

DRAFT - Sexual Orientation and Gender Identity Policy

Guidelines with regards to supporting Students and Faculty / Staff who are Transgender and / or Gender Nonconforming

Zurich International School endorses the [Convention on the Rights of the Child](#) and the [Universal Declaration of Human Rights](#), which recognize the equal entitlement to all rights and freedoms outlined, “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status” ([Article 2](#)).

About the Policy

This policy has been informed by by:

- Sports and Physical Education - © 2015 The Intercom Trust on behalf of The Cornwall Transgender Guidance for Schools Partnership.
- Working with Non-binary and Transgender Pupils: Guidance for school staff and other professionals - Updated September 2016 Highland.gov.uk
- National Association of Secondary School Principals:
<https://www.nassp.org/who-we-are/board-of-directors/position-statements/transgender-students?SSO=true>
- US Department of Education:
<https://www2.ed.gov/about/offices/list/oese/oshs/emergingpractices.pdf>
- National Association of Independent Schools:
<https://www.nais.org/magazine/independent-school/summer-2016/addressing-transgender-issues-in-schools/>
- National Association of Independent Schools: (NAIS Legal Advisory–
<https://www.nais.org/Articles/Documents/Member/TheTransgenderStudent-2014.pdf>
- Portland Public Schools:
https://www.pps.net/cms/lib/OR01913224/Centricity/domain/63/Legal%20Guidance%20Memos/Transgender_Students.pdf
- “Eliminating Discrimination against children and parents based on sexual orientation and/or gender identity”, Unicef, 2014. [link](#)
- "LGBTI Children Have The Right To Safety And Equality." *Commissioner of Human Rights: Council of Europe*, 2014. [link](#)
- Okanagan Skaha School District. “Policy #220 - Sexual Orientation and Gender Identity (SOGI).” 06 February, 2017. [link](#)
- New York City Department of Education. "Transgender And Gender Nonconforming Student Guidelines." *Schools.nyc.gov*. [link](#)
- “Supporting Diverse Sexual Orientations, Gender Identities and Expressions”, SOGI 1 2 3, 2018. [link](#)
- American School of Paris
[Guidelines Regarding the Support of Students and Faculty / Staff who are Transgender and / or Gender Nonconforming](#)
- Swiss Law

Application

This policy applies to all ZIS Employees and volunteers.

This Sexual Orientation and Gender Identity Policy and the Code of Conduct apply to all children and adults in the school, including when being educated off-site and undertaking educational visits. It also applies to students who are on an exchange and being hosted by the School. This includes all visiting students hosted by ZIS when involved in events and activities organised through ATAC.

Rationale

Our school recognizes, values, and celebrates diversity and inclusion on all campuses. The school is committed to establishing and maintaining a welcoming, caring, respectful, safe, and inclusive learning and working environment for all members of the school community, regardless of actual or perceived sexual orientation or gender identity.

All people have a sexual orientation and gender identity. The school recognizes that sexual orientation and gender identity minorities can be targets of homophobic, trans-phobic, and/or heterosexist behaviors. This may have profound social consequences, including marginalization, discrimination, harassment, physical and sexual violence, social and emotional isolation, substance abuse, academic truancy, and self-harm.

This policy strives to promote safe environments, free from fear, harassment and discrimination by engaging in proactive strategies, guidelines and education; encouraging all members of the learning community to reflect upon their behaviors and actions, and build awareness of how interactions can create an inclusive, equitable, supportive environment for all.

This policy supports the following goals:

1. **Visibility:** The diversity of sexual orientations, gender identities and expressions are recognized and valued.
2. **Protection:** The dignity of all people across the sexual orientation and gender identity spectra is intended to be preserved, as well as protected from harm.
3. **Inclusion:** Equitable treatment and inclusion are afforded to all people, regardless of sexual orientations, gender identities, and gender expressions.

This policy is issued in keeping with Swiss legal requirements, and is consistent with the ZIS Mission Statement, Safeguarding & Child Protection Policy and Code of Conduct.

