



A Mary Ward School today embraces diversity as a mirroring of the wonder of Creation. Seeing the image of God in human diversity, we encourage the young to discover their interdependence so they each find their own dignity – 'I am because you are' – and feel truly affirmed and included.

Embracing and affirming diversity.

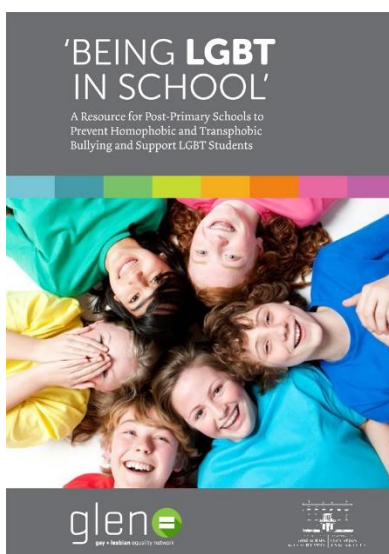
Compass SW

A central tenet of all Loreto Schools is to embrace and affirm diversity, as is evident in the SW aspect of the Compass document quoted above. That diversity, welcomed and respected in our schools, is communicated to all stakeholders and to the students through practice, policy and procedures. It is clear to LGBT young people and other minority groups that they are valued, and that the school leadership will ensure their safety and support. A young LGBT person discovering their sexual orientation or gender identity, regardless of whether or not they choose to come out, feels supported and valued in every Mary Ward school.

This presents a level of responsibility on all those in positions of leadership. In negotiating this challenge there are two particular resources which support and guide those involved in ensuring our schools are supportive and safe places, welcoming and affirming diversity.

Being LGBT in School, published by GLEN with the support of the DES, is an updated compilation of a series of resources developed with the assistance of the education partners. The content in this resource reflects the specific requirements of the 2013 Department of Education and Skills Anti-Bullying Procedures for Primary and Post-Primary Schools, along with relevant policy changes. It can be accessed by clicking the link below.

<https://www.education.ie/en/Publications/Education-Reports/Being-LGBT-in-School.pdf>



Being LGBT in School is wide reaching and is intended to provide support to key individuals as they fulfil their responsibilities in ensuring that their school is a safe, supportive place, affirming of all students, including lesbian, gay, bisexual and transgender (LGBT) students,

students perceived to be LGBT and students who have close family members (parents, siblings, etc.) who are LGBT. It also addresses the issue of affirming and accepting staff members who are LGBT. Section 4 of the resource addresses the specific support needs of students who identify as transgender. The assistance of the non-governmental organisation Transgender Equality Network Ireland (TENI) was sought to ensure that the information presented is both practical and respectful to the needs of young people who are transgender, but by its own admission it says:

Section 4 addresses questions and issues that may arise when students who are transgender come out while at school. It offers information as a way of ensuring that a pupil who comes out is supported and that it is clear to the entire school community that a climate of respect and an anti-bullying culture mean that all students should be supported. Given the higher risk of transgender young people experiencing transphobic bullying, the guidance is provided to support a positive school climate and culture that is supportive of difference and diversity and that prevents transphobic bullying. Suggestions are based on good practice and offer some guidance in this area. It is noted however that the Joint Oireachtas Committee on Education and Social Protection (Houses of the Oireachtas Joint Committee on Education and Social Protection, 2013) recommended that comprehensive guidelines be developed in this regard.

This leads into the second useful resource which was published by the NAPD in consultation with TENI to provide a practical and step-by-step approach with regard to students who wish to transition while at secondary school. This resource is printed below and can be found by clicking:

<https://www.napd.ie/transgender-students-creating-an-open-positive-and-safe-school-environment/>

This can be adapted for the individual school as a set of procedures which can be followed in the event of a student transitioning. Variations may arise between schools with regard to uniform or dressing-room and toilet arrangements so it may prove a challenge to write a generic policy. It is rather a set of suggested guidelines for procedure.

In the event of a student presenting in school as transgender, close adherence to these guidelines will ensure that the student is respected and supported in the transition. But even if no student has yet presented applying the preventative strategies highlighted in *Being LGBT in School* will ensure that the groundwork has been done, that effective and up-to-date policy, procedures and practice underpin a school culture that provides a safe, inclusive and open space where each and every student is affirmed and included.

