| Title | Gender and Sexuality Policy |
|---|---|
| **Description of policy** | This policy outlines a framework for CECG schools in line with the National Policy framework for Catholic Schools, *Created and Loved*, to respond to issues regarding student sexuality and gender identity. It includes:<br><br>• Concepts and terminology<br>• Principles for CECG's approach<br>• Roles and Responsibilities<br>• Links to CECG documents that address specific issues in more detail |
| **Required because** | The Archdiocese lives out its mission to proclaim Jesus to the world, to build communities of hope and justice, and to promote human flourishing in all its endeavours. In its educational mission the Archdiocese has faced increasing questions regarding gender and sexuality.<br>This Policy provides parameters and guidance on how to navigate issues of gender and sexuality as part of regular operations, especially in its education contexts. Welcoming all students, this Policy ensures a considered response reflective of Christian Anthropology, the diverse nature of Catholic school communities and relevant legislative provisions. |
| **Description of changes** | New document |
| **Applies to** | ☒ Organisation-wide<br>☐ Specific (location, schools/ELCs&SACs, Service Area)<br>☐ Staff only ☐ Students only ☒ Staff and students |
| **Status** | ☒ New ☐ Major revision of existing document ☐ Minor revision of existing document |

| Publication location | Intranet and Public Website |
|---|---|
| **Related documents** | Operational Guide to Gender and Sexuality in Schools<br>Created and Loved – a Guide for Catholic schools on identity and gender<br>Resources in Schools Policy<br>Pastoral Care and Student Wellbeing Policy |
| **Intranet category** | Disability, Inclusion and Student Wellbeing |
| **Review date** | May 2025 |
| **Trim reference number** | R657225 |

| Approval authority for this version: | Director |
|---|---|
| **Approval date:** | 22 May 2023 |
| **Accountable authority** | School and Family Services Leader |
| **Responsible officer** | Senior Officer: Disability, Wellbeing & Inclusion |

Summary

1.1 *Created and Loved: A Guide for Catholic Schools on identity and gender* was issued by the Bishops of Australia in 2022 in response to the rising questions regarding sexuality and gender which face our society and which have had a particular impact in educational contexts.

1.2 Recognising the diverse contexts of each diocese, the Bishops requested that each Catholic education authority should develop policies and protocols for their own situation.

1.3 Catholic Education's purpose is to be faith-filled Catholic learning communities of hope, joy and wonder where all are welcome and inspired to grow to their potential. In this context, Catholic schools welcome students of all walks of life and schools and are called upon to respond with confidence to issues regarding student sexuality and gender identity.

1.4 This Policy applies in all CECG schools and informs operational responses including how CECG schools will respond to these issues as they arise in schools. This Policy has been developed to reflect Created and Loved and relevant legislation. It includes:

- Concepts and terminology
- Principles for CECG's approach
- Roles and Responsibilities
- Links to CECG documents that address specific issues in more detail

1.5 In all circumstances, Catholic schools adopt compassionate pastoral care protocols that reflect a coherent understanding of Christian anthropology. [Created and Loved, p.6]

1.6 "Today's societies are characterised by a multicultural and multireligious composition. In this context… "Education contains a central challenge for the future: to allow various cultural expressions to co-exist and to promote dialogue so as to foster a peaceful society". The history of Catholic schools is characterised by welcoming pupils from different cultural backgrounds and religious affiliations. In this context, "what is required […] is courageous and innovative fidelity to one's own pedagogical vision"[34], which is expressed in the capacity to bear witness, to know and to dialogue with diversity…

The Catholic school must therefore "practise the 'grammar of dialogue', not as a technical expedient, but as a profound way of relating to others"[40]. Dialogue combines attention to one's own identity with the understanding of others and respect for diversity. In this way, the Catholic school becomes "an educating community in which the human person can express themselves and grow in his or her humanity, in a process of relational dialogue, interacting in a constructive way, exercising tolerance, understanding different points of view and creating trust in an atmosphere of authentic harmony. Such a school is truly an educating community, a place of differences living together in harmony" Instruction of the Congregation for Catholic Education, "The identity of the Catholic school for a culture of dialogue", 29.03.2022

1.7 At the same time, Catholic schools have a responsibility to resist ideological postures that hinders a culture faithful to a coherent anthropology of sex and gender and the gospel message of healing in which the mercy and love of God are revealed.