Policy

The school expects that all employees will:

- A. Adhere to the ZIS Code of Conduct that prohibits any form of discrimination, intimidation, or harassment against any person, and is educative, preventative and restorative in practice and response.
 - a. See Policy 4.16 Suspected Abuse or Neglect of a Child / ZIS Safeguarding and Child Protection Policy
- B. Foster an inclusive culture that is responsive to the diverse social and cultural needs of individuals and groups, regardless of their sexual orientation or gender identity; recognizes the importance of supporting affinity student groups, such as Sexuality and Gender Awareness (SAGA) clubs.
- C. Participate in the ongoing development of practices that promote fair and equitable treatment for everyone; cultivating mutual respect, civility, and a sense of belonging.

Supporting Guidelines

1. Recognition

The school recognizes and respects the gender identity that each student determines.

2. Privacy and Confidentiality

- a. All students and employees have a right to privacy with regard to their sexual orientation, gender identity, and sex assigned at birth. Disclosure is on a need to know basis and occurs only after consultation with the individual and/or parent/guardian.
- b. Schools must balance the parent or guardian's need to be informed about their child's school experiences with the student's right to live freely with their affirmed genders and right to privacy in an age-appropriate manner.

3. Names and Pronouns

- a. Every student has the right to be addressed by a name and pronoun that corresponds to their gender identity. A legal name or gender change is not required.
- b. Official school records need not be changed for students. Where possible, all prospective internally generated documents should be populated using the preferred name.
- c. For employees, school records and communications must reflect legal names.

4. Official Records

- a. ZIS maintains a permanent student record ("official record") that includes a person's name and gender. The school will amend an official record to reflect a change in first name and/or to reflect a change in gender upon receipt of appropriate legal documentation or specific written request.
- b. In situations where ZIS faculty/staff or administrators are required to use or to report the legal name or biological sex of a transgender student, but whose official school record has not been amended, such as for purposes of standardized testing, faculty/staff and administrators will avoid inadvertent disclosure of such confidential information, informing the student and/or family as appropriate.
- c. ZIS maintains a permanent employee record ("official record") that includes a person's name and gender. Records can only reflect legal documentation.

5. Internal Curricular and Extra-curricular Activities

- a. All students have equitable access to all curricular programs, ATAC activities, intramural sports, and on-campus activities in a manner that respects and embraces their gender identity.
- b. In situations where students are segregated by gender, students should be included in the group that corresponds to their gender identity.

6. Washrooms and Change Rooms

- a. All students and employees have a right to safe and private washrooms and change facilities.
- b. Any student who has a need or desire for increased privacy, regardless of the underlying reason, where possible will be provided with a reasonable alternative

changing area, such as the use of a private area (e.g., a nearby single stall restroom stall with a door), or with a separate changing schedule.

7. Housing and Overnight Field Trips

- a. The school will endeavour to support all students participation. There may be occasions when working with external organisations where the requirements of the organisations prevent the student from participating.
- b. The school administration will work with the student / family to identify what information would need to be shared prior to submitting such information to the host school and / or organisation.
- c. In no case shall a student be required to share a room with students whose gender identity conflicts with their own. When staying with a host family, the school administration will work with the student / family to identify what information would need to be shared prior to submitting such information to the host family.
- d. Any student who has a need or desire for increased privacy, the school will work to provide reasonable accommodation, while maintaining consistency with the policies and procedures for child safeguarding. Any alternative arrangement should be provided in a way that allows the student's gender identity to be kept confidential.

8. External Sports, Physical Education and Extra-curricular Associations

- a. There may be occasions when working with external organisations where the requirements of the organisations prevent the student from participating.
- b. ZIS will consistently advocate with the various sporting and other associations / conferences, including ISST, SCIS and SGIS associations, for students to be permitted to participate in interscholastic athletics and activities in a manner consistent with their gender identity, and will seek their guidance where necessary. If there is no specific guidance from the sporting governing bodies at the school level, then a case by case approach should be employed.
- c. There may be sports where, as puberty develops, transgender/intersex participants may be deemed to have a physical advantage over others. Guidance will be sought from the various sports governing bodies as well as the ISST, SCIS and SGIS associations. If there is no specific guidance from the sporting governing bodies at the school level, then a case by case approach should be employed.
- d. Physical Risk - It may be that due to the nature of contact and physicality of sports, such as rugby, that ZIS would consider whether transgender/intersex participation is appropriate towards the latter stages of puberty. This will be on a case by case basis and will require proactive discussions with the student and, where appropriate, the parents or guardians.