Useful Links

<https://lgbt.ie/contact-us/>

<https://www.teni.ie/>

<http://www.belongto.org/>

TRANSGENDER STUDENTS
CREATING AN OPEN, POSITIVE AND SAFE SCHOOL ENVIRONMENT

NAPD GUIDELINES

CONTENTS

INTRODUCTION

[PAGE 2](#)

INITIAL MEETING

[PAGE 3](#)

Parents make initial contact

[PAGE 3](#)

Student makes initial contact

[PAGE 3](#)

Counsellor / staff member brings it to the attention of the
Principal / deputy principal

[PAGE 3](#)

IS THIS SOMETHING THE SCHOOL HAS TO ENGAGE WITH?

[PAGE 3](#)

What is the gender ground?

[PAGE 4](#)

What is the disability ground?

[PAGE 4](#)

What does reasonable accommodation mean?

[PAGE 4](#)

WHAT IF IT IS A SINGLE SEX SCHOOL?

[PAGE 4](#)

BOARD OF MANAGEMENT

[PAGE 5](#)

Is it necessary to inform the Board?

[PAGE 5](#)

Is it necessary to obtain permission from the Board of Management to
proceed with a transition plan?

[PAGE 5](#)

TRANSITION PLAN

[PAGE 5](#)

Name & Pronoun

[PAGE 5](#)

Uniforms

[PAGE 5](#)

Bathrooms

[PAGE 6](#)

P.E. and changing facilities

[PAGE 6](#)

SHOULD OTHER STUDENTS BE INFORMED?

[PAGE 6](#)

WHERE DO WE START?

[PAGE 6](#)

HOW CAN WE PREVENT BULLYING?

[PAGE 7](#)

FREQUENTLY ASKED QUESTIONS

[PAGE 8](#)

GLOSSARY

[PAGE 10](#)

INTRODUCTION

In recent years we have become more aware of transgender people and their needs in Irish society. Most people express the gender that corresponds with their biological sex, but there are a number of people whose gender identity or expression is different from that traditionally associated with an assigned sex at birth. This is known as transgender. People who are transgender are those whose sex listed on their birth certificate does not match their internalized sense of their gender identity. There is a growing awareness of issues related to gender identity in recent years.

An increasing number of young people are 'coming out' and transitioning to new gender identities while attending school. Transition to one's chosen gender identity can greatly enhance a person's quality of life. Self-determination is an important principle, in that the responsibility for determining a person's gender rests with the individual themselves, or in the case of a young person who is not able to advocate for themselves, with their parents.

The decision to transition from one's gender, assigned at birth, to another gender identity is a dramatic step. Critical to the student's wellbeing is the respect, acceptance and support of the family, friends and of the key members of the relevant educational community. How that transition is managed within the school environment will have the ability to shape what that person's life will look like in the future, their ability to progress through the educational system and how they are perceived within their community as a whole. It is in this context that NAPD has developed these guidelines.

INITIAL MEETING

Parents make the initial contact

This can be a very stressful time for parents and often they can feel unsure and vulnerable. They are only too aware that how the school reacts to the prospect of a student making a social transition can have an impact not only on their child's mental wellbeing, but on their family life as a whole.

Reassure them that everything will be done to ensure that supports will be put in place to enable the student to not only stay in the school but to thrive and complete their secondary education.

Even if the school has no prior knowledge of a student's transitioning and is perhaps unsure of what to do, reassure the parent(s) that you will do all you can to obtain information and advice about what steps to take next.

Student makes the initial contact

There are various reasons why a student may choose to inform the school principal themselves. They may be impatiently waiting for their parents to make the announcement because their parents may not be ready to progress to the transition just yet, or sometimes the parents are just not able to accept that this may happen at any time.

Parents often have difficulty accepting that their child may be transgender and it can be extremely difficult coming to terms with this and it can often feel similar to a bereavement. It is important that they be given time, as even the most reluctant of parents usually come to some sort of agreement in time.

