

# Breaking the Silence

A Guide for Sexual and Gender  
Minority Teachers in Alberta





The Alberta  
Teachers' Association

*No teacher should  
have to hide who  
they are in order  
to teach.*

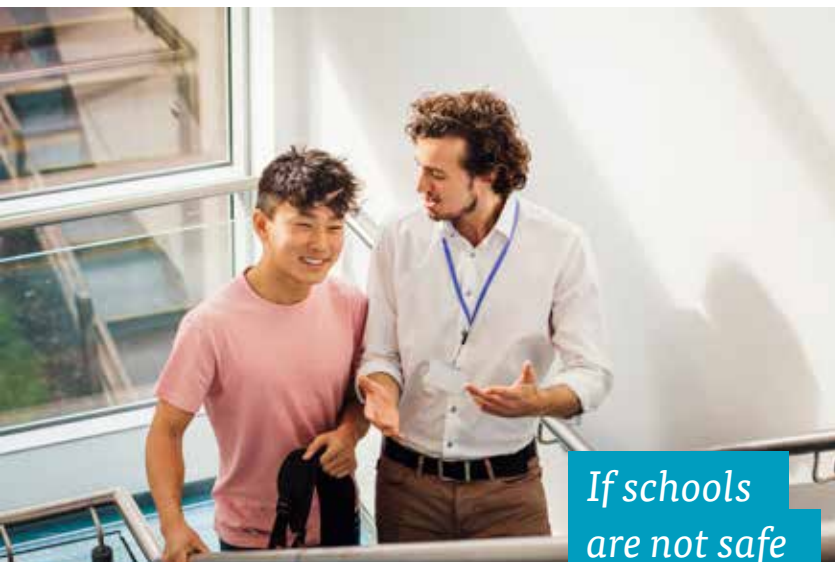
The Alberta Teachers' Association (ATA) is committed to fostering understanding and acceptance of sexual and gender minority (SGM) teachers and students and works to protect the conditions of professional practice for all members.

# Introduction

While protection for SGM students is enshrined in Alberta legislation, it is equally important to ensure that our school communities are also welcoming, caring, respectful, safe and inclusive environments for all staff, their families and their allies.

Under the Canadian Charter of Rights and Freedoms, the Alberta Bill of Rights, the *Alberta Human Rights Act*, the *School Act*, and the ATA's Declaration of Rights and Responsibilities, our members have the right to be free from discrimination and harassment on the basis of sexual orientation, gender identity and gender expression in their workplaces.

This guide was written to help break the silence that still surrounds the experiences of SGM teachers in schools. While excellent work has been done to support SGM students, there has been much less dialogue about the health, safety and employment rights of SGM teachers. Many SGM teachers are still directed not to “come out” at work. Others avoid sharing any personal information with colleagues while many still worry about losing their jobs, receiving parental or student complaints, or being outed at school.



*If schools are not safe and inclusive places for SGM teachers, they're not safe for SGM students either.<sup>1</sup>*

If you have experienced any of these or other concerns, please know that you are not alone and that the ATA is here to support you. No teacher should have to hide who they are in order to teach. SGM teachers can serve as important role models to SGM students and families, and are an important sign that diversity, equity and human rights are valued within a school community.

<sup>1</sup> Campbell C, and C Taylor. 2017. *The Every Teacher Project Recommendations Toolkit*. Winnipeg, MB: Manitoba Teachers' Society.

# Legislation and Policies

Despite the fact that protection from discrimination on the basis of sexual orientation and gender identity is constitutionally enshrined in the Charter of Rights and Freedoms, SGM teachers continue to experience inequitable treatment in some school environments.

The ATA is a strong advocate for diversity, equity and human rights. Article 9 of the Declaration of Rights and Responsibilities for Teachers states that teachers have the right to be protected against discrimination on the basis of race, religious beliefs, colour, gender, sexual orientation, gender identity, physical characteristics, disability, marital status, family status, age, ancestry, place of origin, place of residence, socioeconomic background or linguistic background, and they have the responsibility to refrain from practicing these forms of discrimination in their professional duties.

Furthermore, Section 45.1 (1) of the *School Act* declares each student enrolled in a school operated by the board **and each staff member** employed by the board be provided a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.

This is an area of the law that is still evolving and some questions remain unsettled. ATA staff work with legal counsel, government and school authorities to remain on top of trends and decisions affecting SGM staff and students.

*The power of SGM-specific legislation and policies is that they break the silence and, in explicitly naming sexual orientation and gender identity, give teachers permission to act and students the validation of official support.<sup>2</sup>*

<sup>2</sup> Taylor, C, T Peter, C Campbell, E Meyer, J Ristock and D Short. 2015. *The Every Teacher Project on LGBTQ-Inclusive Education in Canada's K-12 Schools, Final Report*. Winnipeg, MB: Manitoba Teachers' Society.



