



The Superintendent's Report

Public Input to Policy #5.45, Homophobia/Heterosexism

Submitted to the Policy Committee at its meeting of June 7, 2011

In response to community interest in draft Policy #5.45, Homophobia/Heterosexism, the Board extended the period of public input to Friday June 3 for a total of 14 weeks.

At the Policy Committee meeting of May 16, staff provided the Policy Committee with an overview of input to Friday May 13. The report I submit today (*June 7, Policy Committee meeting*) provides an overview of all the public input to date, including that which was received between May 13 and June 3.

The District received extensive input and has provided the Policy Committee with access to all input to date.

The District appreciates the public input and has considered it in concert with the work done by the ad hoc committee which included review of substantial research and guidance from the British Columbia Ministry of Education, the Canadian Charter of Rights and Freedoms, the British Columbia Human Rights Code, the Auditor General of British Columbia, the British Columbia School Trustees Association, and several legal precedents.

An overview of the input is as follows.

Input that supported the Policy included:

1. Support for the draft policy as written.
2. Reinforcement that a separate policy is needed and necessary.
3. Expression of thanks to the Board for its leadership.

Input that expressed concern about the Policy fell into eight areas of concern and breaks down into two general categories:

1. Policy development and communication process.
2. Policy content and implementation.

These two categories break down as follows:

Policy development and communication process

1. The input process.
2. Information disclosure.
3. Need for a separate policy.

Policy content and implementation

4. Parents' role.
5. Definitions/language in the Policy.
6. Curriculum implications.
7. Implementation funding.
8. Religious beliefs.

1. The input process

Concerns were voiced about the length of the input process, the amount of information available and the extent of public consultation. Some people were concerned that they had not received information about the Policy and/or the input process. In addition, the Board received requests to have the Policy and supporting information translated into other languages, specifically Chinese.

The Policy Committee should be aware that:

- Following the February 22 public board meeting, the Notice of Motion and draft Homophobia/Heterosexism Policy were distributed for feedback to all school principals and to the following district educational partner groups: Burnaby Association of School Administrators (BASA), Burnaby Teachers Association (BTA), Canadian Union of Public Employees Local 379 (CUPE), District Parent Advisory Committee (DPAC), District Student Advisory Committee (DSAC) and School Planning Councils. This is common district practice for all new or revised policies as detailed in Policy #1.10, District Policy and Policy Development.
- In addition, the Board:
 - Posted extensive information in English and Chinese about the draft policy on its website.
 - Extended the public input period to June 3 for a total of 14 weeks.
 - Welcomed and received input by mail, email and via delegation including receiving 21 delegations at three different public board meetings.

2. Information disclosure

Some people asked about information disclosure related to Freedom of Information and Protection of Privacy Act (FOIPPA) requests.

The Policy Committee should be aware that:

- The Board has received a small number of very similar formal Freedom of Information requests and is complying fully with the FOIPPA. Because the requests were extremely broad in scope, they would require many hours of staff research and photocopying time to fulfill. In order to process the requests, the Board agreed to fund eight hours of staff time plus photocopying costs. This is significantly more than the three hours required by the FOIPPA. The District estimated that additional expenses in staff time beyond the eight hours would be in the range of \$1400. The District also

asked the requestors for clarification to possibly reduce the scope of the request, the time involved and the associated costs. The District also noted that the associated processing costs would only be charged once and would be divided amongst those FIOPPA requestors who chose to proceed. Recently one requestor agreed to meet with the District to clarify the scope of the request.

The District has also informed all requestors that detailed background information about the policy and its development is available on the District website in English and Chinese.

3. Need for a separate policy

A number of people questioned the need for a separate policy and cited the existence of the District Code of Conduct.

The Policy Committee should be aware that:

- The District Code of Conduct is posted in schools and reinforced by school principals and is used throughout the District to promote the District's commitment to safe and caring schools. The Board felt a specific policy was necessary to address systemic harassment of students due to their declared or perceived sexual orientation and/or gender identity.
- In 1985 the Board developed a Multiculturalism and Race Relations Policy to address specific concerns about the safety and well being of Burnaby students from diverse ethnic, religious and racial backgrounds. The Board now has pursued a separate policy to protect students who are marginalized and harassed due to sexual orientation and/or gender identity and make them feel just as welcome in our schools as all other students.
- Burnaby students have reported incidents of bullying and homophobic harassment. These reported experiences are corroborated by several research studies including a recent survey of 3,700 Canadian high school students that found rampant homophobic harassment in Canadian schools. ([Every Class in Every School, The Final Report of the First National Climate Survey on Homophobia in Canadian Schools](#), conducted by University of Winnipeg education professor Catherine Taylor and University of Manitoba sociology professor Tracey Peter.)
- Research states that compared to Heterosexual Youth, LGB youth were more likely to have reported emotional stress, suicidal thoughts, and suicide attempts. (McCreary Centre Society, [Not Yet Equal](#), 2007)
- In 2005, the British Columbia School Trustees Association (BCSTA) recommended that all school boards develop a separate policy to address homophobic bullying and harassment.