Reassure the student that all will be done to provide support for them but it will be better for all concerned if their parents are involved in all aspects of the support plan. Try to arrange a meeting with the parents to come to some consensus with all parties. If the student is reluctant to involve their parents, it may be advisable to work with the school counsellor and assess what the potential risks might be, in terms of facilitating a social transition without the parents' consent or restricting a social transition that could be potentially damaging to the student's health and well-being.

Counsellor/staff member brings it to the attention of the principal

Sometimes a counsellor or staff member can feel it necessary to bring to the attention of a principal that they are aware that a student is transgender or feel that they suspect a student is transgender. Unless a student has indicated that they want the principal to know, the school should not approach the student about this. However, it is advisable to make an assessment of risk to the student and/or make preparations for a plan of support should the student approach the principal at a later stage when they may be more confident about making a social transition.

IS THIS SOMETHING THE SCHOOL HAS TO ENGAGE WITH?

Yes – transgender persons are protected on both the gender ground and the disability ground by the Employment Equality Acts 1998 – 2015, which prohibit discrimination in employment and occupation and vocational training, and the Equal Status Acts 2000 – 2015, which prohibit discrimination in the disposal of goods and the provision of services, as advised by Irish Human Rights and Equality Commission with particular focus on educational settings (2016).

WHAT IS THE GENDER GROUND?

For the purpose of equality legislation, the gender ground refers to differences in treatment between males and females.

The Court of Justice of the EU, in the context of pensions, has accepted that transgender persons are covered by the gender ground. This traditionally involved a comparison between the treatment of the person in their preferred gender and the opposite gender, but has now evolved to address less favourable treatment that arises from the transgender status of the person. Accordingly, in considering whether a person has been subject to less favourable treatment on the gender ground, a comparison may be drawn between a person of the same gender who is not transgender, i.e. a person assigned as female at birth and a transgender woman.

What is the disability ground?

For the purpose of equality legislation, the disability ground refers to differences of treatment where one person has a disability and the other person either does not have a disability, or has a different disability. The term 'disability' in this context includes a range of physical and psychological conditions.

Gender dysphoria is a recognised medical condition and involves a conflict between a person's physical or assigned gender and the gender with which they identify. It is not the function of the school to ascertain whether or not the student is transgender. There is no one way to be transgender and schools do not have the expertise to make such a diagnosis, nor should they insist that one be provided. This can be a very complex and testing journey for families and is very much dependent on local services and sometimes a family's ability to advocate for themselves.

Whilst equating being transgender with having a disability is not appropriate or relevant in most circumstances, nonetheless the protection afforded by the disability ground can be useful in a legal context, as it imposes a positive obligation on an employer or service provider to afford reasonable accommodation to the person concerned.

What does 'reasonable accommodation' mean?

Discrimination on the grounds of disability includes a failure or refusal by a service provider to do all that is reasonable to accommodate the needs of a person with a disability, by providing special treatment or facilities, unless such provision would give rise to more than a nominal cost to the service provider in question.

WHAT IF IT IS A SINGLE SEX SCHOOL?

The student will have already been offered a place in the school on production of their birth certificate. If the student subsequently makes a social transition to another gender it does not change the fact that they were enrolled using their birth certificate which is still in existence. The student cannot be expelled for transitioning to another gender and so will be permitted to remain as a student of the school (Section 7, Equal Status Acts).

BOARD OF MANAGEMENT

Is it necessary to inform the Board of Management?

These Guidelines are drafted in consultation with TENI (Transgender Equality Network, Ireland) to inform School Leaders on appropriate protocols in meeting parents and within the school community to support transitioning transgender students. As with all draft guidelines and policies it is important that Boards of Management approve the guidelines after the normal consultations.

Is it necessary to obtain permission from the Board of Management to proceed with a transition plan?

If the Draft Guidelines have been adopted then the school leaders and the Board will have agreed a course of action. Nonetheless, the Board should be kept informed as a matter of courtesy (as with all references to the Board, the identity of the student should remain confidential). As this is a new challenge facing schools it is important that the Board is aware.

In the absence of an agreed protocol, school leaders should consult with the Chairperson of the Board of Management, seek informed advice and keep a record of any child protection issues with regard to same.

