forms to take into account the realities of LGBTQ families and of the students' gender identity

All of the educational institution's forms (e.g. to register at an educational institution or daycare, for school transportation, for extracurricular activities, for financial assistance, etc.) should be reviewed and revised as needed to ensure that they account for the realities of LGBTQ families and for trans and non-binary students' gender identity.

7.5.1 Forms using the words “father” and “mother”

In 2002, the National Assembly unanimously adopted the *Act instituting civil unions and establishing new rules of filiation*, recognizing families with same-sex parents. Consequently, forms at educational institutions should be able to reflect the reality of all Québec families.

The first contact that parents have with a school or other institution involves filling out forms. Parents, guardians and students from different family constellations have reported feeling frustrated that these forms do not reflect their type of family.⁴⁴

The vast majority of school, college and university forms ask for the names of the “mother” and “father”. In an effort to reach all types of families, it is recommended that the term “parent” or “parental authority” be used instead of “mother” and “father.” With this simple adjustment, institutions send a positive message of openness to all types of families.



⁴⁴ Mona Greenbaum, *Familles LGBT: Le guide* (Montréal: Les éditions du remue-ménage, 2015), pp. 287-288.

7.5.2 Forms that request the person's sex

The institution should question the need to indicate the sex designation on certain forms (registration for daycare services or extracurricular activities, request for school transportation, etc.). For some young people, simply having to check “male” or “female” can be an added source of stress if they identify as neither sex or gender. Trans and non-binary youth will wonder, “Should I check off my assigned sex at birth or my true gender identity? What consequences will I have to face if I choose one or the other?” Adapting forms and questionnaires reduces this sense of frustration and fosters an improved integration of these individuals while raising community awareness of different realities.

If it is deemed absolutely necessary to include the gender of the people using the form, it is suggested that the term “gender” be used instead of “sex” and that a box labelled “other,” in addition to “male” and “female,” be added.

7.6 Offer awareness and training activities on the realities of trans and non-binary youth

Educational institutions would benefit from offering awareness and training activities on the realities of trans and non-binary youth to staff members. All staff members should be invited to develop the skills necessary to intervene effectively with these young people and their families.

Staff should be informed about the available resources for guiding these individuals and about how to ensure that they receive the necessary support.

Institutions are also invited to collaborate, as much as possible, with researchers and organizations to learn more about the realities of these young people and to improve the content of the available training and resources.

Many organizations have developed awareness workshops and training for school staff members. A list of these organizations can be found in Appendix F.

7.7 Facilitate the formation of a sexual and gender diversity committee in the schools

A sexual and gender diversity committee or a sexual and gender diversity alliance can be an ideal forum to discuss gender, sexual orientation, discrimination and inclusion. In addition to acting as a network for members of the community in need of support and resources, a committee of this sort can organize reflection, facilitation and awareness activities for students. This initiative also makes it possible to clearly show students that the institution is an open space where diversity can be discussed.

Checklist

8

Measures for openness and support

These proposed measures are aimed at both the administration and the staff of educational institutions.

- Support trans or non-binary students in their personal development (section 6.1).
- Use the trans or non-binary student's preferred first name and corresponding pronouns (female, male or gender neutral) (section 6.2).
- Implement measures to protect the confidentiality of information about trans and non-binary students (section 6.3).
- Make parents aware of the rights of trans and non-binary students (section 6.4).
- Allow trans and non-binary students to use the washrooms, locker rooms and residences in which they feel most comfortable, regardless of their assigned sex at birth (section 6.5).
- Encourage trans and non-binary students to fully participate in physical education classes (section 6.6).
- Ensure access to health and psychological counselling services that respect the needs of trans and non-binary students (section 6.7).
- Minimize activities that separate students by gender, if possible (section 6.8).
- Organize activities to raise awareness of sexism, heterosexism, homophobia and transphobia (section 6.9).
- Ensure access to educational resources addressing the realities of sexual, gender and family diversity (section 6.10).
- Adapt the code of conduct to explicitly take into account the needs of trans and non-binary students, particularly with regard to rules governing dress code and attendance (section 6.11).

Administrative measures that can be implemented by educational institutions

The proposed measures are aimed at the administration of school boards, private educational institutions, CEGEPs, private colleges, universities and public schools.

- Implement a process to facilitate changing the trans or non-binary student's first name and sex designation in internal documents (section 7.1).
- Evaluate the need to mention students' sex or gender identity in the educational institution's internal documents (section 7.2).
- Adjust the computer system to allow for the use of the first name preferred by trans and non-binary students in the educational institution's internal documents (section 7.3).
- Review anti-bullying, anti-violence and anti-harassment policies to ensure that they cover discrimination in all its forms (e.g. sexism, racism, homophobia and transphobia) (section 7.4).
- Adapt forms to take into account the realities of LGBTQ families and of the students' gender identity (section 7.5).
- Offer awareness and training activities on the realities of trans and non-binary youth (section 7.6).
- Facilitate the formation of a sexual and gender diversity committee in the schools (section 7.7).

Glossary

9

NOTE

The vocabulary associated with gender identity and gender expression is currently evolving.

The purpose of this glossary is not to rule on terminology, but to provide a portrait of the different realities that are useful for welcoming and intervention activities.

Affirmation of gender identity – The process where a trans person reveals, expresses and confirms their gender identity and integrates it into their personal and social life.

Assigned sex at birth – The classification of a person as female or male based on the appearance and structure of external genitalia. The assigned sex at birth determines the sex designation indicated on the child's birth certificate.

Cisgender – A person whose gender identity corresponds to their assigned sex at birth.

Cissexism – The presumption that everyone is cisgender. Furthermore, cissexism contributes to the marginalization of other gender identities and asserts that only the gender binary is legitimate.

Discrimination – The differential treatment of an individual or group of individuals based on personal characteristics. Discrimination may occur in the form of distinction, exclusion or preference and may be carried out by a person or by an organization. It creates inequalities between individuals and prevents the targeted individual or group of individuals from fully exercising their rights. There are several types of discrimination: direct, indirect and systemic. All forms of discrimination are prohibited by the *Québec Charter of Human Rights and Freedoms* and are therefore banned in Québec.

To quote section 10 of the *Québec Charter of Human Rights and Freedoms*:

Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

Gender dysphoria – A medical diagnosis given to certain trans individuals involving a conflict between their experienced physical characteristics or assigned sex at birth and their gender identity. People with gender dysphoria may be uncomfortable with their body or with the expected roles of their assigned sex at birth.

