

Released under RTI Act by DoE

Deputy Director-General, State Schools – Regular Meeting with Director-General – UPDATE 09 May 2018

Topic	Status	Issue
Assistant Director-General, State Schools – Operations		
s.73(1) - RTI - Not relevant to scope of application		

Topic	Status	Issue
s.73(1) - RTI - Not relevant to scope of application		
Update of the Student Dress Code	<ul style="list-style-type: none"> ▪ Feedback has been received from the QTU, RDs, principal associations, P&Cs Qld, Girls Uniform Agenda and PAC. ▪ All supportive of inclusion of shorts and pants for girls. ▪ Some divergent views regarding retention of 'gender neutral' options, review regularity, and other wording. ▪ A Ministerial brief regarding the revised procedure is progressing for approval. ▪ Revised procedure to be finalised by the middle of 2018, with sufficient lead time for implementation in 2019. 	Information
s.73(1) - RTI - Not relevant to scope of application		

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State Schools Executive Standard Paper Cover Page		Meeting Date: XXX 2018	Item No:
Category: Decision Paper	Circulation limited to: SSE Only		
Title: Funding request – Staff Capability and Confidence Building: Supporting Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Students training and support		Paper sponsored by (DDG/ADG): ADG, State Schools - Operations	

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State Schools Executive

Title: Funding request – Staff Capability and Confidence Building: Supporting Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Students training and support

Action Officer: Beth McNally

Executive Director: Brett Weeden

Initials of ADG:

Purpose

This paper is seeking State Schools Executive approval for funding of [§s.47\(3\)\(b\)](#) (Attachment 1) for True Relationships and Reproductive Health (True Relationships) to deliver the *Staff Capability and Confidence Building: Supporting Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Students* training and ongoing support to regional and school staff during 2018-19.

Link to Strategic Plan

This request supports the Department of Education's (DoE) priorities and Strategic Plan 2017-21 through the:

- *Advancing Education* strategy of supporting students to be happy, confident and resilient learners by ensuring school and regional staff have the capability and confidence to address the learning and wellbeing needs of all students, including those who may identify as LGBTI; and
- *Every Student Succeeding* strategies of working together to address the unique needs of students and developing the capabilities of staff to support every student.

Background

- The goal of True Relationship's Capability, Confidence and Diversity Initiative is to develop and maintain educational environments that are safe and inclusive for all people in school communities, including those who may be LGBTI.
- The initiative aims to enhance the capacity of staff to improve student and staff wellbeing, increase staff confidence in working with individuals who may be LGBTI and support staff implementation of guidelines and policies relating to wellbeing, inclusivity and diversity.
- True Relationships previously received Australian Government funding through the Safe Schools Coalition Australia (SSCA) program. This funding provided True Relationships with additional workforce capacity to enable staff to work with DoE to co-deliver regional workshops.
- True Relationships developed a one-day training package to enhance staff knowledge of key terminology associated with gender and sexuality diversity and creating safe and supportive environments for LGBTI students. Seven one day sessions were held in August and September 2017, with one occurring in each region. DoE supported this training through funding travel and venue costs.
- DoE has since received enquiries from regions requesting follow-up training.
- The proposed training and support, which is the second phase of the initiative, will be delivered in 2018-19 and will provide ongoing capability building and support to staff as they implement departmental policy and guidelines and work together to address the learning and wellbeing needs of LGBTI students within state school communities.

Issues

- Principals and school staff must be able to respond to the unique learning and support needs of all students in the school community, including those who may identify as LGBTI, and ensure that, like other students, students who identify as LGBTI have the opportunity to learn and succeed in a safe, supportive and inclusive learning environment.
- True Relationships no longer has staffing capacity to provide presenters free of charge for DoE workshops, therefore, funding is required to provide this specialised training to regional staff.

Resource Implications

- Total funding of \$ s.47(3)(b) is sought for 2018-19.
- Internal funding is available in State Schools Division Projects.

Recommendation

- It is recommended that SSE approve the estimated funding of \$ s.47(3)(b) for 2018-19.

Budget for Staff Capability and Confidence Building training and support (2018-19)

The proposed funding will enable 0.6 of one staff position from True Relationships and Reproductive Health (True Relationships) to provide the following services to departmental officers during 2018-19:

- Webinars
- Phone and email support
- Capacity building for key regional staff
- Quality assurance

Budget overview

	2018/2019
Salaries	s.47(3)(b) - C
Travel	
External Supervision	
Stationary & Printing	
Communications	
Administration Costs	
Total	

Briefing Note

The Honourable Grace Grace MP
Minister for Education and
Minister for Industrial Relations

Action required: For Noting

Action required by: 15 May 2018

Urgent: The Minister's Office has requested this briefing note be provided by 4pm, 15 May 2018.

SUBJECT: SUPPORT FOR STUDENTS AND TEACHERS POST-SAFE SCHOOLS

Summary of key objectives

- That the Minister **approve** future directions regarding the Department of Education's (DoE's) support for students and teachers post-Safe Schools.

Key issues

1. Following the cessation of Safe Schools funding in Queensland in October 2017, DoE continues to support Queensland state schools to respond to the needs of lesbian, gay, bisexual, transgender and intersex (LGBTI) students in a number of ways.
2. In addition to documentation and support currently available, DoE is developing additional resources to support schools, parents and students.
3. The following statement is proposed to underpin the resources available to support schools, and provide a clear policy position with respect to supporting LGBTI students in Queensland state schools:
 - *Every student is welcome in our state schools, which are a reflection of Queensland's communities. Queensland state schools are committed to providing a safe, supportive and inclusive environment for all students, including lesbian, gay, bisexual, transgender and intersex students. The Department of Education supports state schools to respond to the individual needs of all students to ensure their wellbeing is nurtured and their learning maximised.*

Resources currently available

4. DoE has comprehensive policies and procedures to help schools create safe and supportive environments and makes a range of support services available to all students, including LGBTI students.
5. DoE's *Student Learning and Wellbeing Framework (Attachment 1)* supports schools to implement a whole-school approach to support students' wellbeing and emphasise the importance of recognising and celebrating diversity.
6. DoE has two documents that were developed to assist principals and school staff to make decisions about how to best support LGBTI students at their school:
 - *Diversity in Queensland schools — Information for principals (Attachment 2)* is available on DoE's external website and provides a clear policy for school leaders to address issues commonly faced by LGBTI students; and

- *Internal Guidance Materials to Assist Queensland State Schools in Supporting Gender Diverse Students (Attachment 3)* accompanies the policy and is currently available on DoE's intranet. This document supports schools to appropriately respond to the needs of LGBTI students in a school context.
- 7. Departmental staff can also email support.diversity@ged.qld.gov.au with specific questions in relation to supporting LGBTI students in their school or region, and State Schools – Operations staff will provide relevant advice.
- 8. Queensland state schools are also able to engage external organisations such as True Relationships and Reproductive Health (True) to provide additional advice and training as needed on a fee-for-service basis.
- 9. In 2017, workshops co-delivered by staff from DoE and True were held in each region to build the capability of key regional staff in supporting schools with transgender or intersex students.
- 10. State Schools – Operations staff are seeking approval through State Schools Executive for funding of approximately [s.47\(3\)\(b\)](#) for True to deliver training and ongoing support to regional and school staff during the 2018–19 financial year.
 - As part of this, it is proposed that there will be another round of regional training in 2018 co-delivered by DoE and True. The content of the one-day sessions will focus on supporting students who are lesbian, gay or bisexual.

Additional resources being developed

11. In addition to existing material available to schools, the following resources are being developed:
 - a Fact Sheet for parents of LGBTI students, providing information and advice about how to engage with their child's school(s) around providing appropriate support (**Attachment 4**);
 - a Fact Sheet for students, providing information about how to access support in their school, the types of support the school can put in place to assist them in feeling safe and supported, and how and where to access external support if necessary (**Attachment 5**); and
 - a Policy Template for schools, to assist in the development of a diversity policy that makes explicit the expectations of the school community with respect to celebrating and respecting diversity and the actions that will be taken to ensure that LGBTI students are supported in the school environment (**Attachment 6**).
12. Pending approval, it is proposed that the following suite of resources be published on DoE's external website as part of the *Student Learning and Wellbeing Framework*:
 - *Diversity in Queensland schools – Information for principals*, which will be updated to include DoE's clear policy position;
 - *Guidance materials to assist Queensland State Schools in supporting gender diverse students*;
 - *Diversity in Queensland schools – Parent Fact Sheet*;
 - *Diversity in Queensland schools – Student Fact Sheet*; and
 - *Diversity Policy Template for Schools*.

Media implications

13. Issues regarding gender diverse and lesbian, gay and bisexual students are sensitive and have the potential to raise strong views, which can lead to both positive and negative media implications.

Legal implications

14. Legal and Administrative Law Branch will be consulted to ensure that all resources reflect current legislative requirements with respect to supporting LGBTI students.

Aboriginal and Torres Strait Islander impacts

15. Consideration will be given to ensure that the language used in the suite of resources is inclusive of LGBTI students who are Aboriginal and Torres Strait Islander.

Background

16. Statistics from the Australian Human Rights Commission (2014) indicate that up to 11 in 100 Australians may have a diverse sexual orientation, sex or gender identity, and that 1.7% of children born in Australia every year are estimated to be intersex.
17. Given this prevalence in Australian communities, it is likely that a significant number of Queensland state schools have students who are LGBTI.
18. The previous Australian Government committed \$8 million from 2013–14 to 2016–17 to the Foundation for Young Australians to establish the Safe Schools Coalition Australia (SSCA) program nationally. The program was available to Queensland schools from Semester 2 2015 until SSCA funding in Queensland ceased on 31 October 2017.
19. DoE does not mandate the delivery of individual programs or initiatives in state schools and, in line with this policy position, did not mandate the delivery of the SSCA program.
20. DoE has no ongoing relationship with SSCA.
21. Resources produced under the SSCA, including the *All of Us* teaching and learning resource, are still available for download on the National Student Wellbeing Hub website.

Recommendation

That the Minister:

- **approve** future directions regarding the Department of Education's support for students and teachers post-Safe Schools.

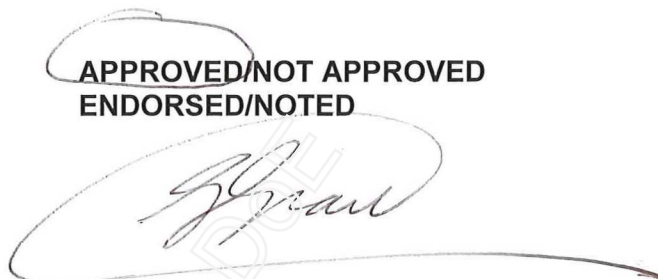
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**APPROVED/NOT APPROVED
ENDORSED/NOTED**



SHARON DURHAM
Chief of Staff
Office of the Hon Grace Grace MP
Minister for Education and
Minister for Industrial Relations

261 5 118

Minister's comments


GRACE GRACE MP
Minister for Education and
Minister for Industrial Relations

251 5 118

Action Officer
Beth McNally
A/Manager
Student Wellbeing
Tel: 07 3513 5821

Endorsed by:
Brett Weeden
A/Executive Director
Student Protection and Wellbeing
Tel: 07 3513 5947
Mob: [s.47\(3\)\(b\) - Co](#)
Date: 08/05/2018

Endorsed by:
Hayley Stevenson
A/Assistant Director-General
State Schools – Operations.
Tel: 07 3513 5838
Mob: [s.47\(3\)\(b\) - Co](#)
Date: 14/05/2018

Endorsed by:
Leanne Nixon
A/Deputy Director-General
State Schools Division
Tel: 07 3034 4762
Mob:
Date: 15/05/2018

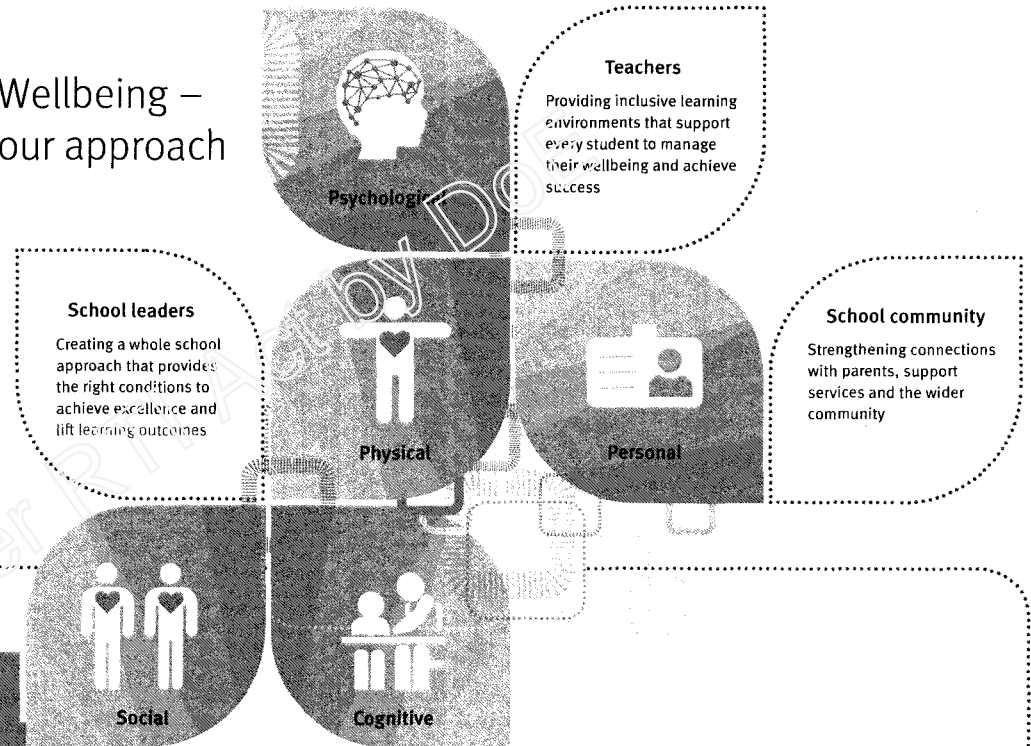
Endorsed by:
Tony Cook
Director-General 
Tel: 07 3034 4752
Mob:
Date: 15/5/2018

Student Learning and Wellbeing Framework

Wellbeing is a state in which every individual realises his or her potential, can cope with the normal stresses of life, can work productively and fruitfully and is able to make a contribution to his or her community.