TRANSITION PLAN

It is important to develop a plan that involves both the student and their parents. Transgender Equality Network Ireland (TENI) is an organisation who have particular expertise in supporting schools and families to formulate a transition plan, so it is advisable to make contact with them to ensure a comprehensive and workable plan is put in place. They can also provide a training session for staff so that everyone is a little more comfortable with the subject and can speak with more confidence, especially if approached by other students or their parents.

(01-8733575, office@teni.ie)

Name and Pronoun

A change of name and pronoun can be very challenging for staff but can make an incredible difference to the student in helping to validate their identity and also showing students that the school is supportive. A school can change the name on their local system for day-to-day administration without the need for a deed poll, but a deed poll is needed if a change is required for the P-POD system, especially if a name change is desired for examinations. However, it is relatively straightforward to change a name on an examination certificate retrospectively, by making a special case to the State Examinations Commission.

Uniforms

Try to find a workable solution, simply allowing a student to wear the school tracksuit may seem like an easy solution but it can further marginalize the student. Whilst it is acknowledged that schools have strict uniform policies, those same policies can still be enforced whilst accommodating a social transition.

Bathrooms

Most transgender students find bathrooms to be extremely stressful and the majority of transgender students refrain from using any bathroom facility whatsoever. If the student is comfortable and feels safe to use the bathroom that matches their gender identity they should be allowed to do so. Many schools encourage the use of the wheelchair accessible toilet and will sometimes re-name it the 'Gender Neutral' toilet. However, it is not always necessary to do this. Many students require the use of a single stall toilet for medical reasons or issues of privacy not just transgender students, so labelling a bathroom as 'gender neutral' may cause other students to feel distress at the possibility of being labelled transgender as a result.

P.E. and changing facilities

This is usually negotiated on an individual basis and the wheelchair accessible bathroom may prove to be an agreeable solution. Where possible students should be allowed to participate in the activity associated with their gender identity. Many sporting organisations nationally are accommodating such transitions quite successfully.

SHOULD THE OTHER STUDENTS BE INFORMED?

The student should be consulted about how they feel about this; generally, it is advisable to formally inform students even if a number of them are already aware of the student's gender identity as it can provide a platform to put policies in place to prevent bullying.

Sometimes the transgender student will want to be present when their class is being informed as they often want control of the information that is being shared with them. For the most part, however, it is advisable to make the announcement without them being present as it can make it easier for other students to ask questions that they might find difficult when the transgender student is present.

The transgender student should never be responsible for educating the other students about what it means to be transgender so it is important that there is an adequate opportunity for those curiosities to be addressed. Generally, it is advisable for the principal or year head or counsellor, or all three, to address the class. However, if there is a teacher who feels they have a special relationship with the class this may also be useful.

WHERE DO WE START?

You might start by saying something like 'A fellow student has something that they would like to share with you, something they have been struggling with for some time'.

'They feel that their gender identity does not match their body; they feel they are in fact transgender, and they would very much like your support whilst they make a social transition'.

'John would like to be known as Sarah from now on and will be using female pronouns.'

From this moment onwards make sure that you use 'Sarah' and female pronouns as it will set the tone for what will be expected of students.

Explain that this is a safe place where students can ask questions but, although students will certainly have questions, they may not be comfortable about asking them right now, so it is a good idea to pose and answer the questions that they might have.

You might say something like, 'I suppose you might be wondering what uniform Sarah will be wearing? Well, she will be'. 'I suppose you might be wondering what bathroom Sarah will be using? Well she will.....'. Answer the questions posed using the plan already outlined with Sarah. Try to cover all aspects of the plan and leave space for questions.

HOW CAN WE PREVENT BULLYING?

Appoint a teacher (or two) who can be approached with any questions that students might have. It is quite acceptable for the appointed teacher(s) to acknowledge that they don't have all the answers but it is important to promise to find the answer. Make sure that students realise that it is very rude to ask anyone what medication or surgery that they may be contemplating as it is just rude, but that, if they do have questions, they can ask the designated teacher.