## 2. Principles

2.1 CECG policy and guidance reflects the elements of Christian anthropology and shared understandings and language. In the Christian vision, a human being's sex is a physical, biological reality and humans as a species are and always have been fundamentally binary -

male or female, absent an intersex condition. But being biologically male or female does not determine how people present themselves socially; likewise non-binary gender presentation does not depend on biological sex and so does not require rejection of this fact (Created and Loved p8).

2.2     Archdiocesan Policy and guidance reflects Christian anthropology and shared understandings and language. In the Christian vision, a human being's sex is a physical, biological reality and humans as a species are and always have been fundamentally binary -male or female, absent an intersex condition. But being biologically male or female does not determine how people present themselves socially; likewise, non-binary gender presentation does not depend on biological sex and so does not require rejection of this fact (CL p8).

2.3     The Archdiocese's Policy is based on the following principles (CL p6):

- **Dignity**: Every human person, made in the image and likeness of God, is equal in worth and dignity.

- **Subsidiarity:** This principle maintains that matters should devolve to the lowest appropriate responsible level. Therefore, student wellbeing and school operations are managed first and foremost at school level and then with the support of the Catholic Education Office.

- **Solidarity**: The principle of solidarity is demonstrated by colleagues in the school working together to accompany the gender variant student and their family.

- **Participation**: This is realised in the daily experience of school leaders fostering a spirit of inclusive involvement, always looking to find new ways to address problems responsibly and encourage open communication with all affected parties.

2.4     Operational responses in schools should be based on the following principles (Created and Loved p6):

- **Faith and Respect**: Catholic schools should endeavour to be strong communities of faith where the love of God is witnessed through the care, respect and love shown by the staff to those in their care. An education promoting the integral development of the individual in community is the intention.

- **Formation**: Catholic school leaders should provide all staff with ongoing formation in Christian anthropology and human sexuality, promoting the Christian vision of the person as relational, made in the image of God, and flourishing only when a part of a community.

- **Informed decisions**: Catholic school leaders should endeavour to be informed about and aware of relevant and current legislation, along with health and medical research data, in order to inform accurate and up-to-date decision-making.

- **Relational**: Catholic school staff should establish a safe and trusting relationship with the student presenting with concerns about his or her identity, and with their family. Staff endeavour to provide a supportive environment for the student to learn and mature in their developmental journey.

- **Targeted communication**: In all circumstances, Catholic schools should communicate openly and clearly with all parties involved with the student, observing the duty to protect the student's privacy and maintain confidentiality. School leaders in particular should act truthfully, charitably, with good will and with absolute respect for the human dignity of the student, their family, and every member of the community.

## 3.    Roles and Responsibilities

**Catholic Archdiocese of Canberra and Goulburn Education Ltd Board**

3.1    The Board is accountable to the Trustees of the Roman Catholic Church for the Archdiocese of Canberra and Goulburn for policies to be applied in educational ministry.

3.2    The Board has direct oversight of Catholic Education Canberra Goulburn's application and implementation of policies recorded in the Board Charter.

**Catholic Education Office responsibilities**

3.3    The Catholic Education Office sets overall policy and guidance for CECG schools.

3.4    The Catholic Education Office provides support and advice to schools upon request.

3.5    The Catholic Education Office will respond to enquiries and complaints in line with this policy and the CECG Complaints Policy. In the first instance, inquiries and complaints will be acknowledged and, if appropriate, referred to the relevant school for response.

**School responsibilities**

3.6    Schools manage enquiries and operational responses regarding issues relating to gender and sexuality, in line with this and other relevant CECG policies.

3.7    Areas for operational responses include:

- Curriculum and educational resources
- Student Groups
- Counselling and pastoral care
- Toilets and change rooms
- Uniforms and dress codes
- School sports and physical and cultural education
- Excursion arrangements
- Enrolments in single sex schools
- School documents and communications
- Any other issues identified in schools that require an operational response.

3.8    Schools are also responsible for:

- Providing specific, ongoing and whole-school staff formation that includes Christian anthropology, human sexuality, the mission of the Catholic school and health literacy.
- Aligning related school procedures (i.e. pastoral care, anti- bullying, privacy) and ensuring that staff understand their inter-relationships and requirements;
- Seeking advice and support from their diocesan Catholic Education Office;
- Using a whole-school approach to meeting their duty of care toward the student;
- Developing clear and agreed communication protocols and pathways;
- Using accurate language that is understood and applied by all staff;
- Assigning a designated senior staff member to accompany and liaise with the student and their family and to case manage the school's response.
- Establishing a 'community of care' group where required (perhaps including student representatives) to assist the student and family and to liaise with relevant stakeholders.