Gender dysphoria may result from pressures associated with gender roles and from situations of transphobia, rejection and violence.

People with gender dysphoria may often experience significant distress and/or problems functioning associated with this conflict between the way they feel and think of themselves (referred to as experienced or expressed gender) and their physical or assigned gender (Parekh, 2016).⁴⁵



⁴⁵ Ranna Parekh, "What is Gender Dysphoria?" American Psychiatric Association, accessed February 19, 2016, [psychiatry.org/patients-families/gender-dysphoria/what-is-gender-dysphoria](https://www.psychiatry.org/patients-families/gender-dysphoria/what-is-gender-dysphoria).

Gender expression – The appearance that society qualifies as feminine or masculine, regardless of the person's gender identity (clothing, hairstyle, makeup, behaviour, body language, voice, etc.).

Everyone, regardless of their gender identity, exhibits gender expression and may express it in different ways that are not necessarily indicative of their identity.

Gender fluidity – The breaking of binarist social constructions (man – woman) that restrict gender identity and associate sexual stereotypes with two genders.

Gender identity – An individual's intimate, personal and internal sense of gender. Gender is a spectrum that is widely viewed as encompassing two poles, male and female, but in which nuances between the two extremes are possible, personal and legitimate. A person's gender identity may differ from their assigned sex at birth. Since gender identity is a personal experience, only the person in question can affirm their identity, a fundamental right to which, per the *Québec Charter of Human Rights and Freedoms*, everyone is entitled.

Heterosexism – The presumption that everyone is heterosexual. Moreover, heterosexism contributes to the marginalization of other sexual orientations and asserts that heterosexuality is the only legitimate orientation.

Homophobia – Any negative attitude, direct or indirect, that may lead to rejection of and discrimination against lesbian, gay or bisexual people, or any individual whose appearance or behaviour does not conform to male or female stereotypes.

Intersex – An individual born with sexual characteristics (chromosomal, gonadal, hormonal or genital) that do not correspond to typical binary definitions of male or female bodies. Pathologized by the medical field, many of these individuals are subjected to irreversible surgical interventions to which they have not consented and that are non-critical to the maintenance of health, with the aim of conforming their body to typical male and female models. The term “hermaphrodite,” previously used to designate intersex people, is often considered offensive by these individuals.

Non-binary – A person who identifies outside of the gender binary (see Gender identity).

Queer – An individual who chooses this term to affirm their sexual orientation, gender identity or gender expression. Many queer individuals embrace a political aspect of rejecting social norms through this self-identification. The reappropriation of this historically offensive term is seen as a form of empowerment.

Sex designation – A reference in a document to a person's gender based on the sex indicated on their birth certificate. This designation may or may not actually correspond to the individual's gender identity. It is possible to file an application with the Directeur de l'état civil to change sex designation so that the person's designation corresponds to their gender identity. The sex designation classifies people as male or female.

Self-identification – The process by which a person openly defines an aspect of their identity, such as gender. Self-identification is the only way to determine a person's gender identity.

Sexual orientation – The emotional and sexual attraction to men or women or to people who identify outside of the gender binary. It should be noted that a person's gender identity and sexual orientation are not connected.

Trans – An umbrella term referring to any person whose gender does not correspond to the assigned sex at birth. The term may or may not include non-binary individuals, depending on their self-identification.

Transition – A series of social, medical and/or legal processes that a person may undertake to affirm their gender identity. It is a personal journey unique to each person.

Trans man – A man whose assigned sex at birth was female.

Transphobia – Any negative attitude that may lead, directly and indirectly, to rejection of and discrimination against trans individuals or any person whose appearance or behaviour does not conform with male or female stereotypes. Purposefully using the wrong pronouns or first name, either in the presence or absence of the person in question, is an example of transphobia.

Trans woman – A woman whose assigned sex at birth was male.

External resources

10

LGBTQ clinics and community organizations that provide services to trans and non-binary youth and their parents, and to trans adults:

All of Québec – (helplines)

- **Interligne** (formerly Gay Line and Gai-Écoute) Bilingual service
interligne.co
 Telephone: 514-866-0103 or 1-888-505-1010

Centre providing assistance and information to those concerned with sexual orientation and gender diversity.

Organization offering a **helpline available 24/7**. Also offering online chat and email support.
- **Centre de prévention du suicide**
Cpsquebec.ca
 Telephone: 1-866-277-3553
- **Aide aux trans du Québec (ATQ)**
atq1980.org/
 Telephone: 1-855-909-9038

All of Québec

- **Child Development Program** Bilingual service
 Montréal Children's Hospital at the McGill University Health Centre (MUHC)
thechildren.com/departments-and-staff/departments/departement-of-child-development

Referral clinic offering care and follow-up to trans and gender questioning children.
- **Gender Creative Kids Canada** Bilingual service
gendercreativekids.ca/

Referral organization for trans children, non-binary children and their parents. It offers a directory of professional services for trans children and their parents. Training sessions are also available for staff at elementary schools, secondary schools and colleges.
- **Clinique juridique Trans Legal Clinic** Bilingual service
fr-ca.facebook.com/CJtransLC/

Clinic offering information and legal advice to help trans individuals change their identification papers. It provides information on requests for reasonable accommodation in the use of the preferred first name or sex designation at school, at work, etc.

- **Tell the Experts** Bilingual service
alterheros.com/experts/en/ask-the-experts/

Organization providing information on trans identity. It also offers an online question-and-answer service hosted primarily by sexologists and sexology students.

Québec City and Montréal areas

- **Aide aux trans du Québec (ATQ)**
atq1980.org/
855 909-9038, ext. 1
Québec City area: 855 909-9038, ext. 3

Organization offering a help and referral line.

It offers an extensive list of available resources for trans individuals in Québec.

Montréal

- **Head and Hands** Bilingual service
headandhands.ca/

Organization committed to the physical and mental health of young people. It offers a number of medical, social and legal services for youth aged 15 to 25, including trans youth.

- **Projet 10** Bilingual service
<http://p10.qc.ca/services>

Organization working to promote the personal, social, sexual and psychological well-being of lesbian, gay, bisexual, trans, two-spirit, intersex and questioning youth aged 14 to 25.

- **Action Santé Travesti(e)s et Transsexuel(le)s du Québec (ASTTeQ)** Bilingual service
astteq.org/aboutus.html

Organization whose mission is to promote the health and well-being of trans individuals through peer support, activism, education, awareness, empowerment and mobilization.