# Current Statistics

The following statistics were obtained from a 2013 national study involving 3,400 teacher respondents<sup>3</sup> and demonstrate a need to engage in specific actions to create supportive school environments for all.

## HARASSMENT BY STUDENTS AND COLLEAGUES

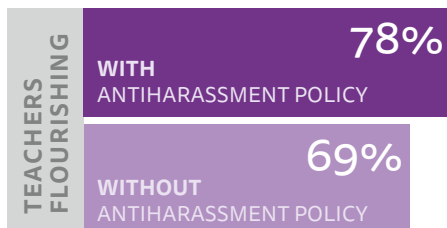
	FROM STUDENTS	FROM COLLEAGUES
LGB OR PRESUMED LGB	<p><b>67%</b> of educators were aware of a teacher being harassed by students because they <i>were or were presumed to be LGB</i>.</p>	<p><b>26%</b> of educators were aware of a teacher being harassed by their colleagues because they <i>were presumed to be LGB</i>.</p>
GENDER EXPRESSION	<p><b>23%</b> of educators were aware that a teacher had been harassed by students because of their <i>gender expression</i>.</p>	<p><b>10%</b> of educators were aware of a teacher having been harassed by colleagues for their <i>gender expression</i>.</p>

3 Campbell C, and C Taylor. 2017. *The Every Teacher Project Recommendations Toolkit*. Winnipeg, MB: Manitoba Teachers' Society.



## AN ANTIHARASSMENT POLICY IS IMPORTANT

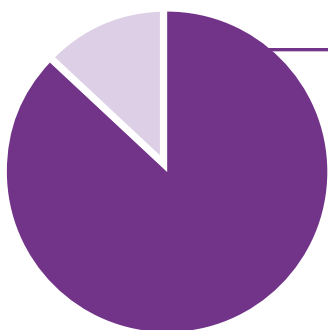
Teachers who worked in schools with antihomophobic harassment policies were *more likely* to be flourishing (78 per cent) than those working in schools without such policies (69 per cent).



## SUPPORT FOR SGM TEACHERS CREATES SAFER SCHOOLS FOR SGM STUDENTS

**81%** of teachers reported that *clear school system support for SGM-inclusive teachers* would be very helpful to create safe schools for SGM students.

## ROLE MODELS FOR SAFE SCHOOLS



**87%**

of educators reported that having *role models*, such as SGM staff members, would be helpful in creating safer schools for SGM students, but a great many SGM teachers do not acknowledge being SGM at work.

# ATA Support for SGM Members

Support for SGM members weaves across the ATA's four program areas:

## **TEACHER WELFARE**

Teacher Welfare addresses issues pertaining to collective agreements, working conditions, group health benefits, pensions, and workplace health and safety concerns.

## **MEMBER SERVICES**

Member Services deals with matters involving individual contracts of employment, employment concerns, collegial relations (including school administration) and workplace health and safety concerns.

## **PROFESSIONAL DEVELOPMENT**

Professional Development offers workshops and resources for teaching about SGM topics.

## **GOVERNMENT**

The Government program area plays a key role in the advocacy for and promotion of ATA policy related to SGM.



*Speak up, because  
to remain silent  
in the face of  
discrimination or  
harassment is to  
condone it.<sup>4</sup>*

<sup>4</sup> Elementary Teachers' Federation of Ontario (EFTO) website. <http://www.etfo.ca/SupportingMembers/Employees/LGBTQrightsDocuments/LGBTQ%20Rights%20in%20Your%20Workplace%20-%20English.pdf>.

# ATA Support in Action

The ATA is committed to ensuring that teacher professional practice is free from discrimination and harassment on the basis of sexual orientation, gender identity and gender expression.

## THE ATA

- provides professional development for members to increase awareness and understanding of SGM topics;
- participates in local PRIDE events;
- promotes awareness through its Diversity Equity and Human Rights (DEHR) committee;
- supports the development and work of teacher GSAs/QSAs in local associations;
- negotiates collective bargaining language for SGM members;
- develops policy urging government and boards to develop policies, guidelines and protocols that specifically address the health, safety and employment concerns of SGM staff;
- builds capacity by identifying expertise among SGM members to represent the ATA on various provincial committees; and
- urges faculties of education to include curriculum and instructional strategies to help preservice teachers learn how to address sexual orientation and gender identity in age-appropriate ways in Alberta classrooms.



