**DRAFT FOR CONSULTATION: July 17, 2019**

**Gender Diversity Policy**

**Purpose/Rationale:**

The Humber College Institute of Technology and Advanced Learning and the University of Guelph-Humber (hereafter referred to as "Humber'', "Humber College", or "the College") has the right, as well as the legal and moral responsibility, to ensure that all members of the College Community are treated fairly, equitably, and respectfully, in order to provide a learning, working and living environment that is free from harassment and discrimination on the basis of gender identity and gender expression and one in which trans\* individuals are included, respected and encouraged to reach their potential as members of the Humber community.

This policy outlines Humber's position on the responsibilities of the College, students and employees with respect to protecting gender expression and gender identity consistent with the [Ontario Human Rights Code](https://www.ontario.ca/laws/statute/90h19?search=e+laws) (hereafter referred to as "the Code").

While this Policy specifically addresses the particular areas of gender identity and gender expression within human rights, it does not replace or derogate in any way from the College's existing [Human Rights Policy](http://humber.ca/policies/sites/default/files/Human%20Rights%20Policy%20August%202013%20FINAL-s.pdf) and [Complaint Resolution Procedure](http://humber.ca/policies/sites/default/files/humanrightscomplaintsprocedure%20FINAL-s.pdf) and the Sexual Assault and Sexual Violence Policy; rather the intention of this Policy is to supplement the existing [Human Rights Policy](http://humber.ca/policies/sites/default/files/Human%20Rights%20Policy%20August%202013%20FINAL-s.pdf) and [Complaint Resolution Procedure](http://humber.ca/policies/sites/default/files/humanrightscomplaintsprocedure%20FINAL-s.pdf) and the [Sexual Assault and Sexual Violence Policy](http://humber.ca/policies/sites/default/files/SASV%20Policy%2012%206%202016.pdf) of Humber College.

**This document is available in alternate format on request.**

**Scope:**

This Policy applies to all members of the College Community. This includes, but is not limited to, students and employees at Humber College and University of Guelph-Humber; members of Humber's Board of Governors; members of standing and ad hoc committees established by these institutions; members of societies and associations which have a direct relationship to or are under the authority of these institutions; contractors; service providers; researchers; and visitors (including invitees, guests or persons who have no ongoing connection to the institution).

This Policy covers incidents that occur off College premises and that affect Humber's learning, working and living environment. This may include College-related social functions, in work that occurs off-campus, academic placements, off-campus field trips, or academic related travel.