- **Meraki Health Centre** Bilingual service
centremeraki.com

Centre offering services including a pediatric gender variance program (0-18 years), medical follow-up for young trans adults (19 years and older), interdisciplinary development evaluations and development examinations for at-risk kids.

- **Institute for Sexual Minority Health** Bilingual service
ismh-isms.com/

Institute offering LGBT-focused training, consultation and clinical supervision for health professionals, educators and organizations.

- **L'Astérisik**
lasterisk.com

A group of organizations providing a safe, bilingual, non-commercial space for lesbian, gay, bisexual, trans, queer and questioning young people up to age 25. Youth have access to information, services and various activities, in addition to benefiting from an intervention team and peer support.

- **Jeunesse Lambda**
jeunesselambda.org

Francophone activity and discussion group led by and for LGBTQ+ or questioning youth aged 14 to 25.

- **Centre for Gender Advocacy**
genderadvocacy.org/

Bilingual organization affiliated with Concordia University providing peer support services and awareness training.

- **McGill University Sexual Identity Centre (MUSIC)** Bilingual service
<https://www.mcgill.ca/cosum/howeserve>
Telephone: 514 934-8010

The Human Sexuality Unit of the McGill University Health Centre offers services for those individuals who are transitioning. It also offers services for people who are questioning their gender identity as well as those who know they are transgender or transsexual but feel unhappy about it or the quality of their interpersonal relationships.

Lanaudière

- **Le Néó**
le-neo.com

Organization helping individuals concerned with their sexual orientation or gender identity, or who have experienced discrimination, homophobia or transphobia. Le Néó offers support, assistance and listening services, particularly through meetings to break the isolation of these individuals, their friends and their families. The organization leads training workshops and manages booths in educational settings.

Mauricie/Centre-du-Québec

- **TRANS Mauricie/Centre-du-Québec**
transmcdq.com

Organization aiming to demystify trans identity among youth, adults and the general public, as well as to inform and make them aware of the negative effects of transphobia. Its objective is to develop the self-esteem of individuals who are questioning their gender identity or are in the process of transitioning, and to promote a positive attitude in those around them.

Outaouais

- **Jeunesse-Idem** Bilingual service
jeunesseidem.com

Organization aiming to improve the quality of life of gay, lesbian, bisexual, trans and questioning youth aged 14 to 25, as well as raise public awareness of the realities of sexual orientation and gender identity diversity.

Estrie

- **Iris-Estrie – Projet Caméléon**
iris-estrie.com

Organization that works with trans individuals by giving them a meeting place to break their isolation and help them on their transition journey. It provides information on trans realities and on the process of transitioning.

Bas-Saint-Laurent

- **MAINS – BSL** (Mouvement d'Aide et d'INformation Sida Bas-Saint-Laurent)
mainsbsl.qc.ca

Regional organization offering training and awareness workshops on the LGBT+ community, homophobia, transphobia, HIV and STBBIs. It also provides psychosocial support.

It has developed an extensive list of health professional resources for the Bas-Saint-Laurent region.

Abitibi-Témiscamingue

- **Coalition d'aide à la diversité sexuelle de l'Abitibi-Témiscamingue**
coalitionat.qc.ca

Organization with the mission of improving the health and well-being of sexual and gender minorities. Its objectives are the following:

- ① Promote the adaptation of psychosocial services, educational services and health services to improve their quality and accessibility.
- ② Implement regional measures to reduce homophobia and heteronormativity.
- ③ Break the isolation of lesbian, gay, bisexual and trans individuals (LGBT).

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Appendices

Appendix A

Table nationale de lutte contre l'homophobie et la transphobie des réseaux de l'éducation

1. Mandate

The mission of the Table nationale is to support concerted action between the different partners of the education system. It fosters an improved understanding of the realities of young people and adults with regard to sexual diversity,⁴⁶ gender plurality^{47, 48} and intersexuality.⁴⁹ It aims to promote values of respect, inclusion and acceptance of sexual diversity and gender plurality.

Furthermore, it aims to promote behaviours to prevent and stop situations of bullying, violence, heterosexism,⁵⁰ cissexism,⁵¹ cyberbullying, homophobia and transphobia experienced by youth and staff in schools, colleges and universities.

2. Objectives

- Raise awareness in schools, colleges and universities about the presence and acceptance of sexual diversity, gender plurality and intersex individuals in order to fight against homophobia and transphobia and their adverse effects on students and staff members.



⁴⁶ Sexual diversity: According to the Chaire de recherche sur l'homophobie de l'UQAM, this term refers to non-heterosexual sexual orientations or identities (lesbian, gay, bisexual, asexual, pansexual, two-spirit, queer, questioning, etc.) and to individuals who engage in sexual behaviours with people of the same sex without necessarily identifying as non-heterosexual (for example, men who have sex with men or MSM).

⁴⁷ Gender plurality: - According to the Chaire de recherche sur l'homophobie de l'UQAM, this term refers to gender identities, expressions and experiences that do not conform with traditional Western gender standards (trans, transgender, transsexual, transvestite, androgynous, queer, two-spirit, questioning, gender independent children and other identities adopted by people of sexual or gender minorities).

⁴⁸ Generally speaking, the Chaire de recherche sur l'homophobie de l'UQAM interpreted the expression "sexual diversity and gender plurality" broadly to also include emergent life journeys, identities and experiences as well as those on the margins of heteronormativity and cisnormativity.

⁴⁹ Intersex: An individual born with sexual characteristics (chromosomal, gonadal, hormonal or genital) that do not correspond with typical binary definitions of male or female bodies. Pathologized by the medical field, many of these individuals are subjected to irreversible surgical interventions to which they have not consented and that are non-critical to the maintenance of health with the aim of conforming their body to typical male and female models. The term "hermaphrodite, previously used to designate intersex people, is often considered offensive by these individuals.

⁵⁰ Heterosexism: The presumption that everyone is heterosexual. Moreover, heterosexism contributes to the marginalization of other sexual orientations and asserts that heterosexuality is the only legitimate orientation.

⁵¹ Cissexism: The presumption that everyone is cisgender. Furthermore, cissexism contributes to the marginalization of other gender identities and asserts that only the gender binary is legitimate.