Acknowledge that a name and pronoun change will be challenging and that staff will find it difficult also, but that persistent and purposeful mis-pronouncing and using the wrong name in a way that is meant to cause harm or hurt will not be tolerated and will be deemed as bullying.

Teachers will make mistakes but it is important to show leadership when they do. Simply acknowledge that they have made a mistake, apologise and explain publicly that it will take them time to get used to the new name. This will show other students how to deal with mistakes in a respectful manner.

Bullying in this context is often the result of students being genuinely curious or looking for explanation of something they don't understand but do not always have the maturity to ask in a respectful way. This can result in questions being shouted across the school yard, or in a crowded corridor whilst waiting for a class. Appointing a 'go to' person to address these curiosities can prevent this type of behaviour.

Education strategies such as 'National Stand Up Week', or a mental health awareness week, as well as engaging external speakers to come and speak to students can often provide a suitable platform to open up a discussion about diversity and provide appropriate information.

The impact of transphobic bullying on transgender students can be detrimental to their education so it is important that these protections are put in place. The leadership shown by teaching staff can shape the attitudes of the wider community, and can have either a positive or negative impact on the life of the transgender student.

FREQUENTLY ASKED QUESTIONS

Is it necessary to inform the entire school?

Every school and situation can be different, so it is important to think about whether telling the whole school is necessary. It can depend on whether the student's gender identity is common knowledge or if it will generate a lot of shock and potentially gossip. Again, TENI can advise and give potential methods of delivery of the information.

Is it not more advisable to move to a co-educational school?

Making a social transition is an extremely big step and the student will need all the support possible within an environment that is familiar and where they have built up a degree of social capital. Changing school is also a big step, so making the two big changes together can be almost impossible for the student, although they often move to another school at a later stage when they are more confident of being accepted for their gender identity.

What if the parents are separated or divorced and not in agreement?

The school must ascertain which parent has the biggest responsibility for the student's welfare. It must be determined who has custody, who takes the most responsibility for the student's education, etc. It can be a difficult task, but the student's pastoral and educational welfare must be central in all decisions.

What does the term 'Gender non-binary' mean?

Historically, gender was typically thought of as a binary concept; however, more recently we have begun to realise that it is much more complex. It may be useful to think about gender in terms of a spectrum, with female at one end and male at the other, with this spectrum encompassing many genders along that spectrum, and these would be typically described as non-binary identities. (Some non-binary identities are included in the glossary at the end.)

What if the student tells us they identify in a non-binary gender?

Non-binary gender identities can be quite challenging for people to understand but this has equal importance when providing support for a student. Staff training can be very useful in this context. Gender neutral pronouns may be part of the support plan here such as 'they/them'; again, it is important to work with the family and the student to ascertain what particular supports they need.

Is a Deed Poll necessary to facilitate a new name being used?

No, a change of name can be facilitated locally by configuring the VShare so that both the name used for enrolment in the school and the new name appear side by side e.g. Sarah (John). However, this will not change the name on the P-POD system as that *will* require a Deed Poll. Examination certificates will be issued in the name that is on the P-POD system at the time of taking the exam, but this can be changed (with the production of a Deed Poll) at a later date by making a 'Special Case' to the State Examinations Commission.

How can we support the siblings of the transgender student?

Siblings are very often overlooked and can find the prospect of advocating for their sibling (and themselves) very daunting. Every family situation is different so it is important to pay close attention to the sibling(s) to make sure that they are not the victim of any bullying. It may be necessary to look for the support of their class or facilitate a discussion or information session about being transgender.

What if a parent of another student makes a complaint?

It is very important that a parent's concerns are listened to, even if the staff member to whom the complaint is made does not have an answer immediately. It is important to get back to the parent with either an answer or a response to their concerns. If it is felt that there are a number of parents with concerns, it can be useful to offer an information evening to parents; this can be facilitated by TENI.

Does the school have a duty to inform the parents of the other students if it is not widely known that a student is transgender?

The school is a data controller for the purposes of the Data Protection Acts 1998 and 2003. To disclose such highly sensitive information contrary to the data subject's wishes would amount to a disproportionate breach for no legitimate purpose, unless they could show that it was disclosed against their wishes in order to prevent serious harm to third parties. This can present difficulties when particular situations arise, e.g. school trips abroad. However, TENI have considerable experience in developing solutions to this, whilst maintaining the dignity of the students.