**Definitions and Terminology:** [See Appendix A](#Appendix_A_Definitions_)

### 

### Policy:

1. General
   1. Every trans\* student and employee has a right to equitable treatment without discrimination with respect to employment, services, goods, facilities, accommodation and membership in vocational associations in accordance with the provisions of the [Ontario Human Rights Code](https://www.ontario.ca/laws/statute/90h19?search=e+laws).
2. Self-identification is the sole and whole measure of a person's gender.
   * 1. No person shall be asked or required to produce documents to ‘prove’ their gender in order to gain access to any facilities, activities, initiatives and opportunities within the College, unless required by law.
     2. A person, having established a relationship with the College which is reflected in documents created and stored by the College (whether electronic or hard copy), who seeks a change in those documents to reflect their gender and/or preferred gender pronoun, may be asked to produce appropriate identification in order to ensure against identity fraud. For this purpose, appropriate identification documents for Ontario Residents may include the [Change of Name](https://www.ontario.ca/page/change-name#section-0) document from the [Office of the Registrar General](https://www.orgforms.gov.on.ca/eForms/start.do).
   1. The College will take every reasonable step to ensure that its learning, working and living environments are maintained free from anti-trans\* harassment and/or discrimination, as prohibited by the [Ontario Human Rights Code](https://www.ontario.ca/laws/statute/90h19?search=e+laws) including workplace harassment, workplace sexual harassment, and workplace violence, as defined in this Policy and the [Occupational Health and Safety Act](https://www.ontario.ca/laws/statute/90o01).
   2. All members of the College Community have a responsibility to uphold the principles set out in this policy and to report (to a member of the College's management or its Centre for Human Rights, Equity & Diversity / HR Services) any incidents of anti-trans\* harassment and/or discrimination which they experience or witness. This is in order that the College can promptly and effectively respond.
3. Complaints and Enforcement
   1. The College will enforce the right of its trans\* members to equitable treatment without harassment and/or discrimination on the basis of gender identity or gender expression in accordance with the College’s [Human Rights Policy](http://humber.ca/policies/sites/default/files/Human%20Rights%20Policy%20August%202013%20FINAL-s.pdf).
4. Privacy and Confidentiality
   1. The College will endeavour to ensure the privacy and confidentiality of any information related to a trans\* person’s gender identity, or to the reasonable extent the trans\* person wishes, unless required by law.
   2. Grounds upon which the trans\* status of a member of the Humber Community may be disclosed include the following:
      1. The trans\* individual has directly given the disclosure explicit and documented permission to disclose the trans\* person's gender identity.
      2. Any reasonable disclosure of private or confidential information shall be limited to only relevant information and provided for the purpose of enabling a Humber employee or agent to carry out their duties (e.g. to fulfill a specific accommodation request, to allow for the provision of serious medical attention that attends to or prevents impending and significant harm, issuing of payroll or benefits, etcetera).
   3. Members of the Humber Community who identify as trans\* must confirm with the College the name(s) and pronoun(s) by which they prefer to be referred in external correspondence and communications (e.g. phone calls home, College bulletins, unofficial documentation, websites, online portals, Humber-related articles and promotional material, etcetera).
   4. Disclosing the status of a trans\* member of the Humber Community without explicit and directly expressed consent or in the absence of a "need to know'' circumstance is generally known as "outing". Under this Policy, this form of outing may be recognized as a form of anti-trans\* harassment and/or discrimination.
   5. The intention of a member of the Humber Community to transition or the fact that they are going through a transition process must be kept confidential. Without clear, explicit and documented permission from the person intending or undergoing a transition, disclosure is prohibited, except where such disclosure is necessary to protect the rights of the individual (including the provision of accommodation), to change documentation kept by the College or if required by legal process. If such a disclosure is appropriately made, it must always be limited and only go as far as what can be reasonably determined to provide reasonable accommodation to and prevent the development of a poisoned learning, working and/or living environment within the Humber Community. Disclosing the transition plans of a current member of the Humber Community may be necessary in this regard to manage expectations and to minimize inappropriate responses from others within the Humber Community.
5. All-Gender Washrooms
   1. All members of the Humber Community have the right to safe washroom facilities that correspond to their gender identity.
   2. The College will make efforts to ensure that all members of the Humber Community can use washrooms with safety, privacy and dignity, regardless of their gender identity or gender expression.
   3. Gender-designated washrooms are located throughout the College. All members of the Humber Community may choose to use any accessible all-gender washroom, regardless of their reason(s) for doing so.
   4. The College will make available [maps](http://hrs.humber.ca/AccessibilityMaps.pdf) indicating the location of every accessible all­ gender washroom that is on campus.
   5. Inclusive signage shall be used to identify every all-gender washroom on Humber College premises.
6. Change Rooms
   1. All members of the Humber Community have the right to a safe change room that corresponds to their gender identity.
      1. Gender-designated change rooms are located throughout the College. Individuals may use the change room of the gender with which they identify.
   2. Where change rooms do not have separate privacy stalls, reasonable accommodations will be provided on a case-by-case basis that endeavours to effectively meet the individual's particular needs in accordance with the College’s applicable accessibility policies and procedures.
      1. Subject to availabilities, such accommodation may include:
         * use of a private area within a public area (a bathroom stall with a door; an area separated by a curtain);
         * access to a restricted area or office;
         * time-limited, exclusive use of a change room;
         * use of a nearby private area (a nearby washroom or office);
         * if fully and freely consented to by the person seeking accommodation, access to the change room corresponding to the individual's assigned sex at birth.
   3. Reasonable accommodations shall be made upon the request of the person seeking accommodation, or upon the request of a support person seeking such accommodation on behalf of another member of the College community in accordance with the College’s applicable accessibility policies and procedures.
7. All-Gender Residence
   1. The College is committed to providing residence accommodation that is inclusive, safe and respectful of all residents regardless of gender identity and expression.
   2. The residence will use reasonable efforts to ensure that the option to share an all-gender suite is made available to all trans\* residents, subject to vacancies.
   3. For a resident in transition or who decides to undergo a transition during their time at Humber, the residence will reasonably accommodate the student's housing needs as these needs change during the transition process in accordance with the College’s applicable accessibility policies and procedures.
8. Gender-Inclusive Language
   1. All individuals within the Humber College community are entitled to be referred to by the gender pronoun(s) of their choice.
   2. The College will endeavour to use gender-inclusive language in official Humber documentation and communications.
   3. All members of the College community are encouraged to and will be supported in their endeavours to communicate using gender-inclusive language that is respectful and recognizes the inherent and equal worth of all gender identities and gender expressions.
   4. Individual members of the Humber Community are encouraged to use gender-inclusive language when it is requested by another individual that they do so.
   5. Intentionally addressing a trans\* member of the College community by the incorrect name or pronoun is considered to be a form of anti-trans\* harassment and/or discrimination.
9. Dress Codes and Grooming
   1. Except where inconsistent with security, health and safety concerns, all trans\* members of the Humber Community are permitted to dress, be uniformed and groom themselves in attire that reflects their own gender identity and preferred gender expression.
10. Athletics
    1. No member of the College community shall be prevented from full and equal participation in Humber's intramural sporting, fitness or athletic activities on the basis of their gender identity or gender expression.
11. Transition
    1. The College will take reasonable steps to be supportive, understanding, respectful, responsive, and provide reasonable accommodation to all members of the Humber Community who plan to or actually go through transition while at Humber in accordance with the College’s applicable accessibility policies and procedures.

