

Guide

Sexual and Gender Diversity

Centre de services scolaire du Littoral

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Introduction

(Ministère de l'Éducation du Québec, 2021; Commission scolaire des Draveurs, 2019; Dubuc, 2017)

General objective

As one of the missions of schools is socialization, the values of inclusion, openness, respect and freedom are an integral part of school life. As such, all schools should be places where people feel welcome and safe, whatever their personal characteristics.

In addition, in accordance with the Concerted Action Plan to Prevent Bullying and Cyberbullying (2020-2025) and the Government Action Plan to Combat Homophobia and Transphobia (2023-2028), educational institutions must implement concrete measures and contribute to ensuring the educational success and fulfillment of every student, while respecting their gender identity and expression.

As such, this guide aims to help schools better understand sexual and gender diversity and implement strategies to promote sexual and gender diversity and eliminate discrimination. It also aims to remind schools of current legal frameworks that place students and members of the educational team at the heart of reflection on the inclusion of sexual and gender diversity.

Since 2016, gender identity and gender expression have been added to the list of grounds of discrimination prohibited by the Charter of Human Rights and Freedoms.

Failure to respect the rights of transgender people can have legal consequences, particularly for establishments that fail to take steps to ensure that these rights are respected.

Définitions

(Gouvernement du Québec, 2023)

Asexuality	Umbrella term that includes a variety of degrees, from an absence to a rarity of emotional or physical attraction to other people.
Cisgender	A person whose gender identity corresponds to the sex assigned to him or her at birth.
Gender expression	The way in which a person openly expresses his or her gender. This can include behavior and appearance, such as clothing choices, hairstyle, make-up, body language and voice. Gender expression is independent of the sex assigned at birth and is not necessarily linked to gender identity as experienced personally and intimately.
Gender identity	Intimate, personal experience of one's gender, whether or not it corresponds to the sex assigned at birth. A person can identify with either the masculine or feminine gender, or even be between or outside these two poles, regardless of the sex assigned at birth.
Non-binary	A person whose gender identity falls outside the male/female binarity. They may identify as both male and female, neither male nor female, or only partially with one gender.
Sex assigned at birth	Sex is usually assigned at birth following medical evaluation of the reproductive system. Some sex characteristics (e.g., chromosomal, gonadal and hormonal) that can be evaluated to establish a person's sex are visible at birth or appear at puberty, while others can only be assessed by medical means.
Sexual orientation	Emotional or physical attraction to a person of the same sex or gender, to another sex or gender, or to people outside the gender binary. Common sexual orientations include heterosexuality, homosexuality, bisexuality, pansexuality and asexuality.
Queer	A term reappropriated by members of the lesbian, gay, bisexual and trans communities as a symbol of self-determination and liberation rather than an insult. Refers to people who do not identify with the rigid binary organization of sexes (male/female) and genders (masculine/feminine), and whose sexual orientation, gender identity or gender expression is fluid (changeable or unclassifiable).
Trans ou transgender	Umbrella term used to refer neutrally to people whose gender identity does not correspond to the sex assigned to them at birth.
Transgender	Personne dont l'identité de genre ne correspond pas, en partie ou en totalité, au sexe qui lui a été assigné à la naissance
Homophobia	Negative attitudes that can lead to direct or indirect discrimination against homosexuals or those perceived as such. Homophobia can affect anyone whose appearance or behavior does not conform to the traditional canons of masculinity and femininity or to gender stereotypes. Homophobia can lead to acts of violence, including intimidation. It can therefore affect a person's psychological, physical or sexual integrity.
Transphobia	Negative attitudes that can lead to rejection and direct or indirect discrimination against trans people or those perceived as trans, or against anyone who transgresses gender and sex norms and conventions. Transphobia can lead to acts of violence, including intimidation. It can therefore damage a person's psychological, physical or sexual integrity.

Laws

(Tiré de Ministère de l'Éducation du Québec, 2021)

The following legal frameworks support the actions to be taken with students, school staff and families regarding sexual and gender diversity.

Quebec Charter of Human Rights and Freedoms

Article 10 : “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.”