3.9    Schools will respect and protect privacy and confidentiality.

**Student and Parent Responsibilities**

3.10   Parents have the primary responsibility for the development of their child's wellbeing.

3.11   Students and parents in the first instance are responsible for raising requests relating to gender and sexuality issues with the school.

3.12   Students and parents requesting operational responses will work closely with schools to develop appropriate responses.

# 4.   Definitions

4.1    **Binary/Non-binary**: In the Christian vision human beings as a species are and always have been fundamentally binary - male or female, absent an intersex condition. Being biologically male or female does not determine how people present themselves socially; likewise non-binary gender presentation does not depend on biological sex and so does not require rejection of this fact.

**Gender:** In the Christian vision, 'gender' is distinct from but always related to a person's biological 'sex'. Even when it is used to refer to a person's psychological sense of self, as distinct from their biological sex, gender is nevertheless grounded in or referent to biological sex.

Not everyone of the same sex experiences their gender, or lives it, in the same way. While there is a broad variety of ways of being 'male' or 'female', each is grounded in or referent to the person's biological inheritance. Even the concept of being 'gender incongruent' references a biological sex with which the person experiences discomfort or distress.

The Christian vision sees the whole person in all aspects of their humanity and steers away from language that reduces the person to their gender alone.

4.2    **Gender Incongruence**: a felt difference between one's sex and one's gender causing a feeling of discomfort or 'mismatch'. When this discomfort causes distress such that it prevents one from functioning well, the term 'gender dysphoria' is often used.

4.3    **Intersex**: persons born with indeterminate biological sex characteristics (i.e. chromosomes, hormones, internal reproductive organs, external genitalia and/or secondary sexual characteristics) such that it is difficult or impossible to know on sight whether an individual is biologically male or female. There are several recognised medical conditions that qualify as 'intersex'.

4.4    **Marriage (n)**: This term has both a civil meaning and at theological meaning. Under Australian law marriage is the "union of two people to the exclusion of all others, voluntarily entered into for life." Within the Catholic tradition marriage is a vocational covenant between a man and a woman which sanctifies the couple and is a sacrament that brings them closer together and closer to God.

4.5    **Sex (n):** As it is commonly used, 'sex' sometimes refers to biological sex (male or female), sometimes to a person's belief about themselves ('gender'), and sometimes to the way in which they manifest or present themselves to others or 'self-identify' ('gender identity'). In the Christian vision the noun 'sex' refers only to a person's biological inheritance as male or female. Human life is biologically binary in nature, even if no two males or females experience or express their biological sex in exactly the same way.

4.6 **Sexuality:** In common usage, 'Sexuality' may refer to a person's sexual orientation as heterosexual, homosexual or bisexual. In Christian terms 'sexuality' has a much wider and more holistic meaning. It refers to all aspects of the human person as a physical and spiritual being, including their physical, intellectual, spiritual, social, and psychological dimensions as these relate to and shape their natural need to form and sustain meaningful personal relationships of all kinds, but especially oriented to the good of marriage and the flourishing of family life.

4.7 **Transition**: the process a person has undertaken to 'change' their gender so that it no longer matches their biological sex. Transition processes include hormonal (e.g. hormones taken to adopt physical characteristics of the other sex), surgical (e.g. breast or genital reshaping) and social (no medical or surgical processes, but changes only to dress, appearance, name, pronoun). A person who transitions and then transitions back is said to 'detransition'.

The Christian vision is careful to note that any 'transition' is in gender presentation only and not in the person's 'sex' which, as a permanent biological given, cannot be changed by either hormone or surgical treatments.

# 5. Related Documents and Legislation

5.1 Related CECG Documents:

- Operational Guide on Gender and Sexuality
- Pastoral Care and Student Wellbeing Policy

5.2 Related Catholic Church documents:

- Created and Loved: A guide for Catholic schools on gender
- Instruction of the Congregation for Catholic Education, "The identity of the Catholic school for a culture of dialogue", 29.03.2022

5.3 Related legislation:

- *Australian Human Rights Commission Act 1986* (Commonwealth)
- *Sex Discrimination Act 1984* (Commonwealth)
- *Anti-Discrimination Act 1977* (NSW)
- *Discrimination Act 1991* (ACT)
- *Sexuality and Gender Identity Conversion Practices Act 2020* (ACT)
- *Privacy Act 1988* (Commonwealth)

# 6. Contact

6.1 For support or further questions relating to this policy, contact the CECG Legal and Governance team.