- Invite all staff members from the education community to take concrete action, particularly by including the realities of sexual diversity, gender plurality and intersexuality, as well as the issues of homophobia and transphobia, in the students' educational concerns and school, college and university paths.
- Act in an advisory capacity with competent authorities, especially the education system, in accordance with:
 - the *Québec Policy Against Homophobia*,⁵² the initial *2011-2016 Government Action Plan Against Homophobia*, which was extended for one year, as well as the subsequent *2017-2022 Government Action Plan against Homophobia and Transphobia*
 - *Together Against Bullying: A Shared Responsibility – Concerted Action Plan to Prevent and Counter Bullying 2015-2018*.⁵³
- Promote available resources in connection with the different realities experienced by people of sexual diversity or gender plurality and by intersex individuals, especially in terms of research, intervention tools, educational guides, supportive community organizations, etc.

3. Actions

- 3.1 Invite all public educational institutions, private educational institutions, CEGEPs and universities to work to create a safe and secure environment for everyone in order to fight against prejudice, bullying, violence, homophobia and transphobia.
- 3.2 Intervene to modify the code of conduct in educational institutions in order to listen to young people who are facing difficulties related to sexual diversity and gender plurality.
- 3.3 Provide educational institutions with materials (posters, pamphlets, stickers, etc.) they can use in organizing activities to raise awareness of sexual diversity and gender plurality.
- 3.4 Have educational institutions and colleges organize activities to mark the International Day Against Homophobia and Transphobia.



⁵² Québec, Ministère de la Justice, *Québec Policy Against Homophobia* (Québec, 2009), https://www.justice.gouv.qc.ca/fileadmin/user_upload/contenu/documents/En_Anglais_/centredoc/publications/ministere/politiques/homophobie-a.pdf.

⁵³ Québec, Ministère de la Famille, *Direction générale des politiques. Together Against Bullying: A Shared Responsibility – Concerted Action Plan to Prevent and Counter Bullying 2015-2018*. Québec, 2015. <https://www.mfa.gouv.qc.ca/fr/publication/Documents/plan-action-intimidation-2015-en.pdf>.

- 3.5 Invite member organizations of the Table nationale to organize training sessions offered, for example, by the following:
- the Institut national de santé publique du Québec (INSPQ), especially:
 - *Sexes, genres et orientations sexuelles: comprendre la diversité* [French only]
 - *Comment adapter nos interventions aux réalités des personnes de la diversité sexuelle, de leur couple et de leur famille* [French only]
 - the LGBT Family Coalition
 - Gender Creative Kids Canada
- 3.6 Collaborate on research projects by providing researchers with easy access to consult the staff and students of schools, colleges and universities.
- 3.7 Organize a conference on the realities of sexual diversity and gender plurality, especially for elementary and secondary school, college and university staff, and for secondary, college and university students.

4. Composition

The Table nationale is made up of a broad range of key stakeholders in the education community, in particular, from the Ministère de l'Éducation et de l'Enseignement supérieur (MEES), labour organizations, employer organizations, administration and management associations, parents' committees and student associations. A list of the member organizations of the Table nationale de lutte contre l'homophobie et la transphobie des réseaux de l'éducation can be found at the beginning of this document.

5. History

In fall 2005, the Centrale des syndicats du Québec (CSQ) called on several stakeholders from the education system to provide an update on the issue of homophobia. After viewing the DVD *Silence SVP* produced by the CSQ, the attendees confirmed the existence of homophobia in institutions in the school and college systems.

In 2006, the 17 organizations in attendance (labour organizations, employer organizations, parents' committees, student associations and MEES) agreed on the importance of implementing two provincial round tables to fight homophobia, one for the school system and one for the college system.

Realizing that the problems faced by LGBTQ youth were quite similar in institutions in both the school and college systems, the member organizations of the Table nationale decided, in June 2014, to merge the two round tables to become the **Table nationale de lutte contre l'homophobie et la transphobie des réseaux de l'éducation**.

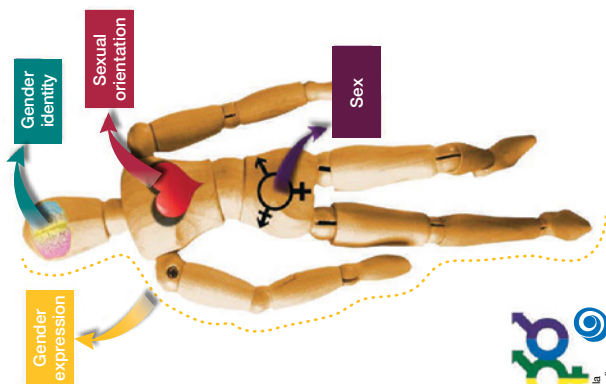
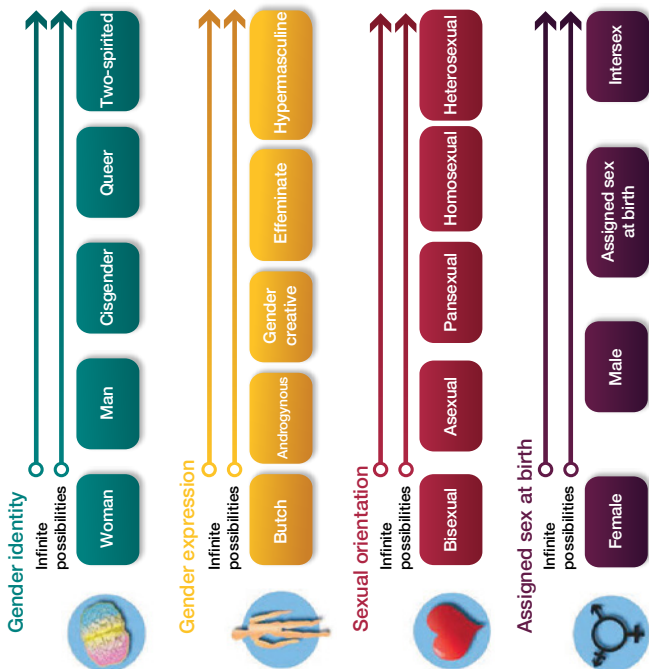
In 2017, the Table nationale now brings together over 30 organizations primarily from the education system.

Appendix B

Understanding sexual diversity and gender identity V.2.0

Understanding sexual diversity and gender identity V.2.0

This figure depicts the four (4) concepts of sexual and gender diversity. Each concept is independent and represents a continuum that falls outside of the binary logic (male-female). As a result, there are myriad ways of identifying as a woman, a man, a bit of both or neither.



Inspired by Genderbread person v.2.0: <http://itspronouncedintersex.com/2012/03/the-genderbread-person-v2-0/>

January 2017 - D12754

NOTE: This is a partial list of definitions selected to demonstrate the wide range of possibilities.