Act to strengthen the fight against transphobia and improve the situation of transgender minors in particular

Article 60: “A request to change the name of a minor child may be made by his or her guardian or by the minor himself or herself if 14 years of age or older.”

Article 71.1: “A request to change the sex designation of a minor child may be made by the minor him/herself if aged 14 or over, or by his/her guardian with his/her consent. For minors under 14, it is made by their guardian.”

The request for a change of gender in the civil register can be made without the child having to undergo any medical treatment or surgery.

School: A student's permanent code can only be changed if the student officially changes his or her name and gender.

Act respecting access to documents held by public bodies and the protection of personal information

Article 53: The person to whom the information relates consents to its disclosure, but the consent of a minor under 14 years of age is given by the person having parental authority or by the tutor.

Education Act and Act Respecting Private Education

LIP, article 210.1: “The school service centre shall see to it that each of its institutions provides a healthy and secure learning environment that allows every student to develop his or her full potential, free from any form of bullying or violence. To that end, it shall support the principals of its institutions in their efforts to prevent and stop bullying and violence.”

LIP, article 75,1: “The governing board shall send the school’s educational project to the school service centre and make it public within 30 days after sending it. It shall also make public the evaluation of the school’s educational project. The educational project and any evaluation of it shall be communicated to the parents and the school staff.”

LEP, article 63.1: “An institution providing educational services must provide a healthy and secure learning environment that allows every student to develop his or her full potential, free from any form of bullying or violence. To that end, the institution must adopt an anti-bullying and anti-violence plan.”

Basic Principles

(Tiré de Ministère de l'Éducation du Québec, 2021)

The only reliable indicator of a trans or non-binary person's gender identity is their self-identification.

Under amendments to the Quebec Charter of Human Rights and Freedoms, the educational institution must use the first name and pronoun chosen by the trans or non-binary student and respect the student's self-identified gender identity.

The integrity of trans or non-binary students and their right to dignity, equality and respect must be protected.

Support measures for trans or non-binary people should not lead to additional constraints, such as isolation, marginalization, or penalization.

The right of each trans or non-binary student or adult to confidentiality and privacy must be preserved.

Confidentiality is of paramount importance. It is important to verify the explicit needs and wishes of the student, and of his or her parents if the student is under 14, regarding confidentiality.

The measures put in place for these young people and adults must be guided by their experiences, needs and explicit wishes.

The implementation of support and accompaniment measures should involve collaboration between the school team, the student, and his/her parents, especially if the student is under 14. It is necessary to obtain the agreement of students aged 14 or over before involving their parents in any support measures that may be taken by the school. This collaboration involves listening to the student's needs and concerns. The measures put in place by a school environment should be determined on a case-by-case basis, with a goal of meeting the needs of everyone in the best possible way.




The educational institution must provide a safe and healthy learning environment.

Every student attending an educational institution should be able to develop his or her full potential, free from any form of intimidation or violence. Inclusive and supportive measures can help trans and non-binary students avoid situations of bullying, harassment, discrimination, homophobia, transphobia and exclusion.

Educational practices and administrative measures

(Tiré de Ministère de l'Éducation du Québec, 2021)

It's up to each environment to offer an inclusive welcome to students, adults and families, to encourage greater consideration of sexual and gender diversity in the school environment. Consequently, the educational establishment must put in place concrete measures to ensure the right to dignity, equality, integrity, well-being and safety of every student, including trans and non-binary students. Here are a few examples of appropriate educational practices and administrative measures.