### References:

[Humber Human Rights Policy](http://humber.ca/policies/sites/default/files/Human%20Rights%20Policy%20August%202013%20FINAL-s.pdf)

[Human Rights Complaint Resolution Procedure](http://humber.ca/policies/sites/default/files/humanrightscomplaintsprocedure%20FINAL-s.pdf)

[*Ontario Human Rights Code*](https://www.ontario.ca/laws/statute/90h19?search=e+laws)

[*The Freedom of Information and Protection of Privacy Act*](https://www.ontario.ca/laws/statute/90f31)

[*The Canadian Charter of Rights and Freedom*](http://laws-lois.justice.gc.ca/eng/const/page-15.html)

[Policy on discrimination and harassment because of gender identity](http://www.ohrc.on.ca/sites/default/files/Policy_on_discrimination_and_harassment_because_of_gender_identity.pdf)

[Policy on preventing sexual and gender-based harassment](http://www.ohrc.on.ca/sites/default/files/policy%20on%20preventing%20sexual%20and%20gender-based%20harassment_2013_accessible_1.pdf)

[Gender Neutral Pronouns](https://ok2bme.ca/gender-neutral-pronouns/)

[Pronouns Matter](https://www.mypronouns.org/what-and-why)

[Ok2BMe](https://ok2bme.ca/gender-neutral-pronouns/)