GENDER IDENTITY

A person's individual gender experience that may or may not correspond to their assigned sex at birth. The person may self-identify as a man, a woman or somewhere between the poles, regardless of their assigned sex at birth.

Cisgender – A person whose gender identity corresponds to his or her gender expression.

Woman – A person who self-identifies as a woman.

Man – A person who self-identifies as a man.

Queer – A person whose gender identity or expression is fluid and who self-identifies outside the male-female gender binary. An umbrella term that encompasses all sexual and gender minorities.

Trans – A person whose gender identity, appearance, expression or anatomy do not correspond to those commonly associated with a man and a woman. Often used as an umbrella term for a wide range of gender identities and non-conformist behaviours.

Gender fluidity – The belief that social constructs of gender identity and sexual roles fall within a spectrum and are not limited to two genders. The feeling that a person's gender does not correspond to society's concept of the gender binary.

Two-spirited – A term used in some Indigenous communities denoting people with two coexisting spirits, masculine and feminine. Because of their duality (masculine and feminine spirits), they are considered to have a gift.

GENDER EXPRESSION

The appearance that society qualifies as feminine or masculine based on a person's clothing, hairstyle, makeup, body language, voice, preferred activities, behaviour, etc., regardless of their gender identity. Everyone, regardless of gender identity, can express their gender in different ways.

Butch – A lesbian whose presentation leans toward masculinity.

Effeminate – The manifestation of traits, behaviour and style that are more often associated with femininity rather than with masculinity.

Feminine – Of, pertaining to, or characteristic of women; having qualities associated with women.

Masculine – Of, pertaining to, or characteristic of men; having qualities associated with men.

Androgynous – A person whose gender expression presents characteristics associated with both men and women or is ungendered.

Gender creative – Creative expression of gender that does not conform to either typically male or typically female traits.

Hypermasculine – A psychological term for the exaggeration of stereotypical male behaviour, such as an emphasis on physical strength, aggression and sexuality. Hypermasculinity, or the “macho personality,” consists of three variables: callous sexual attitudes toward women, the belief that violence is manly, and the experience of danger as exciting.

Hyperfeminine – Extreme femininity.

SEXUAL ORIENTATION

A deeply rooted emotional, affective and/or sexual attraction to individuals of a different sex, the same sex or both sexes, not necessarily involving the ability to maintain romantic, intimate and/or sexual relationships with these individuals.

Heterosexual person – Is romantically, emotionally and/or sexually attracted more or less exclusively to people of a different sex.

Homosexual person – Is romantically, emotionally and/or sexually attracted more or less exclusively to people of the same sex.

Pansexual person – Is physically and emotionally attracted to other people regardless of their gender identity.

Asexual person – Is not sexually attracted to anyone.

Bisexual person – Is romantically, emotionally and/or sexually attracted to both men and women.

ASSIGNED SEX AT BIRTH

A set of primary and secondary physical sexual characteristics, including chromosomes, gonads, hormone levels, genitals and certain morphological aspects based on which society differentiates between male and female bodies, as well as intersex bodies.

Male – A person of the male sex.

Female – A person of the female sex.

Assigned gender at birth – The legal and social categorization (male or female) of people made at birth upon examination of their genitals and which guides the expectations of those around them. It is possible to relate in different ways to the gender one is assigned at birth.

Trans person – An umbrella term for any person whose gender does not correspond to their assigned sex at birth. This term may or may not include transgender, transsexual and non-binary individuals.

Intersex person – A person whose sexual anatomy does not closely fit binary notions of male or female. Intersex individuals are often pathologized and forced to undergo medical treatment (genital surgery or hormone therapy) as early as possible and without their consent so that their bodies better conform to typical medical models of men and women.

Appendix C

Evolution of the rights of trans individuals, trans youth and non-binary youth

In 1998, the Human Rights Tribunal recognized the illegal nature of discrimination against trans individuals by arguing the grounds of sex under the *Québec Charter of Human Rights and Freedoms*.⁵⁴ The Tribunal offered the opinion that discrimination based on an individual's "transsexuality" was, in fact, discrimination based on sex, regardless of whether or not the "final step" of transition was taken. Since 2013, the legislative framework no longer recognizes the idea of steps of a transition.

In 2013, the adoption of the *Act to amend the Civil Code as regards civil status, successions and the publication of rights* by the National Assembly allowed for the amendment of the Civil Code. Doing so eliminated the requirement of undergoing any medical treatment (hormonal or surgical) in order to request and obtain a change in the sex designation appearing in an act of birth.⁵⁵

On October 1, 2015, the Québec government adopted the *Regulation respecting change of name and of other particulars of civil status* in order to apply the provisions of the Act assented to in 2013.⁵⁶ Since this date, any person of full age (18 years and over) who requests a change is no longer obligated to undergo medical treatment or surgery to have the sex designation appearing on their act of birth modified. The applicant must provide an affidavit attesting that:

- the sex designation requested is the designation that best corresponds to the applicant's gender identity
- the applicant assumes and intends to continue to assume that gender identity
- the applicant understands the seriousness of the undertaking
- the applicant's undertaking is voluntary and their consent is given in a free and enlightened manner

In addition to the specified documents, the request must be accompanied by an affidavit of a person of full age who attests to having known the applicant for at least one year and who confirms that the applicant is fully aware of the seriousness of the application.

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⁵⁴ *Commission des droits de la personne et des droits de la jeunesse et M.L. c. Maison des jeunes*, 1998 CanLII 28, [1998] R.J.Q.2549 (T.D.P.Q.).

⁵⁵ Québec, *Bill 35: An Act to amend the Civil Code as regards civil status, successions and the publication of rights* (Québec: Éditeur officiel du Québec, 2013).
www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=5&file=2013C27A.PDF.

⁵⁶ Québec, "Regulation respecting change of name and of other particulars of civil status," *Gazette officielle du Québec, Part 2, Vol. 147, No. 37* (September 16, 2015), pp. 2204-2205. Also available online: www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=1&file=3569.PDF.

On June 10, 2016, the National Assembly unanimously adopted Bill 103, *An Act to strengthen the fight against transphobia and improve the situation of transgender minors in particular*.⁵⁷ This Act amends:

- the Québec *Charter of Human Rights and Freedoms* to add “**gender identity or expression**” to the grounds for discrimination prohibited by section 10, thereby providing explicit protection to trans individuals⁵⁸
- the Civil Code and the *Regulation respecting change of name and of other particulars of civil status* to allow a **minor child who is 14 years of age or over** to act alone in applying for a change of name and of sex designation from the registrar of civil status
- the Civil Code to allow, in the case of a **minor child under 14 years of age**, the child’s legal guardian to make a request to the registrar of civil status for a change of name and of sex designation. It also stipulates that if the other parent or guardian intends to object to the change of name or of sex designation of their minor child, they may submit an application to the court rather than to the registrar of civil status.