— World Health Organisation, 2014

Wellbeing – our approach



Wellbeing – connected to learning

Our young people are growing up in a world driven by new technologies and economic globalisation. Their future means they need a new set of cognitive, social and emotional skills for success.

Healthy, confident and resilient young people who can successfully navigate a more complex world are vital for Queensland's future.

We know that a supportive environment that combines a focus on wellbeing with a focus on learning is optimal – without one, the other will not happen.

Responding to individual and group differences, promoting collaborative learning, connecting to the hearts and minds of every student, and teaching students how to manage their wellbeing, are just some of the ways our teachers are making sure students thrive.

Our state schools must continue to provide inclusive environments that nurture the wellbeing of all students so they become resilient lifelong learners who respond positively to their changing world and pursue their passions with confidence.

Wellbeing – measuring success

Schools can monitor their school culture and student wellbeing and engagement through:

- attendance rates
- student retention data
- learning days lost due to student disciplinary absences
- School Opinion Survey responses.

The department is developing a standardised measure of wellbeing that will provide data on the state of wellbeing of students across all Queensland state schools.

Our approach to student learning and wellbeing across the whole school



1 Creating safe, supportive and inclusive environments

Schools do this by:

- providing safe environments where diversity is valued, positive social interactions are promoted, and risk of injury or harm is minimised
- developing an approach to wellbeing that supports the collective action of parents, support services and the wider community
- demonstrating and communicating positive respectful relationships between staff, students, parents and members of the community
- explicitly teaching and modelling social and emotional skills, values and expectations for behaviour to support student wellbeing
- making sure the physical environment and school policies and practices are accessible and inclusive of students and families
- planning for opportunities to promote and celebrate the traditions, values and cultures of the school community
- providing learning opportunities and environments that promote healthy lifestyle choices.

More learning occurs in a joyous classroom where children feel safe, secure and accepted, and where they feel the teacher sees them for who they really are.

– Diamond, 2010

References

1. World Health Organisation 2014, Mental health: a state of well-being. Viewed 21 December 2017, http://www.who.int/features/factfiles/mental_health/en/
2. Diamond, A 2010, 'The Evidence Base for Improving School Outcomes by Addressing the Whole Child and by Addressing Skills and Attitudes, Not Just Content'. Early Education and Development, vol. 21, no. 5, pp 780-793.

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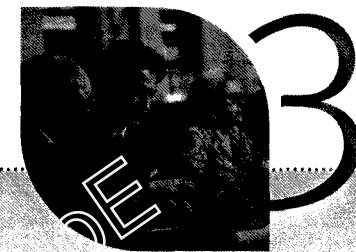
2 Building the capability of staff, students and the school community

Schools do this by:

- providing health and wellbeing learning opportunities for students through curriculum focused on mental health, relationships and sexuality, alcohol and other drugs, food and nutrition, benefits of physical activity, and safety
- identifying opportunities to build the capabilities of teachers and school leaders to support a whole school approach to student wellbeing and its connection to learning
- communicating information and advice on the benefits of supporting young people to be healthy, confident and resilient
- responding positively to the needs of different groups within the school community
- strengthening connections with parents to support early intervention for students whose wellbeing is at risk
- increasing visibility of local support services to families whose children have higher levels of need
- supporting staff health and wellbeing and recognising the resulting benefits for students
- committing to continual improvement using evidence-based strategies to improve student wellbeing, seeking ways to develop and share new ideas.

Student Learning and Wellbeing Framework Reflection and Implementation Tool*

Supporting schools to maximise student wellbeing



3 Developing strong systems for early intervention

Schools do this by:

- planning and documenting school processes to support staff to respond appropriately to students at risk
- recognising the early signs that a student's wellbeing is at risk and responding appropriately by noticing, inquiring, planning
- sharing responsibility for supporting students at risk by:
 - seeking support from Guidance Officers and the leadership team as first responders
 - encouraging students and families to access support services
 - using a wrap-around approach for students involving parents, school support services, health professionals and other agencies.

Quick links

- DET Staff Wellbeing Model*
- Student Protection Training
- Parent and community engagement framework
- The Evidence Hub Inquiry Cycle*
- Positive Behaviour for Learning framework
- Inclusive education policy statement
- Supporting students' mental health and wellbeing
- Diversity in Queensland schools
- Disability Policy
- Indigenous Education

* DE employees only

Diversity in Queensland schools

— Information for principals

Student diversity

Queensland schools reflect the diverse nature of communities across Queensland. Every day, principals respond to the unique learning and support needs of their school population to ensure every student has the opportunity to learn and succeed in a safe, supportive, inclusive and disciplined learning environment.

Schools are required to support all students and families. The information below comprises advice from experts in the field and is provided to assist principals and staff in making decisions regarding the appropriate support of students at their school.

Every situation will be different and should be managed on a case-by-case basis.

Principals are encouraged to contact their regional office if they require any additional advice.

What the legislation says

The *Anti-Discrimination Act 1991* prohibits state schools from discriminating on the attribute of gender identity or sexuality. The *Sex Discrimination Act 1984* also prohibits discrimination on the basis of a person's sex, gender identity, intersex status or sexual orientation in the area of education.

Schools must provide all students who identify as same-sex attracted, intersex or transgender with access to high-quality schooling that is free from discrimination based on gender and sexual orientation. Links to relevant legislation:

- *Anti-Discrimination Act 1991 (Qld)*
<https://www.legislation.qld.gov.au/legisln/current/a/antidiscrima91.pdf>
- *Sex Discrimination Act 1984 (Cwlth)*
<https://www.legislation.gov.au/Details/C2016C00880>
- *Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013*
www.comlaw.gov.au/Details/C2013A00098
- *Information Privacy Act 2009 (Qld)*
www.legislation.qld.gov.au/LEGISLTN/CURRENT/I/InfoPrivA09.pdf
- *Education (General Provisions) Act 2006*
www.legislation.qld.gov.au/LEGISLTN/CURRENT/E/EducGenPrA06.pdf

Principles of decision making

- Supporting student wellbeing is the priority
- Ensure respectful arrangements are made that consider the needs of all students
- Implement strategies to ensure the student is not discriminated against, either directly or indirectly
- Maintain privacy and confidentiality of student information, including information about education adjustments (consider what information needs to be shared about the student and with whom)
- Ensure consent is obtained, as required, if student information needs to be shared
- Discuss with the student/parent/carer any considerations regarding the sharing of information (including self-disclosure)

Considerations for students who are transgender or intersex

There are some considerations that are commonly encountered by schools that are supporting students who are transgender or intersex.

The following information is based on expert advice and the governing legislation. This information should be considered by schools on a case-by-case basis.

Curriculum — All curriculum can be facilitated in a manner that promotes inclusivity. Encourage teachers to avoid making generalisations or assumptions about sexuality or gender identity, particularly when delivering curriculum related to relationships and sexuality education.

Student name — Students may refer to themselves by a name of their choosing.

As with all students, school staff are encouraged to use a student's preferred name, and also preferred gender when requested.

It is a legal requirement that school records are made and kept accurately, therefore school enrolment records must reflect the sex as stated on the student's birth certificate or passport.*

However, student academic reports may use the student's preferred name and gender if parents/carers so request. If preferred gender is requested, principals should contact OneSchool to ensure that this change is actioned. Students who are living independently from their parents may request this change directly through the principal.

* If other documentation is presented, or if schools have any queries, please contact support.diversity@det.qld.gov.au



Toilet and change room use — When determining which toilets and change rooms a student will use, the school should discuss this with the student/parent/carer (where applicable) and consider options at the school based on available facilities e.g. the establishment of non-gender specific toilets and change rooms where there are individual stalls or cubicles that can provide privacy for all users.

School dress code — A school uniform option should be available that can be worn by students of any gender. Students who are transgender or intersex should be permitted to wear the uniform of their choosing.

Medical evidence — The principal may require appropriate medical evidence of gender identity in relation to a student to support that the accommodations required are in the best interests of the student.

Camps — When determining school camp arrangements, it is important to discuss with the student/parent/carer situations not usually encountered during the school day, such as sleeping arrangements and areas for showering and changing clothes.

Sports — Schools are best placed to make decisions about participation in sporting activities within the school. Schools must adhere to their obligations under the discrimination legislation. For children over 12 years of age, restrictions on participation in sport may be imposed on the basis of biological sex or gender identity if the restriction is reasonable, having regard to the strength, stamina or physique requirements of the sport.

Workplace health and safety — As schools are places of work, schools must be vigilant and act in a way that is reasonably necessary to protect the health and safety of people at the school. Such workplace health and safety obligations and acts are exempt from the discrimination legislation.

Definitions

- **Transgender** — an umbrella term used to describe anyone whose gender identity differs from their biological sex.
- **Intersex** — a long-established medical condition where an infant is born with reproductive organs and/or sex chromosomes that are not exclusively male or female.
- **Gender diverse** — used to describe anyone whose gender identity differs from their biological sex. Includes people who identify as transgender, a-gender (having no gender), bi-gender (having two genders), and non-binary (not strictly woman or man).

- **Gender identity** — a word or series of words that a person of any sexuality may use to describe their gender — for example, girl, boy, woman, man, transgender, gender diverse etc.
- **Same-sex attracted** — any person who identifies as being same-sex attracted. This may include people who identify as gay, lesbian or bisexual.
- **Sexual orientation** — the underlying direction of sexual attraction towards people of a particular gender or genders. Sexual orientation can include being heterosexual, homosexual or bisexual. Having a homosexual or heterosexual orientation does not always mean people will have a gay, lesbian or heterosexual identity.
- **Sexual identity** — how you see yourself sexually and how you present yourself to others. It includes being gay, lesbian, bisexual or heterosexual.

Resources for educators and parents

- The **Bullying. No Way!** website provides information and resources for teachers, students and parents to prevent and address bullying (www.bullyingnoway.gov.au).

Educators or parents/carers should consider how suitable the following resources are for their students. These websites have been developed by other jurisdictions and non-government organisations.

- New South Wales Department of Education and Training — *Transgender students in schools – legal rights and responsibilities*
- Australian Human Rights Commission — *Sex Files: the Legal Recognition: Concluding Paper of the Sex and Gender* (2009)

Queensland State Schools Contact

Queensland state schools can forward any specific enquiries to: support.diversity@det.qld.gov.au

Internal Guidance Materials to Assist Queensland State Schools in Supporting Gender Diverse Students

The following information is based on expert advice and the governing legislation:

- Documentation – Gender Diverse
- Enrolment and Reports
- Administration
- School Dress Code
- Toilets and Change Facilities
- Camps
- Sports
- Definitions

It is important to understand the difference between the terms sex and gender. Sex refers to biological differences – male, female and intersex variations – whilst gender refers to an individual's personal and social identity. A person's sex and gender may not necessarily be the same. The term gender diverse is used to describe anyone whose gender identity differs from their biological sex.

State schools need to take reasonable care to ensure the safety and welfare of all students, whilst ensuring that all arrangements are respectful by considering the individual circumstances and the needs of their students and community (refer to Diversity in Queensland schools – Information for principals).

It is reasonably anticipated that in a school setting a student who is gender diverse might be vulnerable, especially during the period and process of transitioning from their biological sex to their affirmed gender.

It is also reasonably anticipated that in a school setting, a student who is gender diverse might be the subject of bullying, particularly if they are identified in some way by other students as being different.

Schools need to ensure that they provide safe and supportive learning environments for all students.

Schools must be able to show that they have properly considered and identified potential risks to students who are gender diverse, and demonstrate that reasonable steps have occurred to prevent any negative impact or safety issues occurring.

State schools need to also ensure systems are in place to promote and support the health and wellbeing of all students when at school or involved in school activities. Further information regarding supporting the mental health and wellbeing of students who are gender diverse can be accessed on the Mental Health Resource Hub.

Documentation – Gender Diverse

Can a principal request documentation to support a student identifying as the opposite gender to that recorded on their birth certificate or passport?

Yes. Documentation may be requested by the principal to support the student identifying as the opposite gender to their biological sex recorded on their birth certificate or passport.

This could include medical evidence (for example diagnosis of gender dysphoria) or an opinion from a practitioner with expertise in treating people with gender identity, intersex or gender dysphoria, or a specialist in child psychology.

This professional advice may be required to determine whether the accommodations requested are in the student's best interest.

This information is not a conditional requirement for the school in providing support to the student but may help to ensure that schools can adequately ensure they are meeting their duty of care to a student by planning appropriately.

Enrolment and Reports

Is it a legal requirement for a state school to record a student's sex on enrolment?

Yes. There is a legal requirement under the *Public Records Act 2002* and the *Information Privacy Act 2009* that public records are made and kept accurately. A student's sex is required to be recorded so that the information can be supplied to the Australian Government Department of Education in compliance with funding reporting requirements under the *Australian Education Act 2013*.