**Sources Consulted:**

1. Aisha Sanchez. "Gender Identity and Expression in the Workplace - Creating Policy and Making Practice", March, 2013. PPT available at <file:///C:/Users/stonesh/Downloads/genderidentityandexpression032113-130920161316-phpapp01.pdf> .
2. Blaney McMurtry LLP, "Gender Identity and Gender Expression under the Human Rights Code: One Year Later", July, 2013. PDF available for download at <https://www.blaney.com/articles/gender-identity-and-gender-expression-under-the-human-rights-code-one-year-later> .
3. Brown University: Resources for Transgender and Questioning Students. Available for download at <https://www.brown.edu/campus-life/support/lgbtq/sites/brown.edu.campus-life.support.lgbtq/files/uploads/Trans%20Guide%202014.pdf> .
4. Dalhousie University: Policy on Gender Neutral Washrooms. Available at <https://www.dal.ca/dept/hres/education-campaigns/LGBTQ2SIA-collaborative/all-gender-restrooms.html> .
5. Hansard Transcript: Debate of *Toby's Act* in the Legislative Assembly of Ontario, Wednesday 13 June 2012. Available for download at <http://www.ontla.on.ca/house-proceedings/transcripts/files_pdf/13-JUN-2012_L066.pdf> .
6. Hicks Morley LLP: "Gender Identity, Gender Expression Now Protected Under Ontario Human Rights Code". Available for download at <https://hicksmorley.com/2012/06/15/gender-identity-gender-expression-now-protected-by-ontario-human-rights-code/> .
7. Massachusetts Institute of Technology, "Gender-Neutral Pronoun Usage". Available for download at <http://web.mit.edu/trans/GenderNeutralPronouns.pdf> .
8. McGill University: Policies on Gender Neutral Washrooms and Preferred First Name. Available for download at <https://www.mcgill.ca/equity_diversity/special-projects/gender-neutral-washrooms> and at <https://www.mcgill.ca/student-records/personal-information/address> .
9. Miller Thompson: "Gender Identity and Access to Women's Washroom Facilities", July 2012. Available at <http://www.millerthomson.com/en/blog/canadian-labour-employment-law-blog/gender-identity-and-access-to-womens-washroom/> .
10. New York University: Policy on Changing Title and Name Based on Gender Identity or Expression. Available at <https://www.nyu.edu/students/student-information-and-resources/registration-records-and-graduation/forms-policies-procedures/change-of-student-information/change-of-student-information-policies.html> .
11. Ontario Human Rights Commission: Gender Identity and Gender Expression (brochure). Available at <http://www.ohrc.on.ca/sites/default/files/Gender%20Identity_Gender%20Expression%20Brochure_Accessible_English.pdf> .
12. Siskinds LLP: "Gender Expression and Gender Identity: New Protected Grounds of Discrimination", May 2013. Available at <https://www.siskinds.com/gender-expression-and-gender-identity-new-protected-grounds-of-discrimination/> .
13. Toronto District School Board Guidelines for the Accommodation of Transgender and Gender Non-Conforming Students and Staff (2011). Available at <http://www.tdsb.on.ca/Portals/0/AboutUs/Innovation/docs/tdsb%20transgender%20accommodation%20FINAL_1_.pdf> .
14. The New School For Social Research: Policy for Transgender Student Identification. Available at <https://www.newschool.edu/provost/transgender-student-identification-policy/> .
15. The World Health Organization webpage, 'What do we mean by "sex" and "gender''? Available at <http://www.who.int/gender/whatisgender/en/> and <http://www.who.int/en/news-room/fact-sheets/detail/gender> .
16. Transgender Law and Policy Institute: Brett-Genny Janiczek Beemyn, 'Ways that U.S. Colleges and Universities Meet the Day-to-Day Needs of Transgender Students". Referenced in <https://drwilda.com/tag/ways-that-u-s-colleges-and-universities-meet-the-day-to-day-needs-of-transgender-students/>.
17. University of Arizona: Office of Institutional Equity, "Statement on Restroom Access". Available at http://equity.arizona.edu/information/statements/restroom-access.
18. University of California at Berkeley Gender Equity Resource Centre Glossary of Terms. Available at https://campusclimate.berkeley.edu/students/ejce/geneq.
19. University of Nebraska: LGBQT on Campus, "Creating Inclusive Spaces: Safe space, brave space, allies and advocates”. Available at <https://involved.unl.edu/inclusive-spaces> .
20. University of Missouri LGBTQ Resource Centre, "Trans• At Mizzou". Available at https://lgbtq.missouri.edu/trans/.
21. University of Oregon: Gender Identity, Expression and Transition in the Workplace. Available at <https://hr.uoregon.edu/hr-programs-services/work-life-resources/navigating-work-and-life/gender-identity-expression-and> .
22. York University: "Policy on Gender-Free Language". Available at <http://secretariat-policies.info.yorku.ca/policies/gender-free-language-policy/> .