# Questions and Answers

## **Where do I go if someone is contributing to an unsafe school climate? What recourse do I have?**

Call the ATA for guidance. An unsafe school climate can be created in a number of ways. In addition to direct threats, an unsafe school climate can also be created by more subtle types of harassment, including social exclusion and negatively nuanced gestures. Member Services staff at the ATA can assist you with the best course of action based on the circumstances. Call Member Services at 1-800-232-7208.

## **How can my ATA support me?**

The staff officers at the ATA are highly trained in resolving conflict with employers, and are also capable of mediating conflict between members. The ATA can advocate under the provisions of your collective agreement and may be able to provide support in other venues including the Board of Reference, the Alberta Human Rights Commission and the courts. Contact Member Services for confidential support and guidance.



**? I am teaching in a Catholic school and want spousal benefits for my partner— how does this work?**

SGM employees are entitled to spousal benefits for their partners at a level consistent with the terms and conditions of all other spousal benefits. However, many SGM employees do not receive the spousal benefits they are entitled to either because an employer determines that the contractual obligations of the teacher override the provisions of the collective agreement, or because the teacher has decided it unsafe to disclose that they have a same-sex partner. Member Services and Teacher Welfare can assist you in determining the best course of action as you also need to be mindful of contractual obligations.

**? I am applying to teach in a Catholic board and a condition of employment is a declaration of faith. Should I let them know about my partner? If I do, I am not sure I will get the job.**

The ATA affirms the right of denominational schools to require, as a condition of employment, a declaration of faith at the time of hire, but thereafter precludes discrimination on any protected ground, including sexual orientation, gender identity and gender expression. The *Alberta Human Rights Act* specifically prevents employment discrimination on the basis of actual or perceived sexual orientation, gender identity or gender expression. Every situation is unique, however, and before signing any contract or declaring your sexual orientation or gender identity, speak to a Member Services' staff officer.

# I Have a Concern

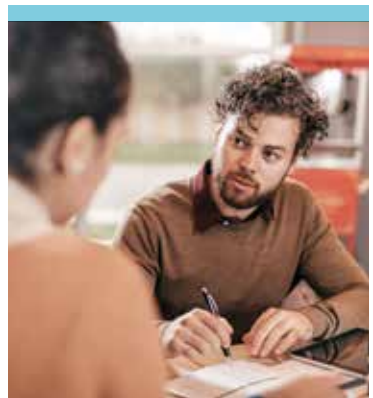
What Steps Should I Take?

1



**Contact Member Services or Teacher Welfare** at 1-800-232-7208 for advice and support. Be proactive!

2



**Contact the ATA** before you contact your employer.



3



**Contact your board Employee Assistance Program (EAP)** for confidential counselling and advice. The service provider will not disclose your information to your employer. Note that your EAP is not to be confused with your employer's human resources department.

4



**Know your allies.** Reach out to SGM and ally colleagues in your school, school district, local or province who may have experience in or insight into negotiating the situation you are facing.

# Resources

## **ATA SEXUAL ORIENTATION AND GENDER IDENTITY**

Visit [www.teachers.ab.ca](http://www.teachers.ab.ca) and search for Sexual Orientation and Gender Identity.

## **ATA LIBRARY**

Visit [www.teachers.ab.ca](http://www.teachers.ab.ca) and search for ATA Library.

## **ALBERTA HUMAN RIGHTS COMMISSION**

[www.albertahumanrights.ab.ca](http://www.albertahumanrights.ab.ca)

## **TESA—TRANS EQUALITY SOCIETY OF ALBERTA**

[www.tesaonline.org](http://www.tesaonline.org)

## **INSTITUTE FOR SEXUAL MINORITY STUDIES AND SERVICES (ISMSS)**

[www.ualberta.ca/ismss](http://www.ualberta.ca/ismss)



# Resources

## ATA Safe Spaces Initiative

All school members deserve to have a safe working environment where human rights are respected, and where lesbian, gay, bisexual, trans, queer and questioning students, teachers and their families and allies are welcome and supported.

For more information, or to request Safe Space materials for your school or classroom, visit [www.teachers.ab.ca](http://www.teachers.ab.ca) and search for Safe Spaces Initiative.

## SAFE SPACES MATERIALS



Sticker



Poster



Brochure

*Materials are available for download or print copies can be requested.*



## The Alberta Teachers' Association

Have a question? Need a confidential response from an ATA staff officer? Call Barnett House in Edmonton at **1-800-232-7208** (local calls, 780-447-9400) or the Southern Alberta Regional Office (SARO) in Calgary at **1-800-332-1280** (local calls, 403-265-2672).





The Alberta Teachers' Association



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