-  Provide training and awareness-raising activities for school staff to deepen their knowledge of the realities of sexually and gender-diverse youth, and to develop the skills needed to welcome and respond to the questions and concerns of sexually and gender-diverse students, staff, and families:
 - ❖ support students and school staff in implementing practices that are inclusive of the realities of sexual and gender diversity, open and respectful, and focused on the needs of trans and non-binary students;
 - ❖ adopt an inclusive vocabulary and use examples of sexual and gender diversity and family diversity, particularly in learning situations.
-  Adapt the code of conduct and the anti-bullying and anti-violence action plan so that they present inclusive practices towards all people who attend the school, including students, staff members and families of sexual and gender diversity.
-  Ensure access to non-stereotypical educational resources that address different realities of sexual, gender and family diversity.
-  Adopt an attitude of sensitivity and flexibility focused on the needs of the student:
 - ❖ encourage the full participation of trans or non-binary students in all school-provided activities, including health and physical education classes and para-scholastic activities;
 - ❖ avoid assigning students according to their sex at birth or their gender, especially during training activities related to sexuality, and be creative in organizing work or play teams and choosing materials for students.
-  Support the trans or non-binary student in his or her self-identification and self-expression:
 - ❖ use, where appropriate, the first name and pronoun chosen by the trans or non-binary student;
 - ❖ assess the need to mention the sex or gender of young people in internal school documents;
 - ❖ set up a process to make it easier to change a student's first name and gender on internal documents;
 - ❖ wherever possible, adjust the computer system to ensure that records comply with legal requirements.
-  Protect the confidentiality of information concerning the trans or non-binary student.
-  Establish, as needed, internal or external collaboration with qualified professional resources from the school, health and social services and community sectors, whether for awareness-raising, education, prevention or support.
-  Informing and sensitizing parents to the realities of trans and non-binary youth.
-  Support the formation of student committees or groups that can act as forums for discussion on sexual and gender diversity in schools.

Openness and support for trans and non-binary young people

(Taken from the Commission scolaire de Montréal, 2017 et Table Nationale de Lutte Contre l'Homophobie et la Transphobie des Réseaux de l'Éducation (2018))

Here are some examples of concrete measures to help trans and non-binary young people in their physical, emotional and psychological development, as well as in their educational perseverance and success. At the same time, these measures help combat sexual stereotypes, prejudice, homophobia and transphobia.

Support students in their individual development.

- ✚ Every young trans or non-binary person experiences transition in a unique way, with needs that are unique to them. No two experiences are the same. It is important to keep in mind the young person's immediate health, safety and educational needs, and to make the necessary adjustments according to the point of view expressed by the young person and his or her parents, where applicable.
- ✚ The implementation of support measures is based on collaboration between the school team, the trans or non-binary young person and his or her parents. They work together to define the necessary support structures. This collaboration involves listening to the young person's needs and concerns.

Use the first name chosen by the student and the corresponding pronouns (feminine, masculine or neutral).

- ✚ Educational institution staff members must be informed that the first name and pronouns chosen by the trans or non-binary young person must be used, both for the young person's well-being and for legal reasons under the Quebec Charter of Human Rights and Freedoms. In fact, every young trans or non-binary person has the right to self-identify and to be addressed by the first name and pronouns of his or her choice.
- ✚ Intentional or persistent refusal to respect a student's gender identity constitutes a denial of that identity and may be considered a form of harassment or discrimination with legal consequences.


Implement measures to protect the confidentiality of information concerning trans or non-binary young people.

- ✚ It is important to verify the young person's needs and explicit wishes in terms of confidentiality.
- ✚ In some cases, unwanted disclosure (of gender identity or sex assigned at birth, as the case may be) may expose the young person to serious risk of psychological distress, ostracism or violence. The establishment must take the necessary steps to prevent any accidental disclosure, despite the administrative constraints this may entail.
- ✚ The management and staff of the educational establishment must not divulge any information that could reveal the identity of the trans young person to others, including his or her parents (if he or she is over 14 years of age) and other members of the establishment's staff, unless the young person concerned has expressly authorized such disclosure.




Raising parents' awareness of the rights of trans and non-binary young people.

- ✚ Parents may contact the school to express concerns or ask questions about the presence of trans and non-binary youth at the facility. As with any intervention related to fundamental rights, the principles of the Quebec Charter of Human Rights and Freedoms apply. It is the responsibility of the establishment's management to answer these questions, while preserving the confidentiality of the identity of the trans or non-binary young person concerned.


Allow trans or non-binary young people to use the toilets, changing rooms and residences in which they feel most comfortable, regardless of the gender they were assigned at birth.