The Department recognises any of the following as sufficient evidence for confirmation of a student's sex and/or gender:

- A statement from a Registered Medical Practitioner or a Registered Psychologist which specifies their gender;
- A valid Australian Government travel document, such as a valid passport, which specifies their gender; or
- A state or territory birth certificate, which specifies their gender. A document from a state or territory Registrar of Birth Deaths and Marriages recognising a change of sex and/or gender will also be seen as sufficient evidence.

Principals may enrol a student who identifies as gender diverse by recording their sex, as specified in the documents identified above, in OneSchool.

Where more than one of these documents is presented at the point of enrolment, the most recent document will be used to record the student's sex.

If other documentation is presented, or if schools have any queries, please contact support.diversity@det.qld.gov.au.

If a student has not officially changed their name and sex on their birth certificate or passport, can a school legally record the student's preferred name and affirmed gender on other formal school documentation (e.g. school reports, attendance records, roll marking records) differently to that shown on the birth certificate?

Yes. There is no requirement for formal school documentation (e.g. school reports, attendance

records, roll marking records) to record the student's legal name and sex.

Where the school receives confirmation that the student identifies as gender diverse, there should always be provision for the student's preferred name and affirmed gender to be recorded on school documentation. This includes the use of the affirmed gender pronoun.

Principals can contact OneSchool regarding how they can record the student's preferred name and affirmed gender on school documentation in addition to recording the student's sex

Administration

What are the privacy and confidentiality issues principals need to consider around sharing information about the student's gender identity with other staff, students and the general school community?

The Department of Education and Training is required to comply with the Information Privacy Principles or IPPs that are contained in the *Information Privacy Act 2009*.

The Act prohibits the use and disclosure of personal information about a student without their consent or unless authorised or required by a law.

In addition, section 426 of the *Education (General Provisions) Act 2006* (EGPA) prohibits the use and disclosure of personal information about a student other than in the circumstances outlined in section 426(4). Those circumstances include for a purpose of the EGPA or with the person's consent.

Is there an obligation for the principal to notify school staff if a student identifies as gender diverse?

No. There is no obligation to notify all school staff if a student identifies as gender diverse.

However, if school staff will be required to assist in implementing any accommodations made for the gender diverse student, then necessary school staff should be notified of the accommodations to be made.

For example, if a gender diverse student will be using the toilet facilities of their affirmed gender, staff should be informed of this to ensure that

they do not question the student about their use or try to restrict their use of those facilities.

Principals need to manage information sharing confidentiality on a case-by-case basis, and only advise a staff member of a student's gender diversity if it is; necessary to ensure the welfare of the gender diverse student and other students, to avoid the staff member breaching legislation, and in order to provide education to the gender diverse student that is responsive to their individual needs and provides them with a safe and supportive learning environment.

Principals will not breach confidentiality by disclosing the personal information of a student to necessary staff if the disclosure is made for a purpose of the EGPA, which include the considerations outlined above.

Is there an obligation for the principal/staff to notify other parents/school community members if a student identifies as gender diverse?

No. There is no obligation to notify parents or the school community that a student identifies as gender diverse. Such notification could amount to a breach of the student's privacy.

Notification to other parents or the school community as a whole should not occur.

In the event of a question being received about a gender diverse student from a parent of another student, principals should consult with the gender diverse student and their parents about how they would like the school to respond, if at all, to that question.

If the student is new to the school, and hasn't previously been known as their biological sex, principals have no obligation to notify all school staff or students.

However, if a gender diverse student has previously been known by their classmates as a different sex, it may be necessary for their classmates to be informed of their preferred name, and that they will be referred to as a boy/girl. It is not, however, necessary for other students or the school community to be informed that the student has gender.

What are a school's responsibilities when a student requests accommodations based on their preferred name or affirmed gender, but their parents are unaware of these requests?

Schools owe a duty of care to act in a student's best interests. However, it is important that schools are in a sound position to assess risks and determine an appropriate course of action. Potential risks cannot be assessed effectively without consultation with a student's parents and/ or medical evidence. This may include consideration of the student's age.

Significant implications could result from a school implementing adjustments without parent consultation and/or medical evidence if a student is harmed as a result of those adjustments. Additionally, it is vital for schools to consider all potential risks to a student so that steps can be taken to act in their best interests and prevent harm.

School Dress Code

Do schools need to provide a gender neutral uniform option?

Yes. There is a requirement that schools offer a gender neutral uniform option.

Further information is available at:
<http://ppr.det.qld.gov.au/education/management/Pages/Student-Dress-Code.aspx>

Must all students wear a gender neutral uniform?

No. A gender neutral uniform may be one of the available options students can choose.

There is no requirement that all students at school wear a gender neutral uniform, unless the school community agrees.

Can a student wear the uniform of their affirmed gender?

Yes, student dress codes must be consistent with anti-discrimination legislation. That means that even if a school has a gender neutral uniform option, a gender diverse student must be permitted to wear the uniform of their affirmed gender if gender specific uniforms are outlined in the Schools Dress Code.

Where a school community has agreed that all students will wear a gender neutral option, this question of choice does not arise for any student.

Toilets and Change Facilities

If the school provides unisex toilets, can the principal direct the gender diverse student to use them, rather than their affirmed gender toilets?

No. The principal cannot direct the gender diverse student to unisex toilets, unless all students are also directed to use those unisex toilets.

Subject to any specific risk factors that are identified in relation to the particular gender diverse student (such as medical information received from their treating doctor, or behavioural issues exhibited by the student), the student should be permitted to use their affirmed gender toilets.

Do all schools provide unisex toilet facilities?

The allocation of toilets is based solely on local decision making and schools having facilities that are appropriate for such purposes.

Are there specific requirements that schools will need to have in place to enable a gender diverse student to use their affirmed gender toilets? If so, what are these requirements?

No. All school toilets have individual stalls or cubicles which provide privacy for the gender diverse student and other students using those toilets. The gender diverse student should be able to use the individual stall or cubicle in their affirmed gender.

Do all schools provide unisex changing facilities?

Any decision about change rooms will be a local decision based on schools having facilities that are appropriate for such purposes.

Principals consider how best to meet the needs of all students in the school in the context of taking reasonable care for the safety and welfare of all students.

Are there specific requirements that schools will need to have in place to enable a gender diverse student to use their affirmed gender change rooms? If so, what are these requirements?

Yes. Generally, there should be separate individual change cubicles within the sex specific change room to be used by the gender diverse student.

This will enable the gender diverse student to use their affirmed gender change room while maintaining their privacy and dignity.

What considerations would a school need to take into account to fulfil its duty of care to a gender diverse student (e.g. the risk of bullying) and to other students when determining if it is appropriate for the student to use their affirmed gender toilets/change rooms?

A school must determine on a case-by-case basis whether it is appropriate for a gender diverse student to use their affirmed gender toilets/change rooms.

Factors that will be relevant to the school's consideration include:

- the age of the gender diverse student and other students using the facilities;
- the nature of the facilities, including whether they provide for privacy;
- any known behavioural concerns of the gender diverse student or other students using the facilities; and
- any history of bullying towards the gender diverse student or other students.

Where possible, issues of bullying should be addressed directly with students engaging in bullying behaviour, prior to making a decision that it is not appropriate for the gender diverse student to use their affirmed gender toilets/change rooms.

Refusal to agree to the special accommodations for students to use their affirmed gender toilets/change rooms can be made based on:

- student's behavioural issues and specific expert opinion; or
- evidence regarding health and safety risks to students if the risks could not be reasonably minimised or mitigated.

It cannot be because of the student's gender identity.

Camps

How does a principal balance the duty of care owed to all students when a parent of a gender diverse student insists that their child sleep in mixed accommodation at a school camp and some of the parents of other students insist that their children sleep in same sex accommodation?

Principals consider how best to meet the needs of all students in the school in the context of taking reasonable care for the safety and welfare of all students.

Unless there are specific risk factors identified with the gender diverse student concerned, the student should be permitted to sleep in the sleeping quarters and use the toilet/change facility of their affirmed gender, provided private cubicles are made available for them to change in privacy.

Decisions about sleeping arrangements at a school camp will be local decisions based on the needs of the student cohort.

A school must determine on a case-by-case basis whether it is appropriate for a gender diverse student to use their affirmed gender sleeping accommodations, toilets/change rooms whilst on camp.

Factors that will be relevant to the school's consideration include:

- the age of the gender diverse student and other students using the facilities;
- the nature of the facilities, including whether they provide for privacy;
- any known behavioural concerns of the gender diverse student or other students using the facilities; and
- any history of bullying towards the gender diverse student or other students on camp.

Where possible, issues of bullying should be addressed directly with students engaging in bullying behaviour, prior to making a decision that it is not appropriate for the gender diverse student to use their affirmed gender sleeping accommodations, toilets/change rooms whilst on school camps.

Do parents of the other students have to be notified that their child may be sharing sleeping quarters with a gender diverse student?

No. Parents of other students do not have to be notified that their child may be sharing sleeping quarters with a gender diverse student.

Further, the disclosure of such information may amount to a breach of the student's privacy.

Sports

School based sports and the Health and Physical Education curriculum are important parts of student health and wellbeing. All students should have both opportunity and encouragement to participate in sporting activities and events, regardless of their physical characteristics or gender identity. Students benefit physically, mentally and socially by playing sports. Participation in sports alongside their affirmed gender peers can boost self-confidence and self-esteem and provide positive experiences for gender diverse students.

What does the legislation say?

The *Anti-Discrimination Act 1991* prohibits state schools from discriminating on the attribute of gender identity or sexuality. The *Sex Discrimination Act 1984* also prohibits discrimination on the basis of a person's sex, gender identity, intersex status or sexual orientation in the area of education.

Both of these Acts provide exemptions for discrimination in a competitive sporting activity, but these exemptions do not apply to recreational sports.

Section 111 of the *Anti-Discrimination Act 1991* – *Competitive Sports* – permits a person to restrict participation in a competitive sporting activity on the basis of gender identity for those over the age of 12 years, if the restriction is reasonable having regard to the strength, stamina or physique requirements of the activity.

What is reasonable in terms of the strength, stamina or physique requirements of the activity?

This must be considered on a case-by-case basis and include discussion with the student

and, in most cases, their parents/carers (unless the student is living independently).

The activity the student wishes to participate in, rather than the individual student, must be what is assessed and a decision made as to whether the strength, stamina or physique requirements of the activity are relevant.

A risk assessment must be undertaken to consider the safety of all students participating. It will be reasonable to restrict a gender diverse student from participating in a competitive sporting activity if the strength, stamina or physique of the participants of the sport is relevant.

Information on the general requirements of individual sports for all students may be found from the relevant sport and recreation organisation and/or in the Department of Education and Training's Curriculum Activity Risk Assessment activity guidelines.

What needs to be considered if a gender diverse student over 12 years wishes to participate in recreational school based sports with their affirmed gender peers?

For recreational sporting events or activities, student participation is a school based decision taking into consideration the local context, student interests and skills and what is reasonable based on the strength, stamina or physique requirements of the activity.

For example, schools may choose to have mixed sporting teams to ensure all students have the opportunity to participate in their preferred sporting activity or event.

Recreational sporting activities, events and accommodations will be based on student needs and determined in consultation with parents and the school community.

For those under the age of 12 years, no division based on sex or gender identity may occur.

Do all sporting teams need to be mixed?

No. In some sports, schools may consider that mixed sporting teams are not the most appropriate way to teach the sport and gender diverse students can play in the team of their affirmed gender.

Schools will make decisions to meet the local context, taking into account the skills to be developed, duty of care and whether it is a competitive sporting activity.

Can gender diverse students under 12 years participate in competitive sporting activities (including district competitions) with their affirmed gender peers?

Yes. Gender diverse students under 12 years can participate in competitive sporting activities with their affirmed gender peers. No division based on sex or gender identity may occur for this age group. The *Anti-Discrimination Act 1991* only allows for gender based restriction where students are aged 12 years or older.

Can gender diverse students over 12 years participate in competitive sporting activities (including district competitions) with their affirmed gender peers?

Whenever possible, participation in competitive sports at inter-school, district or state level is to be supported and encouraged.

Competitive sporting activities for students over 12 years, under Section 111 of the *Anti-Discrimination Act 1991* may have restrictions as to whether a student can compete in their affirmed gender. Student participation is a school-based decision taking into account the strength, stamina or physique requirements of the activity, not of the individual student. All situations are to be dealt with on a case-by-case basis. Consultation may occur with the Manager of the Queensland School Sport Unit.

If the school or the school-based sport organiser restricts participation in a competitive sporting activity on the basis of gender identity for those over the age of 12 years, (because it is considered the restriction is reasonable having regard to the strength, stamina or physique requirements of the activity), the reason/s should be documented, explained to the parents and student, and the decision maker prepared to provide an explanation if necessary if there is a claim of discrimination.

Definitions

- Intersex — a long-established medical condition where an infant is born with reproductive organs and/or sex chromosomes that are not exclusively male or female.
- Gender diverse — used to describe anyone whose gender identity differs from their biological sex. This includes people who identify as transgender, a-gender (having no gender), bi-gender (having two distinct gender identities, either at the same or different times), and non-binary (gender identities that are not exclusively masculine or feminine).
- Gender identity — a word or series of words that a person of any sexuality may use to describe their gender — for example, girl, boy, woman, man, transgender, gender diverse etc.
- Affirmed gender — when an individual affirms their own gender.

Diversity in Queensland schools – Fact Sheet for parents

Every student is welcome in our state schools, which are a reflection of Queensland's communities.