**Appendices:**

Appendix A - Definitions

**Related Procedure:**

[Humber’s Human Rights Policy](http://www.humber.ca/policies/procedures/human-rights-complaint-resolution-procedures-0)

[Humber’s Complaint Resolution](http://www.humber.ca/policies/procedures/human-rights-complaint-resolution-procedures-0) Procedure

[Humber’s Sexual Assault and Sexual Violence Policy](https://humber.ca/policies/sexual-assault-and-sexual-violence-policy)

### Appendix A Definitions

*NOTE: The definitions provided below are not intended to label an individual but are intended as sometimes helpful functional descriptors. These words, like all words, are social constructs developed over time. New language is constantly formed to unite community members* as *well* as *divide groups by experience, politics, and other group memberships.*

*These terms and definitions are NOT standardized and may be used differently by different people, and in different regions. Labels and identities should only be self-selected by individuals, not assumed by others. Biology does not imply identity. Nor do behaviour or expression alone constitute identity.*

*All-Gender:* Is a label used to indicate that a good, facility, benefit or service is equally available to all persons regardless of their gender identity.

*Anti-Trans\* Discrimination*: Every trans\* student, employee or person in receipt of services from the College has the right to equal treatment, without discrimination on the basis of gender identity or gender expression as set out in the Ontario Human Rights Code. Direct discrimination occurs when a trans\* individual is subjected to differential treatment as a result of their gender identification or gender expression, or their association with trans\* individuals or causes. Such acts are sometimes generally referred to as being "anti-trans\*". Examples of direct discrimination against a trans\* person include:

* + refusal to provide goods, services or facilities to persons because of an individual's gender identity or gender expression;
  + refusal to work with or teach someone because of their gender identity or gender expression.

*Anti-Trans\* Harassment* Is prohibited by the Code and generally involves written, verbal and/or physical actions which express negative attitudes, derogation, and/or hate for a person or group of persons based on their gender identity or gender expression. Such acts are sometimes generally referred to as being "anti-trans\*". This kind of harassment may include, but is not limited to, the following behaviours:

* + demeaning comments, unwelcome remarks, jokes, innuendoes or taunting about a person's or group of persons' gender identity or gender expression;
  + disclosing a person's trans\* status without consent or without the presence of a "need to know" circumstance;
  + displaying of, derogatory or offensive pictures or sexually explicit materials, either through printed copy or personal computer;
  + denial of normal co-operation with an individual because of that individual's gender identity or gender expression;
  + insulting gestures or practical jokes based on gender identity or gender expression which cause embarrassment or awkwardness;
  + demeaning remarks about trans• individuals in the presence of any individual (not necessarily a member of the group mentioned) that creates a poisoned work/learning environment;
  + using pejorative names based on gender identity or gender expression.

*Biological Sex:* Generally refers to the sex assigned at birth based on external genitalia but also includes internal reproductive structures, chromosomes, hormone levels and secondary sex characteristics such as breasts, facial and body hair and fat distribution.

*Cisgender:* A label that denotes or relates to a person whose self-identity conforms with the gender that corresponds to their biological **sex.[[1]](#footnote-1)**

Cross-Dresser: refers to people who dress in the clothes of the opposite sex for emotional satisfaction and psychological wellbeing. Cross-dresser is preferred over the term ‘transvestite’ which is seen as a diagnostic term associated with medical identity.

*Gender:* Refers to the socially constructed roles, behaviours, activities, and attributes that a given society associates with individuals who have particular biological features and/or sexual reproduction organs4.

*Gender Identity:* Concerns an individual's intrinsic or psychological sense of self, particularly their sense of being female, male, a combination of both, or neither, regardless of their biological sex.

*Gender Expression:* Refers to how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person’s chosen name and pronoun are also common ways of expressing gender.

*Gender Non-Conforming:* Refers to individuals who do not follow socially dominant ideas or stereotypes about how they should dress, look or act based on the female or male sex they were assigned at birth. This is also called Gender variance and/or Gender Independence. For example, this includes ''feminine boys," "masculine girls,' and individuals who are androgynous.

A person’s gender identity is fundamentally different from and not related to their sexual orientation.

*Gender-Based Harassment:* A subset of sexual harassment is used as “gender policing tool to reinforce conformity with traditional sex-role stereotypes, or as bullying tactic, often between members of the same sex.