An application for a change of the sex designation for a minor child must be accompanied by, in addition to the specified documents:

- a letter from a health professional who is of the opinion that the change of designation is appropriate
- an affidavit ensuring that the applicant is fully aware of the seriousness of the application



⁵⁷ Québec, *Bill 103: An Act to strengthen the fight against transphobia and improve the situation of transgender minors in particular* (Québec: Éditeur officiel du Québec, 2016).

⁵⁸ Note that sexual orientation has been a ground for discrimination prohibited by the Québec *Charter of Human Rights and Freedoms* since 1977.

Appendix D

Educational activities developed by organizations to address LGBTQ realities

Comité pour la diversité sexuelle et l'identité de genre (CSQ)

diversite.lacsq.org/ressources/

- **Preschool and Elementary Cycle One**
 - Novel: *Drôles de familles!*, by Anaïs Valente, Éditions Tournez la page jeunesse, 2013 (a family with two dads)
- **Elementary 4**

Subjects: French as a Second Language, Ethics and Religious Culture, Visual Arts

 - Novel: *Ulysse alias Easy Loup Galop* (French only; sequel to *Otis and Alice*), by Ariane Bertouille, Éditions du remue-ménage, 2012
 - Video: *La danse des brutes*, by the National Film Board (NFB), 2000
- **Elementary 5**

Subjects: French as a Second Language, Ethics and Religious Culture, Visual Arts

 - Novel: *Le retour de Bruno*, by Marc Couture, Éditions du Phoenix, 2010
- **Elementary Cycle Three or Secondary Cycle One**
 - Comic strip: *Le monde de William* – Pamphlet on sexual orientation intended for youth
- **Secondary Cycles One and Two**

Subjects: English, Arts Education and French as a Second Language

 - Novel: *Philippe avec un grand H*, by Guillaume Bourgault, Éditions Vents d'Ouest, 2003 (male homosexuality)
 - Novel: *La fille qui rêvait d'embrasser Bonnie Parker*, by Isabelle Gagnon, Éditions du remue-ménage, 2010 (female homosexuality)
 - Novel: *La face cachée de Luna*, by Julie-Anne Peters, Éditions Milan, 2005 (transsexuality)
 - Comic strip: *Pas toi une tapette!*, by Jeunes Adultes Gai-e-s (JAG), 2002

- Film: *C.R.A.Z.Y.*, by Jean-Marc Vallée, Cirrus – TVA Films, 2006
- Short film: *Love is all you need?*, by Suzanne Bier, 2012

- **Secondary Cycles One and Two**

- Quiz (True or False) – Démystifier les préjugés sur l’homosexualité
- Quiz (True or False) – Sur les familles homoparentales
- Activity “Tout comme moi” – Poster and answers

- **Secondary Cycles One and Two**

Subject: Ethics and Religious Culture

- L’histoire de l’homosexualité et de la transidentité (depuis l’Antiquité jusqu’au 20^e siècle) [French only]
- Rappel historique des droits des personnes lesbiennes, gaies, bisexuelles, trans, queer, bispirituelles (LGBTQ2S) au Canada et au Québec [French only]
- L’homosexualité et les religions [French only]

- **Secondary**

- History and Citizenship Education: Chapitre 12 – La reconnaissance des droits et libertés [French only]

Jeunes Adultes Gai-e-s (le JAG)

lejag.org/outils-pedagogiques

- **Modules at the elementary level:**

Subjects: French, Ethics and Religious Culture, Visual Arts

- Novel: *Ulysse alias Easy Loup Galop* (sequel to *Otis and Alice* [French only]), by Ariane Bertouille, Éditions du remue-ménage, 2012
- Novel: *Le retour de Bruno*, by Marc Couture, Éditions du Phoenix, 2010

- **Modules at the secondary level:**

Subjects: English, Arts Education and French

- Novel: *Philippe avec un grand H*, by Guillaume Bourgault, Éditions Vents d’Ouest, 2003 (male homosexuality)
- Novel: *La fille qui rêvait d’embrasser Bonnie Parker*, by Isabelle Gagnon, Éditions du remue-ménage, 2010 (female homosexuality)
- Novel: *La face cachée de Luna*, by Julie-Anne Peters, Éditions Milan, 2005 (transsexuality)

- Comic strip: *Pas toi une tapette!*, by Jeunes Adultes Gai-e-s (JAG), 2002
- Film: *C.R.A.Z.Y.*, by Jean-Marc Vallée, Cirrus – TVA Films, 2006
- Short film: *Love is all you need?*, by Suzanne Bier, 2012

GRIS-Montréal

gris.ca/publications/

- **Unis dans la diversité**
Facilitation guide for elementary students
 - Administration section
 - Teachers' section
- **Kindergarten** p. 44-53
 - « *Jeux de filles* » et « *Jeux de garçons* »
 - Les jeux et le genre
- **Elementary 1** p. 54-63
Le rose contre le bleu
 - *Le rose pour les filles et le bleu pour les garçons*
 - *Création d'une créature colorée*
- **Elementary 2** p. 74-75
Toutes les familles sont spéciales
 - *Chaque famille est spéciale*
 - *Des familles actuelles*
 - *Ribambelle de familles*
- **Elementary 3** p. 76-87
Métiers et genre
 - *Manon Rhéaume, 1^{re} hockeyeuse dans la LNH*
 - *Fille ou garçon: choisis ta profession*
 - *Quand je serai grand(e)*

- **Elementary 4** p. 88-99
 Le pouvoir des mots
 - *Le pouvoir des mots*
 - *En marche contre l'intimidation*
 - *Une publicité contre l'intimidation*

- **Elementary 5** p. 100-112
 Modèles recherchés
 - *Des personnages historiques gais, lesbiens et bisexuels*
 - *Modèles recherchés*
 - *Des célébrités lesbiennes et gaies*

- **Elementary 6** p. 113-125
 Réagir aux messages diffusés par les médias
 - *Réactions face à l'homophobie dans les médias*
 - *Prendre actions dans sa communauté*
 - *Création d'un journal d'école*

