

## Safe, inclusive Learning Community Policy

### Context

The purpose of this policy is to help secure a safe and inclusive learning environment for all students at Bayview College, particularly for gender diverse young people.

The bible informs us (Genesis 1:26) that each person is made in the image and likeness of God. Therefore, each person has their own inherent dignity and is intended by God to grow to fullness. For Bayview College, this means supporting each young person to achieve growth and liberation through pastoral as well as academic and co-curricular support.

Jesus challenges us with a radical vision of love and inclusion. "I came that they may have life, and have it abundantly," (John 10:10b) and calls us to "Love your neighbour as yourself" (Matthew 22: 39).

Bayview College has a moral and legal responsibility to ensure that each student receives an education free from discrimination and bullying irrespective of their sexual orientation or gender identity.

### Purpose of this Policy

As a Christian School Bayview recognises that to be an inclusive community, students, parents, caregivers and other family members, as well as staff must be valued in all their diversity of all children including, (but not limited to) the needs of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities and children who are vulnerable. This policy will also help ensure that Bayview College supports the gender identity of each student, including those with intersex status, in line with the Equal Opportunity Act 2010 (Vic) and the Sex Discrimination Act 1984 (Cth), and the United Nations Conventions on the Rights of the Child.

### Policy Statement

Bayview College supports and respects a student's right to express their gender identity whether this aligns with their designated gender at birth or not. We believe that every human person – child, young person and adult – is made in the image and likeness of God (Gen 1:26-27). It is fundamental for our human development that our dignity, freedom and autonomy be acknowledged and respected.

The College will endeavour to protect a student's privacy and confidentiality in relation to gender identity and intersex status, as per the College Privacy Policy, however, there may be circumstances where this is not practical.

The student and a family representative/guardian will be invited to be part of the formulation of a school management plan, along with any health professionals working with the young person and the family. This may include seeking advice from specialists in the field as required to assist the school to adequately discharge its duty of care to the student by planning appropriately.

## School Management Plan

The purpose of the school management plan is to ensure that the school responds to the student's needs and privacy issues in a reasonable manner.

In formulating a school management plan, Bayview will work with the student and their parents/guardian to identify the ways in which the school may be able to provide support from the time of disclosure.

It is important that the student and parents understand they are partners in the plan and actively follow the agreed decisions.

The school management plan may include or address the following:

- it will respect the student's gender identity and privacy where practicable.
- The school will work with the young person and the family to determine what information they agree to be shared
- determine if other staff members, such as the Wellbeing Team and the physical education teacher, need to be advised to support or teach the student
- be developed to allow time for trialling and opportunity for adjustments to occur
- consider the best timing to undertake any change of gender identity, such as term break.
- agree to arrangements in relation to toilet facilities, change rooms and uniform
- reflect the terms of this policy

Identify processes to:

- support, guide and monitor the student's progress
- review the plan
- manage unforeseen circumstances.

## Community Adjustment

When a student discloses a change in gender identity, fellow students and staff will be:

- supported
- provided with further information as appropriate to their age (students) and professional role (staff) on gender identity
- provided opportunities to discuss issues in general with an appropriate support person.

Adjustments typically include:

- use of a student's new name
- using forms of address appropriate to the student's preferred gender identity.

## Documentation

When the parents/guardians or the student advise the College, they intend to officially change their birth gender the school will update school records and documentation as appropriate.

## Definitions

### Gender Identity:

- Gender identity is broadly defined as meaning 'the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth'.
- By this definition, the SD (Sexual Discrimination) Act therefore affords protection from discrimination for persons who identify as men, women or also as neither male nor female. It does not matter what sex the person was assigned at birth, or whether the person has undergone any medical intervention. Some terms used to describe a person's gender identity include trans, transgender and gender diverse. The SD Act does not use these labels; however, it is intended to cover these identities and more.

### Intersex Status:

- Intersex Status is defined by the SD Act as meaning 'the status of having physical, hormonal or genetic features that are:
  - a) neither wholly female nor wholly male; or
  - b) a combination of female and male; or
  - c) neither female or male.
- Intersex Status is directed at protecting the 'biological' aspects or characteristics of intersex persons, but not the person's gender identity. These provisions will afford an intersex person protection from discrimination based on whether that person may have the biological attributes of both sexes or lack some of the biological attributes considered necessary to be defined as one or the other sex.

## Related Policies

Wellbeing Policy

Child Protection Policy

Student Code of Conduct Policy

Child Safety Policy

Enrolment Policy

Positive Relationships Policy

Parent Code of Conduct

## Related Legislation

Equal Opportunity Act 2010 (Vic)

Sex Discrimination Act 1984 (Cth)

United Nations Conventions on the Rights of the Child

National Safe Schools Framework

Ministerial Order 870