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- Adaptation measures for unmixed spaces must be determined based on the following premises:
1. Trans or non-binary youth may choose to use the washrooms, locker rooms and residences in which they feel most comfortable, regardless of the sex assigned to them at birth.
 2. In the event of discomfort on his or her part, it is important to find solutions in collaboration with the young person.
 3. Measures should not be coercive.
 4. Measures should not be determined because of pressure from others (peers, staff, or parents).
 - **Toilet access:** One simple measure that could be implemented in the short term would be to convert the existing single toilet cubicles into neutral toilets. Another solution would be to allow the young person access to the toilet reserved for staff, where possible and if he or she so wishes.
 - **Access to changing rooms:** Trans or non-binary young people may remain uncomfortable even when they have access to the changing room of their choice. This sometimes depends on the lack of privacy felt in these places. It is suggested that all young people have access to private areas (for example, changing rooms or toilets inside the changing rooms). When this is not possible, other avenues should be explored with the young person, for example, offering to establish a modified schedule (use of the changing room before or after the other young people) or the use of a private space nearby (toilet close to the changing room or other place allowing privacy).


Promote the full participation of trans or non-binary young people in physical education classes.

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- Trans or non-binary young people must be able to take part in physical education classes consistent with their gender identity, in conditions where they are safe and respected.
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- All students, regardless of their gender identity or expression, have the right to participate safely in physical education classes and extracurricular activities, including sports (competitions, sporting events) and leisure activities, at ease and in a manner consistent with their gender identity, in a safe, inclusive and respectful environment, free from discrimination or harassment.
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- It is unacceptable to require a transgender student to participate in activities according to his or her sex assigned at birth.


Ensure accessible health and psychological counseling services that respect the needs of trans and non-binary youth.

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- The health and social services workers who provide services in educational institutions should be able to welcome them and intervene appropriately with them.


Reduce, if possible, activities that separate students by gender.

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- Wherever possible, practices where boys and girls are separated should be reduced. When young people are segregated by gender, care should be taken to ensure that they have access to activities consistent with their gender identity and expression.

Organize awareness-raising activities on sexism, heterosexism, homophobia, and transphobia.

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- Teachers, or anyone else working with young people in the school, are invited to organize awareness-raising activities on sexism, heterosexism, homophobia, and transphobia (examples of teaching materials are in Appendix 1 (available in French)). Teachers should incorporate examples of sexual diversity, gender diversity and the diversity of LGBTQ families into their teaching content and avoid heterosexism and cissexism in the scenarios they propose during learning and assessment situations.

Ensure access to educational resources that address the realities of sexual, gender and family diversity.




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- Representing the diversity of LGBTQ families, sexual and gender diversity, and especially the inclusion of trans or non-binary people in the educational material available to young people, makes a positive

contribution to raising awareness. It gives trans and non-binary young people access to positive role models and helps raise awareness of sexual diversity in the community.


Adapt the code of conduct to explicitly consider the needs of trans and non-binary youth.

1. Include "gender identity and gender expression" in the code of conduct.
 - The schools code of conduct should reflect the recent amendment to the Quebec Charter of Human Rights and Freedoms, explicitly including gender identity and expression as prohibited grounds for discrimination, in addition to sexual orientation.
2. Allow trans or non-binary young people to wear clothing they consider consistent with their gender expression and identity.
 - Dress rules, often incorporated into the school's code of conduct, should be flexible enough to ensure that restrictions on clothing or appearance are not based on gender identity.
 - The use of gender descriptors or labels in the development of dress codes should be avoided. For example, rather than writing "girls must not wear short skirts", it would be more appropriate to write "short skirts are not permitted".
3. Ensure flexibility in the application of attendance rules for trans or non-binary young people undergoing hormonal treatment.
 - Certain aspects of the hormonal treatment sometimes associated with the transition can affect energy levels or concentration, leading to side-effects. At times, they can even render the young person completely unable to attend class.

Keep files in line with legal practices and day to day realities.