Queensland state schools are committed to providing a safe, supportive and inclusive environment for all students, including lesbian, gay, bisexual, transgender and intersex (LGBTI) students. The Department of Education supports state schools to respond to the individual needs of all students to ensure their wellbeing is nurtured and their learning maximised.

As discussed in the department's Parent and Community Engagement Framework, schools encourage communication with parents that focuses on student learning and wellbeing, and recognise that responding to diversity may require additional considerations.

The purpose of this document is to provide some helpful suggestions to parents and carers of LGBTI students for communicating with their child's school when planning for and implementing support in the school context.

While it is anticipated that there may be specific areas of support that need to be considered for gender diverse students, parents of all LGBTI students are welcome to contact their child's school to discuss their support needs.

Make a meeting at the school

Often setting up a meeting is a good way to talk to school staff about support for your child:

- Contact the school's administration staff to set up a meeting with a member of the leadership team.
- Schools understand that confidentiality is important so provide sufficient information so that the staff member knows who you are and the purpose of the meeting with respect to discussing support for your child.
- Explain that during the meeting you would like to provide some background to school staff about your child's situation and to discuss all areas where extra support may be required.
- Depending on the age of your child, you may or may not want them to attend the meeting with you.

Before attending a meeting at the school

- Familiarise yourself with the department's relevant policy document Diversity in Queensland schools – Information for principals. This document provides an overview of anti-discrimination legislation (law) and some common considerations that schools think about when supporting students who are gender diverse.






- It may be helpful to use this document to guide discussions with your child prior to the meeting and also with school staff during the meeting.
- Have a discussion with your child. The following points may be helpful in guiding your discussion:
 - The level of detail your child is comfortable with you sharing with school staff about their gender and/or sexuality;
 - Whether your child would like to be known by a name and/or gender that is different from what is currently on their school records; and
 - Any preferences you and your child have with respect to other topics outlined in the Diversity in Queensland schools – Information for principals document (e.g. the use of bathrooms).
- Gather any documentation or information that you may have that would be relevant to consider when talking about providing support for your child.
 - Documentation is not a conditional requirement for schools to put in place support for LGBTI students.
 - However, you and your child may have sought advice and support from a health professional, such as a practitioner with expertise in supporting young people who are intersex, identify as gender diverse or have gender dysphoria, or a specialist in child psychology.
 - If you have sought support from a health professional, bring along any relevant letters or documents that may assist in providing some context to the school about your child's situation and help with making decisions about how to best support your child.

During the meeting with school staff

- Bring along all relevant documentation as well as the Diversity in Queensland schools – Information for principals document, which will assist in guiding your conversation.
- At the meeting, you may discuss how support can be provided for your child with respect to the following:
 - their preferred name and gender
 - who will be aware of any changes (privacy)
 - uniform options
 - continuing participation in sport



- 
- use of toilets and change rooms
 - mental health support
 - any recommendations made by a health professional working with your child
 - timelines for relevant changes or support to be put in place.

Keep in mind that the meeting is intended as an initial conversation between the school and family regarding your child's needs. The school may not be able to provide answers to all of your questions at the first meeting. It is anticipated that there would be ongoing communication with the school about what actions will be taken to support your child. This means it is important to provide the school with any relevant new information as it arises. It would also be helpful to establish who the best contact in the school is for future communication.

After the meeting

If you have further questions about how the school can support your child, the nominated school staff member is the best person to talk to. If you feel you need to speak with someone else, you can contact the regional office of your child's school or the department's Student Wellbeing team by emailing support.diversity@qed.qld.gov.au.

Parents can also access the following online information and support:

- [Understanding gender identity – for families \(headspace\)](#)
- [A parents' guide to their child's sexuality \(headspace\)](#)
- [Queensland Action Group for LGBTIQ+ students](#)



Diversity in Queensland schools – Fact Sheet for students

Every student is welcome in our state schools, which are a reflection of Queensland's communities.

Queensland state schools are committed to providing a safe, supportive and inclusive environment for all students, including lesbian, gay, bisexual, transgender and intersex (LGBTI) students. The Department of Education supports state schools to respond to the individual needs of all students to ensure their wellbeing is nurtured and their learning maximised.

The purpose of this fact sheet is to provide information to students who may identify as LGBTI to help them understand who they can speak to at school when they need assistance and how they can access support from within their school and local community.

Talk to someone

The best way to start thinking about and putting in place the support you may need to feel safe and supported at school is to talk with a trusted person. Tell the person how you are feeling, what you might need, and ask for their advice. For example, you may want to start by:

- speaking with your parents/carers;
- making a time to talk with the Guidance Officer at your school; or
- talking with a trusted teacher or other staff member at your school who you feel comfortable talking to.

Support at school

After talking to a trusted adult, you may want to think about the types of support that could be put in place at school to help you to feel more comfortable and supported.

A good place to start is by reading a document called Diversity in Queensland schools – Information for principals that schools use when supporting LGBTI students. This document will give you and your parents/carers some information about laws that exist to protect LGBTI students from discrimination as well as some common things that schools can do to support you.

If you can, it would be great to have a conversation with your parents/carers about specific things the school could do to support you and your family. Maybe you could write a list together based on the topics that are discussed in the document.



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Meeting with your school

After you and your parents/carers have talked and maybe you have written a list of ways your school could support you to feel more comfortable, your parents might make a meeting at your school to talk through how you can be supported.

Your parents will know the best way to do this and can get some tips from *Diversity in Queensland schools – Fact Sheet for parents*.

Other support

Sometimes it is hard to talk to an adult about how you are feeling and what you may need to feel supported. If you need to talk to someone who is an expert in supporting students who may be having trouble or need some help and advice, you can access information and support at any time through:

- eheadspace - is an online counselling service that is confidential, free and secure. If you are aged 12 - 25 you can use this service to chat, email or speak on the phone with a qualified youth mental health professional.
- beyondblue – provides information about supports available to you by telephone, online, or in person.
- Open Doors Youth Service – provides counselling and support services for LGBTI young people aged 12 to 24 and their families who live in South East Queensland.
- Kids Helpline is a free and confidential counselling service for young people 5 to 25. You can talk to a counsellor on:
 - 1800 551 800 (24 hours)
 - online chat
 - email.



[School logo]

[School Name] – [Title]

For example:

Supporting Gender Diverse Students; Student Diversity Policy; Creating a Safe, Supportive and Inclusive Environment for all Students.

1. Vision Statement

In this section include a statement about the overall vision for the school with respect to creating a safe and supportive environment that celebrates diversity and supports all students, including LGBTI students.

For example:

[School name] is committed to providing all students with a safe and supportive environment where all students can learn free from discrimination based on gender, language, sexual orientation, culture, ethnicity, religion, health, disability or socioeconomic background.

2. Aim/Goal

Include the specific aim or goal of this policy.

For example:

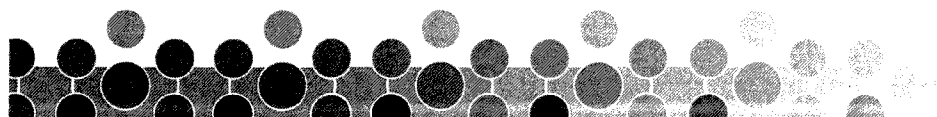
To ensure all students are provided with equal opportunities to reach their potential, irrespective of sex, gender, sexuality, gender variance or expectations about gender.

You could refer to the State Schools Strategy or Student Learning and Wellbeing Framework for ideas when drafting your aim/goal.

3. Implementation

In this section include statements that articulate how school aims/goals will be achieved through specific actions. These statements will set the expectations for how school staff, students and the school community will act, and will be concrete commitments to the school's vision statement. Write as many statements as you need.

For example, statements could be about:



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- recognising that every student is different and decisions will be made on a case-by-case basis
- privacy of student information
- using respectful and inclusive language at all times
- supporting students to use their preferred name/pronouns
- use of bathrooms/change rooms
- the student dress code
- participation in sport
- communication with parents or carers
- inclusive teaching and learning programs
- professional development for staff
- celebrating individuality
- prompt responses to bullying/harassment/discrimination.

Some specific examples include:

- *Students will be supported in their choice of personal pronoun in everyday use.*
- *[School name] supports the right of each child to dress in accordance with their gender identity.*

4. Support

In this section outline what support is available to students and members of the school community. You might suggest that students can confidentially contact your guidance officer or a staff member nominated as a wellbeing contact/coordinator. You may also wish to include links to external organisations that students can contact if they need support, such as [Kids Helpline](#) or [beyondblue](#).

5. Links to relevant documents/resources

Include any links that will guide and/or inform your school community.

- [Diversity in Queensland schools - Information for principals](#)
- [Melbourne Declaration on Educational Goals for Young Australians](#)
- [Student Mental Health and Wellbeing procedure](#)
- [Bullying. No Way!](#)
- [True Relationships and Reproductive Health](#)



Briefing Note

The Honourable Grace Grace MP
Minister for Education and
Minister for Industrial Relations

Action required: For Noting

Action required by: ASAP

Urgent: Minister's Office has requested this briefing note by 12pm, 30 April 2018.

SUBJECT: GENDERBREAD PERSON RESOURCE

Summary of key objectives

- That the Minister note the information regarding the Genderbread Person resource.

Key issues

1. The Palaszczuk Government is committed to ensuring schools are safe and inclusive learning environments where all students can reach their full potential regardless of their gender, race, disability, appearance or sexual identity.
2. There has been a recent media report about the use of the Genderbread Person resource in Queensland state schools.
3. The Department of Education does not mandate the delivery of individual programs or initiatives in state schools.

Genderbread Person resource

4. The Genderbread Person is a free, online resource accessible to anyone who chooses to access it.
5. The resource, which is a cartoon figure that looks like a 'gingerbread person', is designed to explain concepts and terminology related to gender and sexuality.
6. The resource is available at 'itspronouncedmetrosexual.com'. Information on the website includes:
 - that the author of the resource is Sam Killermann, 'an activist, educator, and artist';
 - that the purpose is to assist people to better understand gender and to help people to explain gender to others; and
 - definitions of key terminology such as anatomical and biological sex, gender identity, gender expression and attraction.

Mitchelton State High School

7. As reported in the media, the Department of Education is aware that the Genderbread resource was used as one small component of Mitchelton State High School's Resilient Individuals who Strive for Excellence (RISE) program.
8. The RISE program focuses on student wellbeing, including social and emotional learning.

9. The Principal of Mitchelton State High School advises that RISE has been a long-standing program at the school and is aligned to the Australian Curriculum – Health and Physical Education syllabus.

10. Media outlets have reported that a number of parents at the school have complained that their children were confused by the resource.

11. All Mitchelton State High School parents were contacted via email at the start of Term 1 2018 and provided with an overview of topics covered as part of the RISE program.

12. Parents were able to choose to withdraw their child(ren) from the program if they wished.

13. The Principal of Mitchelton State High School has provided the following detail about concerns raised by the school community in relation to the Genderbread Person resource:

- on 31 January 2018 the Principal received a phone call from a Year s.47 parent seeking further clarification about the program and expressing concerns around any teaching of the Safe Schools Program;
 - i. following this discussion, the parent withdrew her children from the program as she did not wish for them to participate because it included topics including gender;
 - ii. the parent's children were provided with an alternative study option;
- on 22 February 2018 the Principal had a meeting with a member of the community who had expressed concerns about the use of the Genderbread Person
 - i. in the email to establish the meeting the person indicated she was s.47(3)(b) - Contra
s.47(3)(b) - Contrary to Public Interest
 - ii. at the conclusion of the meeting the Principal stated that she would talk with staff and parents further about some of the resources and the program;
 - iii. the Principal has since further involved P&C and staff to review the program.
- Following a media report by the Courier Mail on 16 April 2018, two families have expressed concerns about their child's participation in the program
 - i. one parent chose to opt out of any lessons about gender or sexuality;
 - ii. the other parent sought further clarification on topics to inform future decisions about withdrawing depending on the topic, which she has not done at this stage.

Media implications

14. Issues in relation to gender diverse and same-sex attracted students are sensitive and have the potential of raising strong views, which can lead to both positive and negative media implications.

Background

15. Statistics from the Australian Human Rights Commission (2014) indicate that up to 11 in 100 Australians may have a diverse sexual orientation, sex or gender identity and that 1.7% of children born in Australia every year are estimated to be intersex.

16. Given this prevalence in Australian communities, it is likely that a significant number of Queensland state schools have students who are lesbian, gay, bisexual, transgender and intersex (LGBTI).
17. Principals, in consultation with the school community, make decisions about the most appropriate programs and teaching resources to meet the needs of their students.
18. Queensland state schools support all students including LGBTI students. If needed, schools can engage support organisations such as True Relationships and Reproductive Health to provide additional advice on a fee-for-service basis.
19. The department has comprehensive policies and procedures to help schools create safe and supportive environments and makes a range of support services available to all students including LGBTI students.
20. The department has developed the policy *Diversity in Queensland schools — Information for principals* that provides clear information for school leaders when addressing issues commonly faced by LGBTI students.

Recommendation

That the Minister:

- **note** the information regarding the Genderbread Person resource.