GLOSSARY

Below is just some of the terminology in current use; this is not an exhaustive list but encompasses the more commonly used terminology.

Sex

Sex is a medical term used to describe a biological or physical combination of hormones, chromosomes, gonads, external gender organs, and secondary sex characteristics, commonly termed male, female and intersex. The phrase “sex assigned at birth” is a respectful way to acknowledge the process of sex assignment that occurs at birth through a perfunctory look at external anatomy, as some intersex variations do not become apparent until puberty and a person’s gender identity cannot always be determined at birth.

Gender identity

Gender identity is a person’s internal sense of being male or female or something else. It may not always correspond to the sex they were assigned at birth; it is often how a person ‘feels’ about their gender and is not necessarily visible to others.

Gender expression

Gender expression is how a person chooses to externally represent or express their gender identity. It can be expressed through mannerisms, grooming, physical characteristics, social interactions and speech patterns.

Sexual Orientation

Sexual orientation is distinct from sex, gender identity and gender expression. It refers to a person’s physical, emotional or romantic attraction to another person. Transgender people may also identify as lesbian, gay, heterosexual, bisexual, pansexual, queer or asexual.

Cisgender

The term cisgender is used when someone’s gender identity and gender expression aligns with the sex that was assigned to them at birth, so anyone who does not fit under the transgender umbrella of terminology.

Non-binary identities

There are many non-binary identities and new terminology is emerging at an ever-increasing rate; below are just a sample of them.

Gender non-binary:

An umbrella term for gender identities that fall outside of the gender binary of male or female. This includes individuals whose gender identity is neither exclusively male nor female, a combination of male and female, or between or beyond genders.

Androgynous or androgyne:

A person whose gender identity is both male and female, or neither male nor female.

Bi-gender:

A gender identity which can be literally translated as ‘two genders’ or ‘double gender’.

Gender fluid:

Is a non-binary gender identity; gender fluid individuals experience different gender identities at different times. A gender fluid person's gender identity can be multiple genders at once, then switch to none at all, or move between single gender identities. Some gender fluid people regularly move between only a few specific genders, perhaps as few as two.

Genderqueer:

A person whose gender varies from the traditional 'norm', or who feels their gender identity is neither female nor male, both female and male, or a different gender identity altogether.

Other non-binary identities include demi-gender, bi-gender, trigender, quadgender, quingender, polygender, multigender, pangender. Neutrois or agender can be used to mean genderless.

Gender variant

People whose gender identity and/or gender expression is different from traditional or stereotypical expectations of how a man or woman 'should' appear or behave. Typically used more in relation to pre-pubertal children who may not conform to gender norms, (gender non-conforming). Medical practitioners often use the term to refer to someone who is not particularly distressed about their gender incongruence.

Transgender

This is an umbrella term that refers to a person whose gender identity, and/or gender expression differs from the sex assigned to them at birth and is often shortened to 'Trans'. This term can include diverse gender identities, both binary and non-binary. Transsexual usually refers to someone whose gender identity is 'opposite' to the sex assigned to them at birth, so a more binary view of gender. Although transsexual people may or may not take hormones or have surgery, the term is still widely used in the medical community.

Intersex

Historically termed hermaphrodite, but that term is now considered to be highly offensive, intersex variations can be a presentation of ambiguous genitalia observed at birth or sometimes a chromosomal variation that may not be known until later in life and sometimes not at all. There are over 40 intersex variations that include variations of chromosomes or gonads. Often termed Disorder of Sex Development (DSD), but it can be a highly contested term as 'disorder' infers that there is something intrinsically wrong with the intersexed body requiring it to be fixed as either male or female. Variation of Sex Development (VSD) is another term for 'intersex' preferred by some medical practitioners and intersex people in place of DSD as it removes the stigma of 'disorder'.

ADAPTED FROM THE TRANSGENDER EQUALITY NETWORK IRELAND (TENI) WEBSITE. WWW.TENI.IE