-  Each school must put in place the necessary measures to ensure that transgender students can function with their chosen first name without it hindering their studies and integration.
-  Each student's official record includes his or her legal name and gender as it appears in the Quebec Civil Registry. However, the school is not required to use the student's legal name and official gender in other school records or documents concerning the student.
-  To preserve the transgender student's privacy and the confidentiality of his or her gender identity, the school staff or administration shall, depending on the student's wishes, take the following measures:
 - ❖ Modify the student's school file to include his or her chosen first name and gender. This record will only be used within the school.
 - ❖ Take special measures to preserve the confidentiality of certain documents in the student's school file, where necessary (e.g., keep documents revealing the student's legal name in sealed envelopes in the student's file, with access limited to the school administration).
 - ❖ When the school is required by law to use or report a transgender student's legal name or gender (such as during Ministry of Education testing), adopt practices that preserve the transgender student's confidentiality, such as pre-ordering answer books (without the transgender student's legal name) from the Ministry of Education.
 - ❖ Inform the student or the parent of a transgender student, where applicable, that despite all precautions taken by the school, the student's permanent code or other elements from the management of the student's administrative file may compromise the confidentiality of the transition.

Plan excursions, trips, and camps to promote inclusion.

-  Preliminary dialogue, caution and preparation are essential to enable transgender or gender-diverse students to participate safely and respectfully in excursions, trips lasting more than 24 hours, camps or other activities requiring overnight accommodation.

APPENDIX 1

Educational activities on LGBTQ realities developed by organizations

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

diversite.lacsq.org/ressources/

➤ Petite enfance et 1er cycle du primaire

- Roman : Drôles de famille!, d'Anaïs Valente, Éditions Tournez la page jeunesse, 2013 (une famille avec deux papas)

➤ Primaire — 4e année

Matières : français, éthique et culture religieuse, matières plastiques et arts

- Roman : Ulysse alias Easy Loup Galop, d'Ariane Bertouille, Éditions du remue-ménage, 2012
- Vidéo : La danse des brutes, de l'Office national du film (ONF), 2000

➤ Primaire — 5e année

Matières : français, éthique et culture religieuse, matières plastiques et arts

- Roman : Le retour de Bruno, de Marc Couture, Éditions du Phoenix, 2010

➤ Primaire 3e cycle ou 1er cycle du secondaire

- Bande dessinée : Le monde de William
- Brochure destinée aux jeunes sur l'orientation sexuelle

➤ Secondaire — 1er et 2e cycles

Matières : français, arts et anglais (langue seconde)

- Roman : Philippe avec un grand H, de Guillaume Bourgault, Éditions Vents d'Ouest, 2003 (homosexualité masculine)
- Roman : La fille qui rêvait d'embrasser Bonnie Parker, d'Isabelle Gagnon, Éditions du remue-ménage, 2010 (homosexualité féminine) Annexe D Annexe D 8181
- Roman : La face cachée de Luna, de Julie-Anne Peters, Éditions Milan, 2005 (transsexualité)
- Bande dessinée : Pas toi une tapette !, de l'organisme Jeunes Adultes Gai-e-s (JAG), 2002
- Film : C.R.A.Z.Y., de Jean-Marc Vallée, Cirrus — TVA Films, 2006
- Court métrage : Love is all you need?, de Suzanne Bier, 2012

➤ Secondaire — 1er et 2e cycles

- Quiz — vrai ou faux — Démystifier les préjugés sur l'homosexualité
- Quiz — vrai ou faux — Sur les familles homoparentales
- Activité « Tout comme moi », affiche et réponses

➤ Secondaire — 1er et 2e cycles

Matière : éthique et culture religieuse

- L'histoire de l'homosexualité et de la transidentité (depuis l'Antiquité jusqu'au 20e siècle)
- Rappel historique des droits des personnes lesbiennes, gaies, bisexuelles, trans, queer, bispirituelle (LGBTQ2S) au Canada et au Québec
- L'homosexualité et les religions

➤ Secondaire

- Éducation citoyenne : Chapitre 12 — La reconnaissance des droits et libertés

Jeunes Adultes Gai-e-s (le JAG)

lejag.org/outils-pedagogiques

➤ Modules au primaire :

Matières : français, éthique et culture religieuse, matières plastiques et arts

- Roman : Ulysse alias Easy Loup Galop, d'Ariane Bertouille, Éditions du remue-ménage, 2012
- Roman : Le retour de Bruno, de Marc Couture, Éditions du Phoenix, 2010

