

Brunswick South Primary School Gender Identity Policy

Policy	Review Date:	Responsible for
Implementation Date:	February 2022	Review:
February 2020		Policy Subcommittee

Student Inclusion Action Team at Brunswick South Primary School

In 2020, the *Student Inclusion Action Team* was established and their first task was to discuss and develop a mission statement.

At Brunswick South Primary School, we respect the LGBTQA+ community by using gender neutral terms.

Be mindful that calling some people "girl" or "boy" may be disrespectful to them, so try to avoid these gender specific terms

You can do this by:

- Always asking for a person's preferred pronouns if you are not sure
- If you are not sure that person is "girl" or "boy", by how they present; ask them!

Purpose

- schools must support and respect a student's choice to identify as their desired gender when this does not align with their designated sex at birth
- principals must respect privacy and confidentiality in relation to gender identity and intersex status
- the young person and a family representative/ carer must be invited to be part of the formulation of a school management plan
- a letter from a gender identity specialist may be requested by the school to support them in developing the plan. This letter is not a conditional requirement for the school in providing support to the student, but it may help to ensure that schools can adequately discharge their duty of care to a student by planning appropriately. Gender identity specialists are available through Royal Children's Hospital and Monash Medical Centre.

For more information, see: [Information Privacy](#)

Policy definitions

Gender identity has the potential for discriminatory and unfair treatment. Below are the definitions Gender Identity and Intersex status outlined in the Sex Discrimination Act 1984 (Cth) (SD Act).

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 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:

1. neither wholly female nor wholly male; or
2. a combination of female and male; or
3. neither female or male.'

This attribute 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.

School's Management Plan

Principals should:

- identify current supports that are in place and not automatically assume school-based wellbeing supports are required
- respond to students or parents/guardians who identify a need, such as counselling support.

It is important that the student understands they are a partner in a plan and actively follow the agreed decisions.

The principal, with the student and parents/guardians, creates a school management plan that ensures the school responds to the student's needs and addresses any facilities and privacy issues.

The school management plan should:

- cater to the student's gender identity
- reflect this policy
- take a common sense approach
- be developed over staggered sessions to allow time for trialing and opportunity for adjustments to occur
- consider the best timing to undertake any change of gender identity, such as term break
- consider implementing a Student Support Group to support, guide and monitor the student's progress see: [Department resources](#)
- agree to arrangements in relation to toilet facilities
- consider the wellbeing of other students in an addendum to the plan, in the event the student's transgender status becomes known and causes distress. This should include a student support referral process
- determine whether other staff members, such as a student welfare coordinator or the physical education teacher, need to be advised to support or teach the student
- list the names of staff members who know of the gender identity change
- identify processes to:
 - review the plan
 - inform others should it be decided necessary
 - address potential school community concerns
 - manage unforeseen circumstances.

Important: The best way to protect a student's privacy and confidentiality is to minimise the number of staff required to know the student's transgender status. In most cases this is limited to the principal. Do not assume a staff member or the student's social network is aware.

Toilets

Toilets, showers and change rooms are specific to each school. The arrangements for the use of these facilities should be made locally and documented in the school management plan. Careful consideration should be given to the use of facilities that are appropriate to the student's preferred or chosen gender.

Note: Regular use of disabled toilets by a student without disabilities can draw attention to the student and is not appropriate for these purposes.

Community adjustment

Where the student changing gender identity stays at the same school, community members who knew the student before may need:

- support
- further information on gender identity
- to discuss issues in general with a senior staff member.

Adjustments typically:

- occur as a matter of practice over time
- include use of:
- a student's new name
- address appropriate to the preferred gender identity.

School documentation

For advice on changing school records and documentation, contact Legal Division on legal.services@edumail.vic.gov.au or 03 9637 3146.

Related Policies and Resources

- [Enrolment](#)
- [Information Privacy](#)

Related legislation

- Victorian Equal Opportunity Act 2010 (Vic)
- Sex Discrimination Act 1984 (Cth)

Department resources

- [Safe Schools](#)
- For contact details for regional student wellbeing managers, see: [Regions](#)
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Last Update: 05 July 2019

Review Cycle

Reviewed every 2 years