9. International Travel

- a. School personnel should be aware of and make necessary arrangements to minimize risk pertaining to cross-border travel and gender identity. These risks may involve border searches, issues regarding official identity documentation and privacy, host country policies and procedures, discriminatory host country laws, etc.
- b. Contacting relevant agencies and/or embassies in advance will help to ensure that any policy or risk assessment completed by the school is accurate for that trip.

10. Staff and Faculty Development; Curriculum and Learning Resources

- a. The school is committed to working continuously to educate all members of the school community to prevent discrimination based on any real or perceived differences; support multicultural, anti-racist, anti-homophobic and human rights education infused into the curricula; support developmentally appropriate activities and resources that promote knowledge and respect for all people and where minorities see themselves and their lives positively reflected; and build and maintain learning and library resources that affirm human diversity.
- b. All administrative, teaching, and support staff will be expected to be familiar with this policy; promote understanding of the common language; understand the protection of privacy for community members and their families; be aware of strategies and procedures for intervening with issues, such as, bullying, harassment, intimidation, and/or discrimination; and model and teach inclusive, respectful practices that honor diversity and promote human rights.

Common Language

The definitions provided here are not intended to label individuals but rather to assist in understanding this policy (taken from [NYC Department of Education Guidelines](#)).

- Gender Expression: The way a person expresses gender to others in ways that are socially defined as either masculine or feminine, such as through behavior, clothing, hairstyles, name, pronouns, activities, voice or mannerisms. (Note: Gender expression can vary depending on one's culture as well as changes in social norms and expectations, such as shifts in clothing and hairstyles.)
- Gender Identity: Gender Identity is a person's inner sense of being a man or a woman, some combination of both, or neither. A person's gender-related identity, may or may not be different from that traditionally associated with the person's physiology or assigned sex at birth. Everyone has a gender identity
- Gender Transition: Refers to the process in which transgender individuals begin asserting the sex that corresponds to their gender identity instead of the sex they were assigned at birth. During gender transition, individuals may begin to live and identify as the sex consistent with their gender identity and may dress differently, adopt a new name, and use pronouns consistent with their gender identity. Transgender individuals may undergo gender transition at any stage of their lives, and gender transition can happen swiftly or over a long period of time.
- Intersex: A term used for individuals born with variations in sex characteristics – reproductive or sexual anatomy or chromosome pattern - that do not fit the typical binary notions of male or female bodies.
- Sexual Orientation: A person's sexual orientation is the individual's continuing pattern of physical, romantic, emotional, aesthetic or other attraction to another person. Sexual orientation can be towards persons of the opposite sex or gender, the same sex or gender, or to both sexes and more than one gender. Sexual orientation is not the same as gender identity.
- Transgender: Describes a person whose gender identity or gender expression is different from their assigned sex at birth.

Additional Sources

1. SOGI 1 2 3
<https://www.sogieducation.org/>
2. German Institute for Human Rights
https://www.institut-fuer-menschenrechte.de/uploads/tx_commerce/e-info-tool_sexual_orientation_and_gender_identity_as_hr_issues_in_dc.pdf
3. Sports and Physical Education - © 2015 The Intercom Trust on behalf of The Cornwall Transgender Guidance for Schools Partnership.
4. Working with Non-binary and Transgender Pupils: Guidance for school staff and other professionals - Updated September 2016 Highland.gov.uk
5. National Association of Secondary School Principals:
<https://www.nassp.org/who-we-are/board-of-directors/position-statements/transgender-students?SSO=true>
6. US Department of Education:
<https://www2.ed.gov/about/offices/list/oese/oshs/emergingpractices.pdf>
7. National Association of Independent Schools:
<https://www.nais.org/magazine/independent-school/summer-2016/addressing-transgender-issues-in-schools/>
8. National Association of Independent Schools: (NAIS Legal Adviosry–
<https://www.nais.org/Articles/Documents/Member/TheTransgenderStudent-2014.pdf>
9. Portland Public Schools:
https://www.pps.net/cms/lib/OR01913224/Centricity/domain/63/Legal%20Guidance%20Memos/Transgender_Students.pdf