➤ Modules au secondaire

Matières : français, arts et anglais

- Roman : Philippe avec un grand H, de Guillaume Bourgault, Éditions Vents d'Ouest, 2003 (homosexualité masculine)
- Roman : La fille qui rêvait d'embrasser Bonnie Parker, d'Isabelle Gagnon, Éditions du remue-ménage, 2010 (homosexualité féminine)
- Roman : La face cachée de Luna, de Julie-Anne Peters, Éditions Milan, 2005 (transsexualité)
- Bande dessinée : Pas toi une tapette !, de l'organisme Jeunes Adultes Gai-e-s (JAG), 2002
- Film : C.R.A.Z.Y., de Jean-Marc Vallée, Cirrus — TVA Films, 2006
- Court métrage : Love is all you need?, de Suzanne Bier, 2012

Coalition des familles LGBT

familleslgbt.org/youth.php?lang=fr

➤ Primaire — 1er et 2e cycles

- « Tu peux », une activité (SAÉ) sur les stéréotypes de genre
- Réagir aux propos et aux gestes homophobes des enfants
- Comprendre ce qui se cache derrière les mots

➤ Primaire — 1er cycle

- Roman : Ulysse et Alice, d'Arianne Bertouille et Marie-Claude Faveau, Éditions du remue-ménage, 2006 (une famille avec deux mamans)
- Affiche format PDF — Il existe toutes sortes de familles où l'on s'aime et l'on se sent bien
- Guide d'accompagnement du livre
- Expliquer... aux parents et aux collègues
- Souligner... les similitudes dans la diversité

➤ Primaire — 2e cycle

- Roman : Ulysse alias Easy Loup Galop, d'Ariane Bertouille, Éditions du remueménage, 2012 Annexe D Annexe D 8383

➤ Secondaire — 1er et 2e cycles

- Cercle de lecture : une activité sur le respect de la diversité (SAÉ pour le cours de français ou autre)

➤ Sports

- Espace scolaire et sportif plus sécuritaire pour les jeunes et les athlètes LGBTQ
- Guide visant à enrayer le langage homophobe dans le sport

Ministère de l'Éducation

education.gouv.qc.ca/index.php?id=36566

➤ L'Homophobius

- Pas de place pour l'homophobie et les stéréotypes sexuels à l'école
- education.gouv.qc.ca/contenus-communs/etablissements-scolaires-publics-et-privés/intimidation-et-violence-a-lecole/semaine-thematique/2015-prevention-de-laviolence-verbale/educateurs/

➤ Pour le primaire

- education.gouv.qc.ca/fileadmin/site_web/documents/dpse/adaptation_serv_compl/Homophobius_Guide_Primaire_FR.pdf

➤ Pour le secondaire

- education.gouv.qc.ca/references/publications/resultats-de-la-recherche/detail/article/branche-sur-le-positif-trousse-pedagogique-pour-le-secondaire/

GRIS-Montréal

gris.ca/publications/

- Unis dans la diversité
 - Guide d'animation pour les élèves du primaire
 - Section Administrateurs
 - Section Enseignants
- Maternelle p. 44-53
 - « Jeux de filles » et « Jeux de garçons »
 - Les jeux et le genre
- 1re année p. 54-63
 - Le rose contre le bleu
 - Le rose contre le bleu
 - Le rose pour les filles et le bleu pour les garçons
 - Création d'une créature colorée
- 2e année p. 74-75
 - Toutes les familles sont spéciales
 - Chaque famille est spéciale
 - Des familles actuelles
 - Ribambelle de familles
- 3e année p. 76-87
 - Métiers et genre
 - Manon Rhéaume, 1re hockeyeuse dans la LNH
 - Fille ou garçon : choisis ta profession
 - Quand je serai grand(e)
- 4e année p. 88-99
 - Le pouvoir des mots
 - Le pouvoir des mots
 - En marche contre l'intimidation
 - Une publicité contre l'intimidation
- 5e année p. 100-112
 - Modèles recherchés
 - Des personnages historiques gais, lesbiens et bisexuels
 - Modèles recherchés
 - Des célébrités lesbiennes et gaies
- 6e année p. 113-125
 - Réagir aux messages diffusés par les médias
 - Réactions face à l'homophobie dans les médias
 - Prendre action dans sa communauté
 - Création d'un journal d'école

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