NOTED**APPROVED/NOT APPROVED
ENDORSED/NOTED**

SHARON DURHAM
Chief of Staff
Office of the Hon Grace Grace MP
Minister for Education and
Minister for Industrial Relations

GRACE GRACE MP
Minister for Education and
Minister for Industrial Relations

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Minister's comments

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Action Officer
 Beth McInally
 Manager

Student Wellbeing

Ph: 3513 5821

Endorsed by
 Brett Weeden
 Acting Executive
 Director
 Student Protection and
 Wellbeing
 Ph: 3513 5947
 Mob: s.47(3)(b) - Co
 Date: 30/04/18

Endorsed by
 Hayley Stevenson
 Acting Assistant
 Director-General
 State Schools –
 Operations
 Ph: 3513 5836
 Mob: s.47(3)(b) - Co
 Date: 30/04/18

Endorsed by
 Leanne Nixon
 Acting Deputy
 Director-General
 State Schools
 Ph: 3034 4762
 Mob:
 Date: 30/04/18

Endorsed by
 Tony Cook
 Director-General
 Ph: 3034 4752
 Mob: s.47(3)(b) - Con
 Date:

Ministerial Event/Meeting Briefing Note

The Honourable Grace Grace MP
Minister for Education and
Minister for Industrial Relations

MEETING DETAILS: MEETING WITH ALICE EVANS, CEO, TRUE RELATIONSHIPS AND REPRODUCTIVE HEALTH ON 26 APRIL 2018

Key issues

1. True Relationships and Reproductive Health (True) currently provides advice and professional development to Queensland state schools on a fee-for-service basis in relation to a range of topics, including providing inclusive environments for lesbian, gay, bisexual, transgender, and intersex (LGBTI) students, and relationships and sexuality education.
2. *The True All School Program* is True's relationships and sexuality education program. Information about the program is available on their website (www.true.org.au) and indicates the program:
 - consists of age-appropriate lessons for students in Prep to Year 12;
 - is evidence-based and mapped to the national curriculum for Prep to Year 10, with Year 11 and 12 programs supporting students to develop skills in line with the Queensland Curriculum and Assessment Authority (QCAA) senior syllabuses;
 - is delivered to students by True staff and offered to schools on a fee-for-service basis; and
 - is also available for students with disability through the *True All School Special Education Program*.
3. *The True All School Program* is not mandated or endorsed by the Department of Education (DoE). Principals are best placed to make decisions about which programs to implement in their schools.
4. In 2017, True and DoE co-delivered one day training sessions to regional staff in each DoE region. The purpose of the training was to build capability and confidence for staff to be a key point of contact in their region when assisting schools to support LGBTI students.
5. Regional and school staff who did not have the opportunity to attend training in 2017 have expressed strong interest for similar sessions in 2018. DoE staff has begun discussions to deliver further regional training sessions in 2018.
6. True has a current Memorandum of Understanding (MoU) with DoE for the delivery of OneChannel webinars to departmental staff regarding relationships and sexuality education, respectful relationships education, child safety and domestic and family violence. The MoU will expire on 14 December 2018.
7. Ms Hayley Stevenson, Acting Assistant Director-General, State Schools - Operations will attend the meeting as the departmental representative.

Media Implications

8. Issues in relation to gender diverse and LGBGTI students are sensitive and have the potential of raising strong views, which can lead to both positive and negative media implications.

Financial Implications

9. DoE has not yet quoted or sourced funding for delivery of regional training sessions in 2018. In 2017, the seven training sessions cost approximately \$10,100, with True facilitators contributing their time free of charge.

Background

10. True offers professional development for staff, information for parents, and programs for students regarding providing safe and inclusive environments for LGBTI students, child safety, respectful relationships education, sexuality education and domestic and family violence prevention.
11. True received Australian Government funding through the Safe Schools Coalition Australia (SSCA) program to work with DoE to build staff capability and confidence in supporting LGBTI students. The SSCA funding ceased in Queensland on 31 October 2017 and Queensland state schools have no ongoing relationship with SSCA.
12. True leads the Confidence, Capability and Diversity Initiative (CCDI) Advisory Group, which includes a representative from State Schools – Operations. The CCDI Advisory Group was established in 2017 to help develop and maintain educational environments that are safe and inclusive for all people within school communities, including those who are LGBTI.
13. Through collaboration with members of the CCDI, True has developed a suite of professional development packages that are available to DoE staff to increase knowledge, capability and confidence in supporting LGBTI students.
14. The department supports Queensland state schools to respond to the needs of LGBTI students.
15. The DoE's *Diversity in Queensland schools – Information for principals*, available on the external website, provides a clear policy for school leaders to address issues commonly faced by LGBTI students.
16. An internal guidance document accompanies the policy and supports schools to appropriately respond to the needs of LGBTI students in a school context. This document is only available to DoE staff through the internal website.
17. DoE staff can also email support.diversity@qed.qld.gov.au for specific advice regarding support for LGBTI students in their school or region.
18. Queensland state schools are also able to engage organisations, including True, to provide additional advice and training as needed on a fee-for-service basis.
19. Regional and school staff have expressed an interest for more resources and training regarding support for LGBTI students. In response, DoE is reviewing the policy and support documents, and developing new materials for state schools and parents.

Action Officer Beth McNally Manager, Student Wellbeing Ph: 3513 5821	Endorsed by Brett Weeden A/Executive Director, Student Protection and Wellbeing Ph: 3513 5947 Mob: s.47(3)(b) - Cd Date: 17/04/2018	Endorsed by Hayley Stevenson A/Assistant Director- General, State Schools – Operations Ph: 3513 5838 Mob: s.47(3)(b) - Cd Date: 18/04/2018	Endorsed by Leanne Nixon A/Deputy Director- General Ph: 3034 4762 Mob: Date: 20/04/2018	Endorsed by Annette Whitehead A/Director-General Ph: 3034 4752 Mob: s.47(3)(b) - Cd Date: 20/04/2018
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Ministerial Meeting Briefing Note

The Honourable Grace Grace MP
Minister for Education and
Minister for Industrial Relations

Action required: For Noting

Action required by: 14 February 2018

Urgent – Information requested to support the Minister's meeting on 20 February 2018.

MEETING DETAILS: Minister Grace will be meeting with representatives from Parents and Friends of Lesbians and Gays (PFLAG) on 20 February 2018 at 1.00 pm.

Key issues

1. PFLAG is a peer support group that achieves its goal of keeping families together by helping families and friends understand their lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) loved ones.
2. PFLAG is a non-profit voluntary organisation that is predominantly organised by parents and loved ones and is not aligned with any political party or religious group.
3. PFLAG's purpose and objectives are to promote the health and wellbeing of LGBTIQ sons and daughters by providing:
 - support to the LGBTIQ person and their families and loved ones through meetings, telephone support, information and referrals;
 - education through community awareness campaigns and speaking to community groups; and
 - advocacy through lobbying all levels of government.
4. Ms Shelley Argent is the contact person for PFLAG Brisbane and the national spokesperson for PFLAG in Australia.
5. PFLAG and the Department of Education (DoE) are represented on the Confidence, Capability and Diversity Initiative (CCDI) Advisory Group.

CCDI Advisory Group

6. The CCDI Advisory Group, led by True Relationships and Reproductive Health (True), was established in 2017 to help develop and maintain educational environments that are safe and inclusive for all people within school communities, including those who are LGBTIQ.
7. Ms Argent from PFLAG and Ms Beth McNally Manager, Student Wellbeing, State Schools – Operations are members of the Advisory Group, which meets every two months.
8. The CCDI Advisory Group:
 - provides advice to support the Capability, Confidence and Diversity Initiative work plan;
 - provides advice and assistance on matters affecting LGBTIQ students, staff and families in educational settings;
 - shares inspiration for new initiatives to enhance LGBTIQ inclusive education; and
 - shares information with key stakeholders about existing and emerging issues relevant to LGBTIQ students, staff and families in educational environments.

(1)

Media Implications

9. Issues in relation to gender diverse and same-sex attracted students are sensitive and have the potential of raising strong views which can lead to both positive and negative media implications.
10. State Schools – Operations have previously responded to media requests on issues related to gender diverse and same-sex attracted students.

Financial Implications

11. PFLAG does not receive funding from the DoE.

Background

12. The Queensland Government is committed to ensuring schools are safe learning environments for all students regardless of their gender, race, disability, appearance or sexual identity.
13. Following the cessation of the Safe Schools Coalition Australia (SSCA) funding in Queensland in October 2017, Queensland state schools continue to support LGBTIQ students and are able to engage organisations, including True, to provide additional advice as needed.
14. Queensland state schools are able to forward any specific enquiries with respect to supporting LGBTIQ students to support.diversity@det.qld.gov.au.
 - Enquires sent to this inbox are addressed by members of the Student Wellbeing team, State Schools – Operations.
15. The department has developed the policy *Diversity in Queensland schools — Information for principals* that provides clear information for school leaders when addressing issues commonly faced by LGBTIQ students.
 - This resource is available on the DoE website at <http://education.qld.gov.au/schools/inclusive/docs/diversity-in-qld-schools-information-for-principals.pdf>.
 - The department sought feedback from Ms Argent from PFLAG and Ms Bonney Corbin from True on the content of the policy.
16. The department has also developed *Internal Guidance Materials to Assist Queensland State Schools in Supporting Gender Diverse Students* to accompany the policy, which supports schools to appropriately respond to the needs of LGBTIQ students in a school context. This document is only available to DoE staff through the internal website at <https://oneportal.deta.qld.gov.au/Students/InclusiveEducation/Pages/Default.aspx>.
 - The resource includes information on matters such as documentation, enrolment, reports, privacy and confidentiality, school dress code, change facilities and school camps.
17. In 2017, a workshop was held in each DoE region to enhance the capacity of staff to develop and maintain educational environments that are safer and more inclusive for LGBTI students within their school communities.
 - The one day workshops were co-delivered by staff from True Relationships and DoE (Executive Director, Student Protection and Wellbeing, Ms Hayley Stevenson)
 - The content of the training included:
 - explaining key terminology associated with gender, sexuality diversity and intersex,
 - the impacts of homophobic and transphobic behaviour on students in Queensland schools; and
 - opportunities for LGBTI student safety and inclusion in Queensland school communities.
18. PFLAG has chapters in Queensland, the Australian Capital Territory, New South Wales, South Australia, Victoria and Western Australia. Currently Queensland has 14 PFLAG chapters.

Right to information

19. I am of the view that the contents or attachments contained in this brief **are suitable** for publication.

Recommendation

That the Minister **note** the background information for the meeting with Parents and Friends of Lesbians and Gays (PFLAG) on 20 February 2018 at 1.00 pm.

NOTED

APPROVED/NOT APPROVED
ENDORSED/NOTED

SHARON DURHAM**Chief of Staff****Office of the Hon Grace Grace MP****Minister for Education and****Minister for Industrial Relations**

/ /

GRACE GRACE MP**Minister for Education and****Minister for Industrial Relations**

/ /

☐ Copy to Assistant Minister

Minister's comments

Action Officer Beth McNally Manager	Endorsed by Hayley Stevenson Executive Director	Endorsed by Bevan Brennan Assistant Director- General State Schools – Operations	Endorsed by Patea Walton Deputy Director- General State Schools	Endorsed by Annette Whitehead A/Director-General
Student Wellbeing Ph: 3513 5821	Student Protection and Wellbeing Ph: 3513 5947 Date: 03/02/2018	Ph: 3513 5836 Date: 09/02/2018	Ph: 3034 4762 Date: 09/02/2018	Ph: 30344752 Date: 14/02/2018



TO: ASSISTANT DIRECTOR-GENERAL, STATE SCHOOLS - OPERATIONS
FROM: MANAGER, STUDENT WELLBEING, STATE SCHOOLS - OPERATIONS
SUBJECT: APPROVAL MINUTE FOR THE EXPENDITURE OF FUNDS FOR THE DELIVERY OF PROFESSIONAL DEVELOPMENT TRAINING TO REGIONAL STAFF IN SUPPORTING LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX STUDENTS.

RECOMMENDATION

1. It is recommended that the Assistant Director-General, State Schools - Operations approve expenditure of \$10,104.77 (**Attachment 1**) for the delivery of '*Staff Capability and Confidence Building: Supporting Lesbian, Gay, Bisexual, Transgender, and Intersex Students*' training by True Relationships and Reproductive Health (True Relationships) and associated travel costs for external and departmental presenters, catering and incidentals.

BACKGROUND

2. True Relationships received Australian Government funding through the Safe Schools Coalition Australia (SSCA) program to work with the Department to build staff capability and confidence in supporting Lesbian, Gay, Bisexual, Transgender, and Intersex (LGBTI) students. The SSCA funding ceased in Queensland on 31 October 2017.
3. The purpose of delivering this training to selected regional staff was to:
 - a) build capability and confidence for trained staff to be a key point of contact in their region when assisting schools to support LGBTI students; and
 - b) ensure departmental staff knew how and when to contact True Relationships to access professional support and advice once the SSCA funding ceased.
4. True Relationships developed a one-day training package to enhance participants' knowledge of key terminology associated with gender and sexuality diversity and creating safe and supportive environments for LGBTI students in state schools.
5. Seven one-day training sessions, one in each Department of Education region, were held in August and September 2017.
6. A total of \$6,520.68 has already been paid for travel, catering, venue hire and parking costs. These expenses were paid from cost centre 2001803.
7. One invoice to True Relationships (18/37372), totalling \$3,584.09 including GST, remains outstanding.
8. Funding is available in cost centre 2001803.

REQUIRED ACTIONS

1. Caroline Beswick, Manager, State Schools Corporate Services to endorse and confirm funding is available.
2. Hayley Stevenson, Executive Director, Student Protection and Wellbeing, State Schools - Operations to approve.
3. Bevan Brennan, Assistant Director-General, State Schools - Operations to retrospectively approve the expenses already incurred and to approve payment of the final invoice.