*Harassment:* Is defined by the [*Ontario Human Rights Code*](https://www.ontario.ca/laws/statute/90h19?search=e+laws) as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome (Section 1O (1) (f)). The College interprets this to include any behaviour that is known or ought reasonably to be known to the perpetrator to be offensive, embarrassing or humiliating to other individuals. Such conduct may include visual representations, electronic messages, written messages, verbal and/or physical conduct, and may relate to any of the grounds of discrimination prohibited by the [*Ontario Human Rights Code*](https://www.ontario.ca/laws/statute/90h19?search=e+laws), or other malicious grounds.

Examples of harassment include:

* + unwelcome remarks, jokes, slurs innuendoes or taunting;
  + hazing, stalking or shunning;
  + the repeated mistreatment of one person, targeted by one or more other persons with a malicious mix of humiliation, intimidation and sabotage of performance (bullying); displaying derogatory or offensive pictures, graffiti or materials either through printed copy or personal computer;
  + verbal abuse;
  + insulting gestures or practical jokes which cause embarrassment or awkwardness;
  + unauthorized and/or unnecessary physical contact; and/or
  + an impassioned, collective campaign by co-workers to exclude, punish and humiliate a targeted worker.

For the purposes of this policy, "harassment" also includes personal/psychological harassment.

*Note: Harassment does not occur where* a *supervisor gives legitimate directions* or *instructions to an employee in the course of employment or conducts performance reviews in accordance with the College's normal procedures.*

*Personal/Psychological Harassment:* Behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects a trans\* person's dignity or psychological or physical integrity and that result in a harmful learning, working or living environment for that person. It includes and is not limited to behaviours defined as bullying, mobbing, victimization, emotional abuse, psychological abuse, and psychological violence. A single serious incident of such behaviour that has a lasting harmful effect may constitute psychological harassment. It must be demonstrated that this behaviour affects the trans\* person's dignity or physical or psychological integrity and that it results in a harmful learning, working or living environment for the individual.

*Poisoned Learning, Working and Living Environment:* Occurs when conduct and/or comments related to gender identity or gender expression unreasonably interfere with a trans\* individual's ability to work and/or learn by creating an intimidating, hostile, offensive or threatening environment. Depending on the impact of the comments or conduct on the individual, one anti­trans\* instance may be sufficient to create a poisoned environment for a trans\* individual or trans\* people in general. A poisoned environment can create unequal conditions of employment for the person or persons affected by it. It can interfere with an individual's learning and/or work performance and cause emotional or psychological stress not experienced by other individuals.

An individual does not have to be the person targeted by the anti-trans\* comments to experience a poisoned environment. A person who is subjected to overhearing anti-trans\* slurs or sexually offensive jokes, or viewing offensive cartoons or sexually explicit, suggestive or demeaning pictures may view the behaviour as poisoning the environment.

Some examples of poisoning the environment are:

* + displaying graffiti, signs, pictures or cartoons which would qualify as prohibited anti­ trans\* harassment, either through print or computers;
  + making derogatory remarks about trans\* peoples in the classroom or the workplace.

*Reasonable Accommodation:* For the purposes of this Policy, reasonable accommodation means changes, arrangements and/or programs that are undertaken for the purpose of removing arbitrary barriers that prevent the right to gender identity and gender expression from enjoying protection that is equal to the protection afforded under the other fifteen grounds of discrimination outlined in the Ontario Human Rights Code. Decisions to accommodate will be balanced against several factors including undue hardship, e.g.: the cost of the accommodation to the College; health and safety risks to the person requesting accommodation and to others; and the effect of accommodation on the College's ability to fulfill its duties under other Humber policies and the laws governing the College.

*Sex:* Refers to the anatomical classification of people as male, female or intersex, usually assigned at birth.***Intersexed*** means being born with the (full or partial) sex organs of both genders, or with underdeveloped or ambiguous sex organs. About 4% of all births may be intersexed to some degree. This word replaces the inappropriate term ‘hermaphrodite’.