LGBT Family Coalition

familieslgbt.org/youth.php?lang=en

Classroom activities: Preschool and Elementary

- **Gender stereotypes (Learning and Evaluation Situation [LES] about gender stereotypes)**
 Elementary Cycles 1 and 2
 Introduction - Social justice concepts (for the teacher/educator)
 - Presentation (for the teacher/educator)
 - *Book Artsy Boys and Smelly Girls* (to show in class)
 - Franklin Delano Roosevelt (to show in class)
 - Expressions (to show in class)
 - Images (to show in class)
 - Drawing sheet (to print up for students)
 - Evaluation (for the teacher/educator)

- ***The Impact of stereotypes (Learning and Evaluation Situation [LES] about gender stereotypes for Ethics and Religious Culture course, or others)***
Elementary Cycle 3 and Secondary Cycle 1

Introduction - Social justice concepts (for the teacher/educator)

- Presentation (for the teacher/educator)
 - Expressions (to print up for students)
 - Feminine - masculine document (to print up for students)
Video - *The Mask You Live In* (to show in class)
Video - *Why Aren't Women Choosing Science Careers* (to show in class)
 - Impacts (document to print up for students)
 - Evaluation (to print up for students)
- ***Otis and Alice: A family with two moms?***
familleslgbt.org/documents/pdf/Guide_Petits_en.pdf
- Two learning activities for children from preschool to 8 years of age, to be carried out in daycare, elementary school, or in the school or neighbourhood library. The activity “Family Mural” helps children to discover and respect differences, while the activity “The Diary of the Family” helps to highlight the similarities within differences. Links are made with the Québec Education Program.

- ***Responding... simply to children's questions***
familleslgbt.org/documents/pdf/Guide_Repondre_en.pdf

This document presents typical questions that children (from preschool to 8 years old) might have about family diversity. We propose various answers to these questions that can be adapted to your style and the characteristics of your group of children. Overall, a pertinent guide to help you to answer children's questions.

- ***For older kids: Learning respect for diversity***
familleslgbt.org/documents/pdf/Guide_Grands_en.pdf

Two learning activities for children ages 8-12, to be carried out in elementary school, in the school or neighbourhood library, or in a community group for youth. The first activity about homophobic language enables young people to understand the harmful effect of these hurtful words. The second activity can help students to understand loving relationships between persons of the same gender and undo the most common stereotypes and prejudices about homosexuality. Links are made with the Québec Education Program.

- ***Responding... simply to questions from children in the 2nd and 3rd cycles elementary school***

familleslgbt.org/documents/pdf/Guide_Clementine_Repondre_en.pdf

This document presents typical questions that children (from ages 8 to 12) might have about gay and lesbian individuals. We propose various answers to these questions that can be adapted to your style and the characteristics of your group of children. Overall, a pertinent guide to help you to answer children's questions.

- ***Educators' guide: Ulysse Alias Easy Loup Galop***

familleslgbt.org/documents/pdf/UL_teachers_guide_en.pdf

Ulysse Alias Easy Loup Galop is a story for children in the Elementary Cycle Two. Ulysse Gagnon-Lopez is a 10-year-old boy like other boys of his age, except he has two mothers. The story highlights life in a family with same-sex parents and deals with subjects such as diversity, differences, friendship, bullying, harassment, witnesses, bystanders and allies. The book and the activities in this guide can be tied in with the Ethics and Religious Culture Program (Competency 3: Engages in Dialogue) in order to discern common values, attitudes and behaviours that foster community life.

- ***Classroom and school-wide activities about diversity***

http://www.familleslgbt.org/documents/pdf/CFH_MELS_Module4C_ENG.pdf

This document focuses on easily accessible activities, often from Québec and elsewhere in Canada, which can be used by educators to promote diversity. A number of community organizations, government agencies, school boards and professional associations have created classroom activities to help students become aware of prejudice, discrimination and the impact of homophobic bullying.

Marie-Claude Favreau wonderfully illustrates the theme, "Family Diversity: It's all about love." This metre-long poster is an excellent way to express pride at home, at work or at your child's school. What families are represented? Same-sex, multicultural, nuclear, multigenerational, blended, adoptive and single-parent.

To obtain a poster please contact: info@familleslgbt.org

Classroom activities: Secondary

familieslgbt.org/youth.php?lang=en#top

- ***The Reading Circle* (Learning and Evaluation Situation [LES] for English class, or others)**

Secondary Cycle One or Two

Introduction - Social justice concepts (for the teacher/educator)

- Presentation (for the teacher/educator)
- Reading journal (to print up for students)
- Getting prepared (to print up for students)
- Observation grid (for the teacher/educator)
- Evaluation (for the teacher/educator)

- ***The Protest Song* (Learning and Evaluation Situation [LES] for English class, or others)**

Secondary Cycle Two, Year Two

Introduction - Social justice concepts (for the teacher/educator)

- Presentation (for the teacher/educator)
- Be outraged! (to print up for students)
- Listening document (to print up for students)
- Lyrics (to print up for students)
- Mind map (to print up for students)
- Writing document (to print up for students)
- Evaluation (for the teacher/educator)
- Logbook (to print up for students)

- ***Love Letters* (Learning and Evaluation Situation [LES] for English class, or others)**

Secondary Cycle One, Year Two

Introduction - Social justice concepts (for the teacher/educator)

- Presentation (for the teacher/educator)
- Student document (to print up for students)
- Teacher document (for the teacher/educator)
- Evaluation (to print up for students)

- ***The Power of Words* (Learning and Evaluation Situation [LES] about homophobic expressions for Ethics and Religious Culture Course, or others)**
Secondary Cycle One or Two

Introduction - Social justice concepts (for the teacher/educator)

- Presentation (for the teacher/educator)
- Survey slide Show (to show in class)
- Logbook (to print up for students)
- Role play document (to print up for students)
Video - Think Before You Speak (to show in class)
- Campaign document (to show in class)
- Show your support (to print up for students)

- ***Seeing Life in Stereo* (Learning and Evaluation Situation [LES] about gender stereotypes for Ethics and Religious Culture Course, or others)**
Secondary Cycle Two

Introduction - Social justice concepts (for the teacher/educator)

- Presentation (for the teacher/educator)
- Expressions (to print up for students)
- Feminine - Masculine document (to print up for students)
- Answer sheet (to print up for students)
- Documents package (to print up for students)
Video - *The Mask You Live In* (to show in class)
Video - *Why Aren't Women Choosing Science Careers* (to show in class)
Video - *Like a Girl* (to show in class)
- Impacts document (to print up for students)
- Continuum document (to print up for students)
- Vocabulary (for the teacher/educator)
- Free yourself (to print up for students)

- ***Classroom and school-wide activities about diversity***

familleslgbt.org/documents/pdf/CFH_MELS_Module4C_ENG.pdf

This document focuses on easily accessible activities, often from Québec and elsewhere in Canada, which can be used by educators to promote diversity. A number of community organizations, government agencies, school boards and professional associations have created classroom activities to help students become aware of prejudice, discrimination and the impact of homophobic bullying.

