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Gender Inclusion Policy

1. Policy Statement

Penleigh and Essendon Grammar School is committed to supporting a culture of mutual respect among its members, to building resilience and to creating a safe and positive environment for all students and staff. The Gender Inclusion Policy, together with our Policy of Mutual Respect, Code of Conduct for staff and others interacting with students and the Child Safety Policy, explain our actions to support an environment where individual rights and needs are safeguarded, individual responsibilities are emphasised and opportunities for learning are promoted.

2. Purpose

The Gender Inclusion Policy focuses on discrimination on grounds of sexual orientation, gender identity or intersex status. The school seeks to safeguard students and staff against discrimination of this type and supports opportunities for participation and learning irrespective of sex, gender, gender diversity or expectations about gender in line with both the *Victorian Equal Opportunity Act 2010 (Vic)* and the *Sex Discrimination Act 1984 (Cth)*. Additional undertakings including the Fair Play Code (Vic Gov 2022) and the Position Statement on Standard of Behaviour for AGSV Competition (AGSV 2017) support equal opportunities in sport.

3. Scope

The school endorses the right for students and staff to express their individuality and gender identity, whether or not conforming to gender stereotypes. Gender diversity is welcomed and is celebrated within the school community.

The [Mutual Respect Policy](#) identifies discrimination as *any practice that makes unfair distinctions between individuals or groups of people, so as to disadvantage some and advantage others. Discrimination can occur on the following grounds: gender; nationality; race; cultural or ethnic origin; religion; physical characteristics; sexual orientation; intellectual impairment; age; ability or disability; political activity or belief; marital, parenting or economic status or personal association with a person having any of these attributes.*

4. Procedure

The school will seek to remove expectations of gender stereotype in school roles and activities and will give due consideration to the preconceptions of heterosexuality or cisgender as potential causes for discrimination or bullying. Any form of homophobia or transphobia will not be condoned. Furthermore, the school will provide a positive, supportive and respectful environment for all, including support for a student or staff member at the school who wants to affirm or transition

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gender identity. For the student wishing to transition gender identity, this will include preparation and implementation of a student support plan in consultation with the student and their parents or guardian. A programme for periodic review of the plan will be established and their privacy and confidentiality respected. Likewise, a staff member transitioning will be supported and their privacy and confidentiality will be respected.

In circumstances where conflict exists between a student and their parents concerning transition or affirmation of gender identity, consideration will be given by the Principal to the stance of the student as a mature minor (see Definition below) in support of the student’s wishes. Such consideration will be made by the Principal in consultation with senior staff, counsellors and external health professionals who are treating the student and whose advice is sought with the consent of the student.

The gender diverse student enrolled in year levels of the school in which students are separated by gender, will be entitled to attend the Section which best suits their gender identity. The gender diverse student is entitled to enjoy all associated rights and expectations for participation in activities and use of facilities as is customary for students in their year level. This will include participation in curricular and co-curricular programmes including competitive sport where this is possible within competition requirements (Note 1), study tours and community activities, access to preferred bathroom and changeroom facilities (Note 2), the right to choose uniform items according to gender identity, the chosen name and appropriate form of address in everyday usage, chosen referencing of gender in records and personal pronouns to be used in school records and other communication where the choice of name and form of address is determined by the school. These arrangements will be documented and reviewed periodically for currency.

The rights and needs of the staff member who is transgender, transitioning or gender diverse will be respected, including access to preferred bathroom and change room facilities, choice of clothing appropriate to identity, the right to choose the appropriate form of address in everyday usage, including name, chosen referencing of gender in records and personal pronoun for use in school records and other communication. These arrangements will be documented and reviewed periodically for currency.

Respect for privacy and confidentiality will be maintained and the school will support the actions of staff members to uphold the individual requirements of others in the school community and establish a culture which challenges gender stereotypical views and encourages respect for individual difference.

Note 1: There may be some competitions or sports for which physical characteristics such as size or strength influence suitability for participation.

Note 2: The school provides gender neutral facilities which are available to any student who wishes to use them however there is no requirement to use these facilities in preference to bathrooms or change rooms which match the student’s gender identity.

5. Definitions

Term	Meaning
Mature minor	A <i>mature minor</i> is an individual younger than 18 years who is considered to have reached a stage where they are capable of making their own decisions about one or more of a range of issues including their education, healthcare and wellbeing.

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6. Related Legislation, Regulations and Standards

Fair Play Code, (Victorian Government, 2022)

https://sport.vic.gov.au/data/assets/pdf_file/0030/61797/12010_Fair_Play_Code_Brochure_pdf_AW.pdf

Sex Discrimination Act 1984 (Cth)

Victorian Equal Opportunity Act 2010 (Vic)

7. Related Documents

Child Safety Policy

Code of Conduct for Staff and others who interact with students

Mutual Respect Policy

8. References and Resources

Position Statement on Standard of Behaviour for AGSV Competition (AGSV 2017)

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