APPROVED \ NOT APPROVED

BETH MCINALLY
MANAGER, STUDENT WELLBEING
STATE SCHOOL – OPERATIONS

8 January 2018

THROUGH: HAYLEY STEVENSON, EXECUTIVE DIRECTOR, STUDENT PROTECTION
AND WELLBEING, STATE SCHOOLS - OPERATIONS

Comment:

..... Initials:

Date:

THROUGH: BEVAN BRENNAN, ASSISTANT DIRECTOR-GENERAL, STATE
SCHOOLS - OPERATIONS

Comment:

..... Initials:

Date:

Travel Expenditure									
	Central Qld	Far North	North	Metro	South East	North Coast	DDSW	Comments	Total per category
Parking	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$10.00	\$0.00		\$10.00
Catering and venue hire	\$1,142.50	\$608.80	\$401.30	\$702.35	\$68.00	\$1,130.00	\$450.80	Morning tea, lunch and afternoon tea for participants and additional staff	\$4,503.75
Travel Costs Executive Director	\$643.58	\$688.63	\$0.00	\$0.00	\$0.00	\$674.72	\$0.00	Includes costs for flights and accommodation (see 17/454882, 17/441767 & 17/438442 for ED's travel forms)	\$2,006.93
Travel costs True Relationships								Includes all travel costs for True Relationships staff (see Invoice at 18/37372)	\$3,584.09
Total									\$10,104.77

	A	B	C	D	E
1	ools Division Travel	Request			
2					
3	TRIM Reference	17/438442			
4	Number of Staff	1			
5	Name/s	Hayley Stevenson			
6	Work Unit	Student Protection & Wellebing			
7	Branch	State Schools - Operations			
8	Cost Centre	2001803			
9	Departure Date	Friday, 1 September 2017			
10	Return Date	Friday, 1 September 2017			
11	Activity/Event	Capability, Confidence & Diversity Training			
12	Reason for attending	The aim of delivering this training is that, by the end of the session attending participants will able to: <ul style="list-style-type: none"> • be a key DET contact for school's 			
13	Additional notes (if applicable)	Flights selected are the only available options that suit the designated training time of 9am -5pm. Airport parking selected over			
14					
15					
16	Cost Summary				
17	Flights	\$ 507.00			
18	Accommodation				

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16	ADG Approval			
17	Name:			
18				

	A	B	C	D	E
19	Meals and Incidentals	\$ 69.25			
20	Car Hire				
21	Taxis	\$ 96.38			
22	Parking	\$ 16.00			
23	Other				
24	Total Cost	\$ 688.63			<i>This section is</i>

Released under RTI Act by DoE

	F	G	H	I
19	Signature: Date: 			
20				
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23				
24	not required if approving in TRIM			

Released under RTI Act by DoE

	A	B	C	D	E
1	ools Division Travel Request				
2					
3	TRIM Reference	17/441767			
4	Number of Staff	1			
5	Name/s	Hayley Stevenson			
6	Work Unit	Student Protection & Wellebing			
7	Branch	State Schools - Operations			
8	Cost Centre	2001803			
9	Departure Date	Tuesday, 12 September 2017			
10	Return Date	Wednesday, 13 September 2017			
11	Activity/Event	Capability, Confidence & Diversity Training			
12	Reason for attending	The aim of delivering this training is that, by the end of the session attending participants will able to: <ul style="list-style-type: none"> • be a key DET contact for schools 			
13	Additional notes (if applicable)	Flights selected due to start/finish times of training - specific time required & morning flights that are available are unsuitable,			
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16	Cost Summary				
17	Flights	\$ 371.00			
18	Accommodation	\$ 135.00			

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16	ADG Approval			
17	Name:			
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	A	B	C	D	E
19	Meals and Incidentals	\$ 38.45			
20	Car Hire				
21	Taxis	\$ 81.13			
22	Parking	\$ 18.00			
23	Other				
24	Total Cost	\$ 643.58			<i>This section is</i>
25	NOTE: ESO SWP advised that since printed parking quote and ADG D&I approval received				

	F	G	H	I
19	Signature:			
20				
21	Date:			
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23				
24	<i>not required if approving in TRIM</i>			
25	ed, quoted price	now \$43.00. Traveller now elected to catch ret		

Released under RTI Act by DoE

	A	B	C	D	E
1	Tools Division Travel Request				
2					
3	TRIM Reference	17/454882			
4	Number of Staff	1			
5	Name/s	Hayley Stevenson			
6	Work Unit	Student Protection & Wellbeing			
7	Branch	State Schools - Operations			
8	Cost Centre	2001803			
9	Departure Date	Monday, 11 September 2017			
10	Return Date	Monday, 11 September 2017			
11	Activity/Event	Capability, Confidence & Diversity Training			
12	Reason for attending	The aim of delivering this training is that, by the end of the session attending participants will able to: <ul style="list-style-type: none"> • be a key DET contact for schools 			
13	Additional notes (if applicable)	Flights selected are the only available options that suit the designated training time of 9am -5pm. Taxi's selected over airtrain/Airport			
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16	Cost Summary				
17	Flights	\$ 477.00			
18	Accommodation				

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16	ADG Approval			
17	Name:			
18				

	A	B	C	D	E
19	Meals and Incidentals				
20	Car Hire				
21	Taxis	\$ 197.72			
22	Parking				
23	Other				
24	Total Cost	\$ 674.72			<i>This section is</i>

Released under RTI Act by DoE

	F	G	H	I
19	Signature:			
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21				
22	Date:			
23				
24	<i>not required if approving in TRIM</i>			

Released under RTI Act by DoE



Building 1
230 Lutwyche Road
WINDSOR QLD 4030
P O Box 215
FORTITUDE VALLEY QLD 4006

TAX Invoice/Receipt

ABN Number: 61 009 860 164

Invoice Number 173984

Date 29/09/17

Invoice to:

DEPARTMENT OF EDU - Student Serv
PO BOX 15033
CITY EAST 4002

Deliver to:

DEPARTMENT OF EDU - Student Serv
PO BOX 15033
CITY EAST

Customer Code	Customer Reference	Tax Number		Our Order No.		
DETA	BETH MCINALLY			0		
Item Code	Item Description	Inv. Qty	Per	Price	GST	Amount
	Travel reimbursement :- Capability, Confidence & Diversity Professional Development Delivery for Sch. 3(10)(1)(d)	1.00		3258.260	325.83	3,584.09

Terms: Pay on invoice

Total Before GST 3,258.26

Payment Methods:

GST 325.83

TOTAL \$ 3,584.09

CHEQUE: Please make cheque payable to
Family Planning Queensland T/A True Relationships & Reproductive Health

EFT: Westpac Bank Fortitude Valley BSB s.47(3)(b) Account s.47(3)(b)
Reference: 173984

CREDIT CARD: Visa and Mastercard accepted
Please call (07) 3250 0262 or fax details to (07) 3250 0296

Amt Paid 0.00 **Amt Remaining** 3,584.09 **AMOUNT DUE \$** 3,584.09

Please quote **INVOICE NUMBER** on all payments. For all enquires phone Ruby Martens on (07) 3250-0262
Remittances can be emailed to: payments@true.org.au

Briefing Note

Senior Policy Advisor
Office of the Minister for Education and
Minister for Tourism, Major Events
and the Commonwealth Games

Action required: With Correspondence

Action required by: N/A

Routine: Background information to support response to s.47(3)(b) - Contrary to Public

SUBJECT: GENDER EQUALITY AND STUDENT DRESS CODE

Summary of key objectives

- To provide background information in relation to concerns raised by s.47(3)(b) - Contrary to Public regarding the student dress code at Earnshaw State College, Metropolitan Region.

Key issues

- s.47(3)(b) - Contrary to Public has raised concerns with the Minister and the Department of Education and Training regarding whether Earnshaw State College conforms to the Department's *Student Dress Code* procedure, in relation to providing gender neutral uniform options for students.
- The Principal of Earnshaw State College has advised that following concerns raised by s.47(3)(b) - Contrary to Public the student dress code was reviewed and implemented in mid-2016 to allow girls to wear shorts. This occurred after a process of community consultation and with the full support of the Parents and Citizens' (P&C) Association.
- Sch. 3(7)
- The Principal has had regular communication with the school's uniform supplier, The School Locker, regarding the changes to the school uniform as a result of the new student dress code. The School Locker is working with its manufacturer to make changes to the labelling of uniforms to remove references to gender from the uniform labels. Representatives from The School Locker have indicated that this is a process that may take some time for their manufacturer to implement.
- It is understood that further discussions are underway with The School Locker to offer additional uniform items in the school's colours to provide students of any gender, more options within the school's gender neutral Student Dress Code.
- The Principal and the Head of Junior School met with s.47(3)(b) - Contrary to Public regarding an incident between s.47(3)(b) - Contrary to Public daughter and another student about her uniform. The Principal followed up on s.47(3)(b) - Contrary to Public request to ensure all classroom teachers addressed the school's gender neutral dress code with students.
- Satisfactory resolution between s.47(3)(b) - Contrary to Public the P&C and the Principal was not achieved and on 1 February 2017, s.47(3)(b) - Contrary to Public enrolled her children at s.47(3)(b) - Contrary to Public School. s.47(3)(b) - Contrary to Public School Student Dress Code includes unisex shorts and tracksuit pants.
- On 20 February 2017, Ms Danielle McAllister, Executive Director State Schools — Operations, met with s.47(3)(b) - Contrary to Public to discuss her concerns regarding gender equality for girls and the Student Dress Code for state schools.

9. [s.47(3)(b) - Cont] did not discuss her personal experience and focused instead on her establishment of a national committee, Girls Uniform Agenda, focusing on delivering gender equality for girls at school.
10. A package of information provided by [s.47(3)(b) - Cq] for the Minister's office was provided to the Senior Policy Advisor (Verena McCarthy) on 21 February 2017.
11. Discussions have occurred with the Regional Director, Assistant Regional Director, principal associations (Queensland Association of State School Principals, Queensland Secondary Principals Association and Queensland Association of Special Education Leaders) as well as P&Cs Qld, regarding the Earnshaw State College Student Dress Code and the policy more broadly.

Next steps

12. A review of the Student Dress Code was scheduled for April 2017, however this will be moved forward to immediately explore improvements to strengthen inclusive practices in schools. The review will include wide consultation and Girls' Uniform Agenda, through [s.47(3)(b) - Con] will be one of the stakeholders consulted during the review.
13. A desktop audit (review of school websites) of school uniforms will be completed to identify schools that do not have a gender neutral uniform option. This information will be provided to Regional Directors/Assistant Regional Directors for any appropriate action.
14. A targeted communications plan will also be enacted to remind principals of their responsibilities and to support effective implementation of the *Student Dress Code policy*. This will include messages from the Assistant Director-General, State Schools – Operations, speaking directly to principals about their responsibilities at regional roadshow forums.

Background

15. [s.47(3)(b) - Contrary to Pub] children, a [s.47(3)(b) - Contrary to Public Interest], both of whom were previously enrolled at Earnshaw State College.
16. [s.47(3)(b) - Cq] raised concerns in relation to the Earnshaw State College gender neutral student dress code in previous correspondence to the Minister in 2016.
17. The *Education (General Provisions) Act 2006* (the Act) provides state school principals with the authority to develop a dress code for school students that applies when the students are attending or representing their school, travelling to and from school and engaging in school activities out of school hours.
18. The Department of Education and Training provides specific guidance about student dress codes to principals under the Student Dress Code procedure. It is a requirement under the *Student Dress Code policy* that Queensland state schools' student dress codes offer gender neutral uniform options for all students.

Right to information

19. I am of the view that the contents or attachments contained in this brief **are not suitable** for publication.

Recommendations

That the Senior Policy Advisor:

- note the information provided around gender neutral uniform options for students; and
- sign the attached response to [s.47\(3\)\(b\) - Contrary to Public Interest](#) Attachment 1).

NOTED



VERENA MCCARTHY
Senior Policy Advisor
Office of the Hon Kate Jones MP
Minister for Education and
Minister for Tourism, Major Events
and the Commonwealth Games

28 / 3 / 17.

Senior Policy Advisor's comments

Action Officer: Karen Sweedman Director Regional Services Metropolitan Region Tel: 3028 8196	Endorsed by: Danielle McAllister Executive Director State Schools - Operations Tel: 3513 5979 Mob: s.47(3)(b) - Contrary to Public Interest Date: 1/03/2017	Endorsed by: Tom Juppertz Executive Director Legal and Administrative Law Branch Tel: 3513 5850 Date: 15/03/2017	Endorsed by: Bevan Brennan ADG State Schools - Operations Tel: 3513 5836 Date: 8/03/2017	Endorsed by: Patrea Walton DDG State Schools Division Tel: 3034 4762 Date: 15/03/2017
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Office of the
Minister for Education and
Minister for Tourism, Major Events and
the Commonwealth Games

30 MAR 2017

s.47(3)(b) - Contrary to Public Interest

1WS
1 William Street Brisbane 4000
PO Box 15033 City East
Queensland 4002 Australia
Telephone +61 7 3719 7530
Email: education@ministerial.qld.gov.au

Dear s.47(3)(b) - Con

I refer to your email regarding the dress code at Earnshaw State College. The Honourable Anastacia Palaszczuk MP, Premier and Minister for the Arts, has forwarded your email to the Honourable Kate Jones MP, Minister for Education and Minister for Tourism, Major Events and the Commonwealth Games for consideration. The Minister has asked me to respond on her behalf.

I note you have also written to Mr Wayne Swan MP, Member for Lilley, Ms Leanne Linard MP, Member for Nudgee and Dr Jim Watterston, Director-General, Department of Education and Training.

The Palaszczuk Government is committed to providing a safe and supportive learning environment for all Queensland students. The Department of Education and Training's *Student Dress Code* policy indicates that Earnshaw State College must consider consistency with relevant legislation, both state and commonwealth, including offering a gender neutral uniform option for students.