- ***Safe Space Poster***

Poster by Marie Dauverné with the slogan “Homophobic, transphobic, racist and sexist comments and actions, as well as insults about gender expression are not accepted here. Let’s respect our differences!”

To obtain a poster, please contact: info@familleslgbt.org

Ministère de l'Éducation et de l'Enseignement supérieur

education.gouv.qc.ca/en/references/publications/results/detail/article/pedagogical-materials-on-homophobia-and-sexual-stereotyping/

- ***Homophobia***

Homophobia and sexual stereotyping have no place in our schools!

- Elementary – Facilitation guide
- Elementary – Learning scenario – Cycles One and Two
- Elementary – Learning scenario – Cycle Three
- Secondary – Facilitation guide
- Secondary – Learning scenario – Cycle One
- Secondary – Learning scenario – Cycles One and Two
- Secondary – Learning scenario – Cycle Two

Appendix E

Online library resources for the preschool, elementary, secondary and college levels

Table nationale de lutte contre l'homophobie et la transphobie des réseaux de l'éducation

- Recommended LGBT-Positive titles for BC schools

This is a list of recommended books and resources addressing lesbian, gay, bisexual and transgender issues that schools are encouraged to have in their collection. All of these are suitable for classroom and library use to address the prescribed learning outcomes in Personal Planning K-7, Language Arts, Social Studies, Health & Career Education K7 and 8-9, Planning 10. They will be useful in any effort to make your school an affirming space for all students, staff and families.

<http://www.colloquehomophobie.org/wp-content/uploads/2013/01/5-RECOMMENDEE-LGBT-books-2006.pdf>

LGBT Family Coalition

- Books about sexual and gender diversity

This document provides a list of books with LGBT and related themes for ages 0 to 18. This resource is divided into sections based on age group (children, pre-teens and teens), certain themes, as well as fiction and non-fiction. All books can be purchased online.

familieslgbt.org/documents/pdf/CFH_MELS_Module5_ENG.pdf

- Recommended LGBT-Positive titles for BC schools

This is a list of recommended books and resources addressing lesbian, gay, bisexual, transgender issues that schools are encouraged to have in their collection. All of these are suitable for classroom and library use to address the prescribed learning outcomes in Personal Planning K-7, Language Arts, Social Studies, Health & Career Education K7 and 8-9, Planning 10. They will be useful in any effort to make your school an affirming space for all students, staff and families.

http://www.familieslgbt.org/documents/pdf/B_Livres.pdf

Appendix F

Training and workshops offered by different organizations to raise awareness of the realities of trans and non-binary youth

Gender Creative Kids Canada

gendercreativekids.ca/

Email: formations@enfantstransgenres.ca

Training sessions are available in both English and French. They last between 90 and 120 minutes, and the organization asks that schools make a financial contribution to offset a portion of travel expenses.

- **The fundamentals of diversity – Breaking gender stereotypes in schools: When we all contribute, everyone wins!**

Covering the following elements:

- Demystification of trans and non-binary identities using theory and scenarios
- Presentation of the specific experience of trans youth and the challenges they face
- Discussion of successful strategies to use fewer stereotypes in the school setting
- Proposal of a list of educational resources and material

LGBT Family Coalition

familieslgbt.org/

Training sessions are available in both English and French. They consist of modules and last two to three hours or a full day. They are offered for free through grants from different ministries. The Coalition asks that schools make a financial contribution to offset a portion of its travel expenses when training sessions take place in more remote regions.

- **Key concepts of sexual diversity (homophobia, heteronormativity, gender identity, etc.)**
- **Strategies to support youth (coming out, discovery of a gay parent, gender stereotype non-conformity, etc.)**
- **Intervention in and prevention of bullying and harassment relating to homophobia, transphobia and the gender expression of youth**

- **Approaches, practices and resources to promote the respect of differences**
- **Mobilization of your work environment to increase inclusion and decrease resistance (from colleagues, parents, youth, etc.)**
- **Research on families with LGBT parents**
- **Homophobia and gender stereotypes in physical education**
(This training session is designed for physical education teachers.)

Institut national de santé publique du Québec (INSPQ)

inspq.qc.ca/formation/institut

These training sessions last a full day and are available for free in all regions of Québec.

- **Sexes, genres et orientations sexuelles: comprendre la diversité** [French only]
- **Adapter nos interventions aux réalités des personnes de la diversité sexuelle, de leur couple et de leur famille** [French only]

Canadian Association for the Advancement of Women and Sport and Physical Activity (CAAWS)

caaws.ca/

- **Webinar: Leading the Way: LGBTQI2S inclusion for your sport organization**
Guylaine Demers, Ph D, Université de Laval
caaws-homophobiainsport.ca/f/
- **Homophobia in sport**
Addressing homophobia in sport: Leading the way
(2- to 3.5-hour workshops)

The workshop enables coaches and other sports and physical activity leaders to become genuinely aware of the nature of homophobia and how it can be harmful to athletes, coaches, officials and other participants within their organization, regardless of sexual orientation.

This workshop proposes learning to be comfortable with the language associated with homosexuality (e.g. lesbian, homosexual, bisexual, two-spirit, transgender and gay [LHBT2G]) and addresses questions on sensitive issues, particularly same-sex romantic and sexual relationships between teammates, through open and honest discussions on homophobia and the important role that coaches and other sports leaders must play to ensure that the sports community is more accepting of sexual diversity.

Institute for Sexual Minority Health (ISMH)

ismh-isms.com/

The ISMH offers a number of training sessions of various lengths, particularly:

- **Creating safe spaces: Affirming lesbian, gay and bisexual youth and adults**

Objective: To acquire the tools necessary to identify the important elements that contribute to creating safe and welcoming environments for lesbian, gay and bisexual individuals, and same-sex couples and families.

- **Shifting paradigms: A primer for working with transgender individuals**

Objective: To help anyone working in the schools or health field to better understand the issues and challenges experienced by transgender and transsexual individuals, and to develop intervention strategies tailored to their needs. Instructors: Bill Ryan and Françoise Susset

This guide was adopted by the member organizations
of the Table nationale at its June 1, 2017, meeting.

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