- Legal precedents such as the case of *Jubran v. North Vancouver School District No. 44* also obligate the Board to practice due diligence in protecting vulnerable LGBTQ youth in the schools.

4. Parents' role

Some people were concerned that the policy might interfere with a parent's role in raising their children according to their beliefs.

The Policy Committee should be aware that:

- This policy does not affect the role of parents to raise their children according to their values and beliefs. As with other school district policies that address forms of discrimination, the intent of this policy is to make our schools safe and welcoming places for all students.
- Burnaby students are educated in the areas of healthy relationships, diversity and social justice education including harassment and homophobia through the BC Ministry of Education prescribed learning outcomes including but not limited to: Social Studies, Social Justice 11, Health and Career Education, and Personal Planning. In the case of potentially sensitive topics in the Health and Career Education curricula, students and their parents/guardians may arrange with the school for alternative instruction outside the classroom as detailed in Board Policy #6.31 Alternate Delivery – Health and Career Education.
- The Burnaby School District understands the sensitivity of issues related to sexuality and sexual orientation and will approach the implementation of this Policy with the same care and professionalism that has made Burnaby an outstanding school district.

5. Definitions/language in the policy

Some people voiced concerns about language in certain areas of the draft policy including the definition of Heterosexism and references to curriculum.

- At its May 16th meeting, the Policy Committee responded to this feedback by asking District staff "to review the definition of heterosexism and the references to curriculum within draft Policy #5.45 and to report back to the next committee meeting with suggested changes to the draft policy." At today's meeting (June 7, 2011), staff will present its recommended changes to these areas and to other areas in the policy where public feedback has informed the process.

6. Curriculum implications

Concerns were voiced about language regarding curriculum implementation. Specifically, many people were concerned about how the policy would impact what would be taught at the elementary school level.

The Policy Committee should be aware that:

- As already noted, at this meeting (*June 7 Policy Committee meeting*) staff will respond to the Policy Committee's May 16th request for recommended changes to references to curriculum in the draft Policy #5.45.
- The District follows curriculum approved by the BC Ministry of Education at all age levels, which includes representations of diverse family structures including LGBTQ families. Age appropriate anti-homophobia education at the elementary level does not include discussion about sex or sexual practices.
- Students in the elementary grades will experience lessons that are a part of curriculum approved by the BC Ministry of Education that promotes respect and understanding of the diversity that exists in Canadian society. This includes raising awareness of inappropriate slurs that focus on race, culture, socio-economic status, disabilities and sexual orientation.
- Since the intent of the Policy #5.45 is to foster mutual understanding, respect, and acceptance among students and staff, its impact will be to create safer and more welcoming educational environments. Otherwise our schools will continue to be conducted on strictly secular and non-sectarian principles in accordance with the BC Schools Act. And we will continue to deliver educational programs that meet the Prescribed Learning Outcomes of the BC Ministry of Education and that reflect the diverse and pluralistic nature of our society including the LGBTQ community. All teaching will continue to be age-appropriate and respectful to the diverse backgrounds and beliefs of our students.

7. Implementation Funding

The intent is not to allocate any new funding to the implementation of this policy but rather to ensure that existing resources are appropriately focused to realize the objectives of this policy.

8. Religious beliefs

Some people expressed concern that children and/or families who have religious or moral objections to homosexuality might be discriminated against, or even disciplined, for holding those beliefs.

The Policy Committee should be aware that:

- The intent of the Policy is not to single out children or families who have religious or moral objections to homosexuality but rather to ensure that LGBTQ youth are just as safe and welcome in our schools as all other children.
- The District recognizes that we live in a complex, multicultural and rapidly-changing society and that public education should foster an environment

in which all learners' rights are valued and respected. In cases where students are not respectful in their comments or behaviour, the District's first response is to use education and restorative action, not discipline.

- British Columbia schools are secular and non-sectarian and must reflect the realities of Canada's diverse, multicultural and pluralistic society, which includes legal gay marriage, while also respecting the freedom of religion and of thought, belief and opinion enshrined in the Canadian Charter of Rights and Freedoms. At the same time the District has a legal responsibility to respond proactively to all forms of discrimination, harassment and bullying that may exist in schools.
- The draft policy is also in keeping with the BC Ministry of Education Safe, Caring and Orderly Schools Guide; BC Ministry of Education curriculum and prescribed learning outcomes.

This concludes staff's review of the public input. I remind the Policy Committee that the full body of input is available to you for review. Again, the District thanks everyone who provided thoughtful response to the draft Homophobia/Heterosexism Policy over the past 14 weeks.