I am aware you met with Ms Danielle McAllister, Executive Director, State Schools – Operations, on 20 February 2017 to discuss your concerns and the establishment of a national committee, Girls' Uniform Agenda, focused on delivering gender equality for girls at school. I have received the pack of materials you provided at this meeting and appreciate the detailed information.

The Student Dress Code policy was due to be reviewed in April 2017; however, I can advise that this review will be brought forward and actioned immediately. This review will include wide consultation and the Department has committed to consulting with the Girls' Uniform Agenda, through yourself.

Should you wish to discuss this matter further with the Department, I invite you to contact Ms McAllister on telephone 3513 5979 or by email at danielle.mcallister@det.qld.gov.au.

I trust this information is of assistance. I wish your children well in their continuing education and thank you for your commitment to inclusive education.

Yours sincerely

VERENA MCCARTHY
Senior Policy Advisor
Office of the Hon Kate Jones MP
Minister for Education and
Minister for Tourism, Major Events
and the Commonwealth Games

Ref: 17/91038

cc: Mr Wayne Swan MP, Member for Lilley
Ms Leanne Linard MP, Member for Nudgee

Briefing Note

The Honourable Grace Grace MP
Minister for Education and
Minister for Industrial Relations

Action required: For Approval

Action required by: N/A

Routine: Early publication of the updated procedure will allow schools more time to prepare to implement the new requirements in 2019.

SUBJECT: UPDATED STUDENT DRESS CODE PROCEDURE

Summary of key objectives

- To seek the Minister's approval of:
 - the updated *Student dress code* procedure for state schools (**Attachment 1**); and
 - the new student dress code review checklists (**Attachment 2A and 2B**).

Key issues

1. On 10 March 2018, the Minister for Education announced at the Queensland Teachers' Union (QTU) Council meeting that the Department of Education would review the *Student dress code* procedure.
2. Principals are responsible for developing a student dress code for their school in consultation with the school community. The *Student dress code* procedure provides guidance to principals on issues to consider when developing, implementing and revising their school's dress code.
3. The updated procedure (**Attachment 1**) requires all state schools to offer the option of shorts and pants for all students regardless of gender. This amendment will allow greater flexibility and choice for students to wear clothes that they feel comfortable in and that allow them to participate with equal access to the full range of school activities.
4. The review has resulted in a number of other modifications to the procedure including:
 - a requirement for principals to monitor dress code issues and review their school's dress code periodically;
 - clarifying principal responsibilities to ensure student dress codes account for community diversity, health and safety considerations, individual needs, functionality and affordability;
 - requiring that parents and relevant retailers be notified of any proposed changes to a school's uniform as soon as possible so that they can prepare for the changes;
 - documenting that parents have a responsibility to support student compliance with the school's dress code; and
 - checklists for schools to use when developing and reviewing a student dress code and responding to non-compliance (**Attachments 2A and 2B**).
5. A summary of the changes is outlined in **Attachment 3**.
6. The QTU, Girls' Uniform Agenda (a national lobby group campaigning for girls uniforms to include shorts and pants options), P&Cs Qld, Isolated Children's Parents' Association, principals associations, and Regional Directors have been consulted as part of the review. Stakeholders supported strengthening the requirement for girls to have the option of shorts and pants as part of their uniform.

7. Pending Ministerial approval, the updated procedure will be published immediately to allow schools time to prepare to implement the new requirements in 2019.
8. Once published, a thorough communications plan using a variety of channels will be enacted to ensure state schools and parent groups are aware of the revised requirements.

Media implications

9. During 2017 and 2018, there has been ongoing media and public interest regarding student dress codes, particularly the option for girls to wear shorts and pants as part of the formal uniform.
10. It is likely that this topic will continue to be of public interest and receive media attention.

Financial implications

11. There are no specific financial implications for the department relating to amending this procedure.
12. There may be some initial financial implications for school uniform shops (which are often operated by Parents and Citizens' Associations) and uniform suppliers to include additional uniform items in some schools, however there should be no increased financial burden on parents unless they choose to purchase additional uniform items.

Legal implications

13. The *Anti-Discrimination Act 1991* (Qld) prohibits state schools from discriminating on the attribute of gender identity. The *Sex Discrimination Act 1984* (Cth) also prohibits discrimination on the basis of a person's sex, gender identity, intersex status or sexual identity in the area of education.

Background

14. The *Education (General Provisions) Act 2006* provides state school principals with the authority to develop a dress code for school students when attending or representing their school, travelling to and from school, and engaging in school activities out of school hours.
15. Schools can review and enhance their student dress code at any time in consultation with students, parents and staff.

Recommendation

That the Minister:

- **approve** the updated state schools' *Student dress code* procedure (**Attachment 1**); and
- **approve** the new student dress code review checklists (**Attachments 2A and 2B**).

NOTED**APPROVED / NOT APPROVED
ENDORSED / NOTED**

SHARON DURHAM
Chief of Staff
Office of the Hon Grace Grace MP
Minister for Education and
Minister for Industrial Relations

GRACE GRACE MP
Minister for Education and
Minister for Industrial Relations

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/ /

Minister's comments

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Action Officer
 Linda Coyne
 Manager
 State Schools – Operations
 Ph: 3513 5910

Endorsed by
 Becky Walsh
 Director
 State Schools – Operations
 Ph: 3513 5919
 Date: 11/05/2018

Endorsed by
 Danielle McAllister
 Executive Director
 State Schools – Operations
 Ph: 3513 5927
 Date: 17/05/2018

Endorsed by
 Hayley Stevenson
 A/Assistant Director-General
 State Schools – Operations
 Ph: 3513 5836
 Date: 04/06/2018

Endorsed by
 Leanne Nixon
 A/Deputy Director-General
 State Schools
 Ph: 3034 4762
 Date:

Endorsed by
 Tony Cook
 Director-General
 Ph: 3034 4752
 Date:



Procedure

Student dress code

Audience

All state schools

Implementation Date: TO BE INSERTED BY PPR
Version: 5.0

Purpose

This procedure outlines processes principals need to follow in developing, approving, documenting, implementing and reviewing student dress codes in Queensland state schools.

Overview

In accordance with section 360 of the *Education (General Provisions) Act 2006*, a principal may develop a student dress code that will apply when students are attending, or representing, the school. When developing a dress code, the principal must ensure it is compliant with guidelines, as described in this procedure.

Dress codes must:

- be developed in consultation with the school community
- be consistent with health and safety considerations
- comply with anti-discrimination legislation
- consider affordability, functionality and durability of uniform items
- provide uniform options, including shorts and pants, in all uniform categories for all students, regardless of gender.

Dress codes clearly explain and document standards of acceptable dress in relation to clothing worn by students, including headwear, footwear, and other aspects of personal presentation.

Dress codes must incorporate strategies to accommodate the individual needs and circumstances of students and strategies for managing non-complying students.

Responsibilities

Principals:

- Consult with students, school staff, parents and the Parents and Citizens' (P&C) Association when developing and reviewing the school's dress code.



- Approve the dress code and/or amendments to the dress code.
- Ensure the dress code:
 - states its purpose and acceptable standards of dress and student personal presentation
 - complies with relevant legislation and departmental policies
 - is inclusive of students from diverse backgrounds and circumstances
 - outlines the rights and responsibilities of parents, students and the school
 - is flexible and allows the right of choice (including choice of shorts and pants) for all students by clothing type
 - is practical and provides all students with equal access to the full range of school activities
 - is responsive to individual abilities and needs (e.g. through provision for modifications or exemptions under certain circumstances)
 - includes criteria and processes for granting and managing exemptions
 - considers affordability of uniform items and includes strategies to reduce costs and/or support families in financial need
 - includes strategies to positively reinforce compliance
 - includes strategies to manage non-compliance that are not contrary to student wellbeing or academic outcomes
 - includes strategies for resolution of dress code issues.
- Comply with the [Purchasing and procurement procedure](#) when engaging a school uniform supplier.
- Ensure that the school possesses the intellectual property rights to deal with the school logo.
- Licence the school logo to manufacturers to reproduce the school logo for the purpose of manufacturing school uniforms, and maintain all licences on record.
- Communicate dress code requirements to the school community, ensuring it is published on the school's website and readily available on request.
- Ensure the dress code is communicated clearly to students and parents prior to enrolment, as part of the [enrolment agreement](#), providing a basis for parent agreement.
- Enforce the dress code fairly and equitably.
- Determine, document and inform parents and students of reasons for dress code exemption decisions.
- Monitor issues and review the dress code periodically.

P&C:

- Support and engage in consultation led by the principal, giving advice and recommendations regarding the school's dress code.
- Direct parents to the principal to discuss any individual issues regarding the dress code.
- Support the school to resolve issues regarding the school's dress code.

Parents:

- Commit to supporting the dress code as part of the enrolment agreement.

- Support the student to adhere to the dress code.
- Request short or long term modifications or exemptions to the dress code in writing, providing reasons for request.
- Work with the school to resolve issues regarding student compliance with the school's dress code.
- Engage in consultation processes about the dress code.

Process

Principals:

Consultation

1. Consult with stakeholders (students, staff, parents, P&C) and interest groups (e.g. cultural leaders) early in the process of developing and reviewing the dress code to ensure the needs and diversity of the school community are represented – seeking feedback about existing and proposed dress standards and strategies to promote the wearing of the school uniform using multiple channels of communication.
2. Consult with suppliers to obtain information about uniform options that are affordable and readily available.
3. Document all consultation undertaken.
4. Ensure timely communication of any proposed changes to the school uniform (before the changes are implemented), to allow parents, school uniform shops, suppliers, external retailers, and any other parties with significant stocks of uniforms to prepare for the changes.
5. Consider displaying uniform options for feedback.

Developing a dress code

1. Develop dress code standards that comply with workplace health and safety legislation and consider the safety of students and others, using the [checklist – developing, reviewing and implementing a student dress code](#) as appropriate. Consider:
 - uniform items and personal presentation (e.g. piercings, jewellery) appropriate to specific curriculum activities (e.g. protective footwear in laboratory or workshop lessons) as required by the [Managing risks in school curriculum activities procedure](#) and the appropriate [Curriculum activity risk assessment \(CARA\) - activity guidelines](#)
 - sun safety guidelines (e.g. hats and swim shirts as required by the [Sun Safety Strategy](#))
2. Develop dress code standards that comply with relevant anti-discrimination legislation ensuring that dress codes do not give rise to unlawful discrimination against students. Shorts and pants options, in designs suitable to a student's gender identity, must be included for all students in all uniform categories. Consider:
 - other options and modifications to the dress code that are [inclusive](#), reflecting the diverse needs of students and supporting student health and wellbeing.

Example: A dress code may permit head coverings such as the hijab, the yarmulke or a turban in school colours.
3. Develop strategies for families who may be experiencing financial hardship to comply with the dress code. Consider:

- staged introduction of new dress code options
 - cost reduction strategies (e.g. bulk purchasing, clothing pools, providing items for loan, second-hand clothing services, uniform exchange services, inclusion of non-logo bearing alternatives)
 - financial support, payment plans or extended periods of time to purchase uniform items
 - proactively informing families of support available.
4. Develop dress code standards that provide all students with equal access to the full range of school activities. Consider functionality of clothing items:
- durability of materials
 - comfort and suitability for climatic conditions
 - designs that support participation in incidental physical activity (e.g. riding to school; sport or exercise during breaks, before and after school).
5. Develop processes to grant short or long term modifications to, or exemptions from, the dress code, on a case-by-case basis. Consider:
- criteria for granting of variations (e.g. student health, religious requirements, financial hardship)
 - how students or parents seek modifications or exemptions to the dress code in writing (e.g. note, email, text)
 - processes to document modification/exemption decisions (e.g. letter to parent, exemption card for student to carry). A confidential centralised record of requested exemptions should be established. Where patterns of exemptions and modifications are identified over a period of time, they should be taken into account in a subsequent review of school uniform requirements
 - establish positive consequences and strategies to promote compliance with the dress code.
6. Develop processes to manage student non-compliance with the dress code, including logical consequences that align with the school's Responsible Behaviour Plan for Students. For example:
- support the student to comply with the dress code using loan items or removal of inappropriate items (e.g. jewellery, nail polish)
 - talk with the student about their non-compliance with the dress code and any consequences
 - contact parents if required
 - provide alternative educational activities if student participation in essential curriculum activities is prevented for safety reasons
 - detention for persistent non-compliance
 - prevention from attending or participating in any non-essential curriculum activity in which the student would have been representing the school.

Ensure that students are not:

- suspended, excluded or at risk of having their enrolment cancelled for not complying with the dress code
- given a consequence that damages their academic or external career prospects
- disadvantaged where required dress code items are not available because of circumstances beyond the control of the student and/or the student's parent.

7. Ensure the dress code clearly outlines the rights and responsibilities of students, parents and the school.
8. Publish the dress code and make it freely available on request.

Student uniform supply arrangements

1. Refer to the current [procurement supply arrangement](#) and the Panel of pre-Qualified Providers for the provision of school uniforms.
2. Use the appropriate Deed of Licence, as outlined in the [Information sheet - copyright school uniform logo](#), when licensing a manufacturer to reproduce the school logo for the purpose of manufacturing uniforms or to restrict the retailers to whom the licensed manufacturers can supply the uniforms.
3. Ensure parents and retailers are notified of any proposed change to school uniforms as soon as possible, so that school uniform shops and others with significant stock of uniforms can replace or prepare for the changes.