*Sexual Harassment:* Is prohibited by the [Ontario Human Rights Code](https://www.ontario.ca/laws/statute/90h19?search=e+laws) and may be based on gender identity and/or gender expression. This kind of harassment may involve the use of overt sexual language or sexual innuendo which makes an individual feel uncomfortable. Sexual harassment includes, but is not limited to, the following:

* + any deliberate and unsolicited sexual comment, suggestion or physical contact that creates an uncomfortable learning, working and/or living environment for the recipient and is made by a person who knows or ought reasonably to know that such action is unwelcome;
  + a sexual advance or solicitation made by a person where the person making the advance or solicitation knows or ought reasonably to know that it is unwelcome;
  + a reprisal or threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person;
  + unwelcome remarks, jokes, sexual innuendoes or taunting about a person's body, attire, sex, personal or social life;
  + practical jokes of a sexual nature which cause awkwardness or embarrassment;
  + displaying and/or distributing pornographic pictures or other offensive material of a sexual nature, either through printed copy or personal computer;
  + leering (suggestive staring) or other gestures;
  + unnecessary physical contact such as touching, patting or pinching;
  + expressions of gender bias which may include remarks that are discriminatory, degrading or derogatory and create a poisoned work environment;
  + requests for sexual favours; and/or
  + sexual assault.

*NOTE: Relationships between consenting adults which are voluntary and based on mutual attraction do not constitute sexual harassment unless one of the parties has communicated to the other that he/she wishes the relationship to end and the other thereafter engages in conduct which is harassing in nature.*

*NOTE: In romantic and sexual relationships between faculty members and students or between supervisors and employees or students, a power differential may exist. Abuse of that power differential creates* a *negative environment for work and study and* casts *doubt on the validity of the consent to such relationships. Such relationships could be construed* as a *Breach of Trust in one's employment with the College* as a *faculty member or supervisor, the student-teacher relationship being* a *professional one, which involves a significant issue of trust in regards to both the institution and students. Sexual intimacy between faculty and student removes all professional boundaries between them and creates a perception of bias in the* eyes *of the institution, faculty and other students, thus distorting and damaging the learning environment.*

*Trans\* or Transgender:* An umbrella term used to describe individuals who, to varying degrees, do not conform to what society usually defines as a man or a woman. This term captures the descriptor, "transgender'', which refers to individuals whose gender identity is different from their biological sex assigned at birth, and/or whose gender expression is different from the way males or females are stereotypically expected to look or behave. Individuals who identify as trans\* may do so because they self-identify as a person who is any one or more of the following: androgynous; bigender; a cross-dresser; gender diverse; gender fluid; gender non-conforming; genderqueer; gender-transitioning; gender-variant; intersex; pangender; queer; a transman; a transwoman; two-spirit.

*Sexual Orientation:* Is more than simply a status that an individual possesses, it is an immutable characteristic that forms part of an individual’s core identity. Sexual encompasses the range of human sexuality from gay and lesbian to bisexual and heterosexual orientations.

*Sex-Reassignment Surgery* (SRS): Refers to the medical procedure by which an individual is surgically altered to create the physical appearance of the opposite sex.

*Transgendered:* Describes individuals who are not comfortable with, or who reject, in whole or in part, their birth assigned gender identities. The word transgendered is generally viewed as an umbrella term that unifies people who identify as transsexual, transgenderist, intersexed, transvestite or as a cross-dresser*.*

*Transgenderist:* Self-identifies and lives as the opposite gender but has decided not to undergo sex reassignment surgery.

*Transition:* The process (which for some people may also be referred to as the "gender reassignment process") whereby people change their appearance and/or bodies to match their internal (gender) identity, while living their lives full-time in their preferred gender role. . A practical minimum duration for this process is about two years but it is not unusual for it to take longer.

*Transphobia:*Is the unrealistic or irrational fear and hatred of cross-dressers, transsexuals and transgenderists. Like all prejudices, it is based on negative stereotypes and misconceptions that are then used to justify and support hatred, discrimination, harassment, and violence toward people who are transgendered.

*Transsexuals:*Individuals who have a strong and persistent feeling that they are living in the wrong sex. This term is normally used to describe individuals who have undergone sex-reassignment surgery. A male transsexual has a need to live as a man and a female transsexual has a need to live as a woman.

1. Oxford Online Dictionary: The World Health Organization webpage, What do we mean by "sex" and "gender"? <http://www.who.int/gender/whatisgender/en/>

   [↑](#footnote-ref-1)