Implementing the dress code

1. Implement strategies and processes as outlined in the dress code.
2. Where there are individual issues with the dress code, or a persistent failure of a student to comply with the code, efforts should be made to resolve issues at the school level. Refer to the [checklist – resolving student dress code issues](#) as appropriate.
 - Explore/identify the reasons why the student is not complying and determine whether additional support is required, or whether a modification or exemption is warranted.
 - Inform and support the student's parent to develop strategies to assist the student to comply with dress code requirements.
3. If students or parents are dissatisfied with how the school has resolved the issue, refer to the [Customer complaints management](#) procedure.

Reviewing and evaluating the dress code

1. Monitor exemptions and issues raised regarding the dress code.
2. Periodically review the dress code in consultation with stakeholders (students, staff, parents, P&C) and interest groups (e.g. cultural leaders) using the [checklist – developing, reviewing and implementing a student dress code](#) as appropriate.
3. Allow a suitable transition period and arrangements for the introduction of new uniform items or other dress code requirements.

Definitions

Dress code	A standard specifying what is acceptable in relation to items of clothing, footwear and jewellery worn by the students and the personal presentation of the students that applies when students are attending or representing the school.
Uniform categories	Categories of uniforms determined by a school to be appropriate for different occasions or activities (e.g. formal, every day, winter, sports, extra-curricular activities).

Legislation

- [Anti-Discrimination Act 1991 \(Qld\)](#) Chapter 2, Part 1-3, Part 4 Division 3-4, Part 4 Division 10, Part 5
- [Disability Discrimination Act 1992 \(Cwlth\)](#) Part 1, Part 2 Division 2, Part 2 Division 5
- [Education \(General Provisions\) Act 2006 \(Qld\)](#) Chapter 12, Part 9 ss.360-363
- [Racial Discrimination Act 1975 \(Cwlth\)](#) Part II s.9
- [Sex Discrimination Act 1984 \(Cwlth\)](#) Part I, Part II Division 2, Part II Division 4
- [Work Health and Safety Act 2011 \(Qld\)](#)

Delegations/Authorisations

- Nil

Related policies

- [Inclusive education](#)
- [Diversity in Queensland schools – Information for principals](#)

Related procedures

- [Customer complaints management](#)
- [Managing risks in school curriculum activities](#)
- [Purchasing and procurement](#)
- [Safe, supportive and disciplined school environment](#)

Guidelines

- [Developing a sun safety strategy](#)

Supporting information/websites

- [Checklist – developing, reviewing and implementing a student dress code](#)
- [Checklist – resolving student dress code issues](#)
- [Enrolment agreement](#)
- [Information sheet – copyright school uniform logo](#)
- [Purchasing and procurement services](#)
- [School logo licence option 1](#)
- [School logo licence option 2](#)
- [School logo licence option 3](#)

Contact

For further information, please contact your closest [regional office](#).

Review date

Three years from implementation date.

Superseded versions

Previous seven years shown. Minor version updates not included.

3.0 SMS-PR-022: Student dress code

4.0 Student dress code

Creative Commons License



Procedure metadata*

Primary business category	School Management
Secondary business category	Choose an item.
Procedure owner	Deputy Director-General, State Schools
Delegated procedure owner	Executive Director, State Schools - Operations
Procedure author	Manager, State Schools - Operations
Keywords	clothing, hats, headwear, shoes, footwear, headscarves, trousers, skirts, dresses, standards, school uniform, uniform, dress, code, slacks, shorts, SMS-PR-022
Updates page	Yes
PPR USE ONLY	
Information management category	Choose an item.

*Information not visible on published procedure.

Checklist – developing, reviewing and implementing a student dress code

The following optional checklists are provided to support principals to establish or review student dress code requirements. Completed checklists will provide background information when matters are referred for follow up.

Developing and reviewing school dress code requirements

Considerations	Yes	No or N/A
Has a school dress code committee or working group been established including representatives from: <ul style="list-style-type: none"> o school leadership team o staff o P&C o other parents o students o any other community representatives? 	<input type="checkbox"/>	<input type="checkbox"/>
Have members of the committee or working group been briefed on: <ul style="list-style-type: none"> o current legislative requirements? o the Student dress code procedure? 	<input type="checkbox"/>	<input type="checkbox"/>
Has data been collected from relevant school records, surveys and interviews and resulting implications considered?	<input type="checkbox"/>	<input type="checkbox"/>
Has input about the purpose and benefits of a dress code; attitudes; individual needs; affordability; issues; compliance been invited from the whole school community with fairness to all groups of students, staff and parents?	<input type="checkbox"/>	<input type="checkbox"/>
Have information and viewpoints collected during these processes been carefully considered?	<input type="checkbox"/>	<input type="checkbox"/>
Has the committee collaboratively developed a number of options for school uniforms, for consultation?	<input type="checkbox"/>	<input type="checkbox"/>
Has feedback been considered and a school uniform decided upon which has support from the majority of parents and students?	<input type="checkbox"/>	<input type="checkbox"/>

Have requirements of the <i>Work Health and Safety Act</i> been met (e.g. sun safety, protective clothing, clothing appropriate to specific curriculum activities)?	<input type="checkbox"/>	<input type="checkbox"/>
Have requirements of Anti-discrimination and Human Rights legislation been met?	<input type="checkbox"/>	<input type="checkbox"/>
Do students generally like the school uniform proposed?	<input type="checkbox"/>	<input type="checkbox"/>
Have students, parents and school staff been involved in deciding on precise school uniform requirements, (e.g. what is appropriate jewellery)?	<input type="checkbox"/>	<input type="checkbox"/>
Does the school uniform ensure the needs and diversity of the school community are represented (e.g. ethno-religious backgrounds)?	<input type="checkbox"/>	<input type="checkbox"/>
Are shorts and pants options included for all students in all uniform categories?	<input type="checkbox"/>	<input type="checkbox"/>
Has the school uniform been documented?	<input type="checkbox"/>	<input type="checkbox"/>
Have strategies to promote the school uniform been developed? o <include examples>	<input type="checkbox"/>	<input type="checkbox"/>
Does the dress code identify responsibilities of students, parents and the school?	<input type="checkbox"/>	<input type="checkbox"/>
Does the dress code identify strategies, agreed upon by the school community, for responding to students who do not comply with the dress code requirements?	<input type="checkbox"/>	<input type="checkbox"/>
Have strategies for students and families seeking modifications or exemptions to the school uniform been developed and documented? Have criteria for seeking short and long term modifications and exemptions been considered?	<input type="checkbox"/>	<input type="checkbox"/>
Have strategies to assist families facing financial hardship been developed?	<input type="checkbox"/>	<input type="checkbox"/>
Has a trial period for displaying uniform options for feedback been considered?	<input type="checkbox"/>	<input type="checkbox"/>
Has the new school uniform been introduced in ways that celebrate and promote pride in the school's achievements?	<input type="checkbox"/>	<input type="checkbox"/>
Has a timeline for the complete introduction of the new school uniform (up to three years) been set?	<input type="checkbox"/>	<input type="checkbox"/>
Has the Purchasing and procurement procedure been followed? Has the school uniform supply arrangement been used?	<input type="checkbox"/>	<input type="checkbox"/>

Implementing a student dress code

Considerations	Yes	No or N/A
Have decisions been made about when and how a future review of the new school uniform will take place?	<input type="checkbox"/>	<input type="checkbox"/>
Has documentation of the school's dress code and a brief statement about consultation undertaken been filed at the school?	<input type="checkbox"/>	<input type="checkbox"/>
Have all steps outlined in "Developing and reviewing school dress code requirements" been followed in reviewing the school uniform?	<input type="checkbox"/>	<input type="checkbox"/>
Are all provisions in the school dress code requirements clearly defined?	<input type="checkbox"/>	<input type="checkbox"/>
Have staff, students and parents been fully informed of the school dress code requirements?	<input type="checkbox"/>	<input type="checkbox"/>
Have a number of approaches been used to effectively inform different groups of parents (e.g. school newsletters, mailouts, community media, translators, displays in shopping and community centres)?	<input type="checkbox"/>	<input type="checkbox"/>
Are newly enrolled students and their parents informed of the school dress code?	<input type="checkbox"/>	<input type="checkbox"/>
Has a clothing pool been set up? Have financial support strategies been developed?	<input type="checkbox"/>	<input type="checkbox"/>
Is there a focus on strategies for recognition and reinforcement, and are they applied consistently (e.g. positive comments, awards)?	<input type="checkbox"/>	<input type="checkbox"/>
Are students involved in promoting adherence to the school uniform?	<input type="checkbox"/>	<input type="checkbox"/>

Checklist – resolving student dress code issues

The following optional checklist is provided to support principals in working with students who are out of uniform or persistently fail to wear school uniform. Completed checklists will provide background information when matters are referred for follow up.

Working with students who are out of uniform

Considerations	Yes	No or N/A
Is not wearing a uniform related to an aspect of the student dress code that affects the student unequally compared to other students on the grounds of: <ul style="list-style-type: none"> ○ race/culture ○ ethno-religious requirements ○ gender ○ pregnancy ○ health ○ individual physical needs. 	<input type="checkbox"/>	<input type="checkbox"/>
If yes to the previous question, can a long term modification or exemption be provided?	<input type="checkbox"/>	<input type="checkbox"/>
Where a long term exemption has been provided, has this been noted for consideration in the next review of the school uniform?	<input type="checkbox"/>	<input type="checkbox"/>
Is the student's non-adherence due to a temporary difficulty outside the criteria for a short term exemption?	<input type="checkbox"/>	<input type="checkbox"/>
If yes to the previous question, can an exemption be granted?	<input type="checkbox"/>	<input type="checkbox"/>
Is the student's non-adherence due to practical or economic difficulties?	<input type="checkbox"/>	<input type="checkbox"/>
If yes to the previous question, has support been provided (e.g. access to the clothing pool or a financial support scheme)?	<input type="checkbox"/>	<input type="checkbox"/>
Does the non-adherence pose a risk to the health and safety of the student or other students?	<input type="checkbox"/>	<input type="checkbox"/>
If yes to the previous question, have the school's responsibilities under occupational health and safety been clearly communicated to the student and parents?	<input type="checkbox"/>	<input type="checkbox"/>

Has the student been spoken to (preferably in private) to encourage them to wear school uniform?	<input type="checkbox"/>	<input type="checkbox"/>
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Have parents been advised when students are not wearing uniform and an explanation been requested?	<input type="checkbox"/>	<input type="checkbox"/>
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Can adherence be achieved through discussion between a member of staff and the student, and parents, if appropriate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Supporting students who persistently fail to wear uniform

Considerations	Yes	No or N/A
Have parents been fully informed that the student remains resistant to the wearing of school uniform despite the use of strategies to address this?	<input type="checkbox"/>	<input type="checkbox"/>
Have copies of relevant documents, including notes, letters and statements, been provided to the student and parents?	<input type="checkbox"/>	<input type="checkbox"/>
Has a meeting been arranged with the principal or other staff member and the student and parents so each has an opportunity to respond to the concerns raised?	<input type="checkbox"/>	<input type="checkbox"/>
If yes to the previous question, has the meeting provided 'a fair hearing' – the opportunity for all parties to raise and explore relevant issues?	<input type="checkbox"/>	<input type="checkbox"/>
If appropriate, has an interpreter or a support person been provided?	<input type="checkbox"/>	<input type="checkbox"/>
Have issues been identified which could indicate the need for a long term exemption for the student?	<input type="checkbox"/>	<input type="checkbox"/>
If yes to the previous question, has this been followed up with appropriate exemption processes?	<input type="checkbox"/>	<input type="checkbox"/>
Have options been explored, involving all parties, to lead to an acceptable outcome?	<input type="checkbox"/>	<input type="checkbox"/>

Update to the *Student dress code* procedure (May 2018) – Summary

Topic	Summary of changes	Consultation
Student dress code (18/91477)	<ol style="list-style-type: none"> 1. Inclusion of new obligations for schools to 1) offer option of shorts and pants, designed to suit gender identity, to all students in all uniform categories 2) document modification/exemption decisions and take them into account in reviewing school uniform requirements and 3) monitor issues and review the dress code periodically. 2. Additional principal responsibilities (reflective of current practice) to: 1) ensure student dress codes consider purpose, community diversity, individual needs, functionality, affordability and positive reinforcement, health and safety 2) approve the student dress code and 3) communicate and review the student dress code. 3. Additional P&C responsibilities to support the school to resolve student dress code issues and direct parents to the principal to discuss individual concerns. 4. Additional parent responsibilities to commit to and support student compliance with student dress code. 5. Processes (and headings) reorganised into consultation, developing a student dress code, student uniform supply arrangements, implementing the student dress code, reviewing and evaluating the student dress code. 6. More descriptive processes provided in all sections. 7. Additional definition – <i>Uniform categories</i>. 8. Creation of checklists for developing and reviewing a student dress code and responding to non-compliance. 9. Shifting of content to suit the technical requirements of the new procedure template. 	<p><u>Internal</u></p> <ul style="list-style-type: none"> • Legal and Administrative Law Branch • Organisational Safety and Wellbeing • Strategy and Performance • Procurement Services Branch • Regional Directors • Principal Advisory Committee <p><u>External</u></p> <ul style="list-style-type: none"> • Queensland Teachers' Union • Girls Uniform Agenda • P&Cs Qld • Isolated Children's Parents' Association • Queensland Association of State School Principals • Queensland Secondary Principals' Association • Queensland Association of Special Education Leaders Inc • Queensland State P-10/12 School Administrators' Association

Director-General Meeting

BRIEF

FOR: MEETING WITH QTU 6 FEBRUARY 2018

AGENDA ITEM: 5 - GIRLS UNIFORM AGENDA

The QTU has been active in the campaign to remove discriminatory uniform policies from schools and seeks discussions on the Department's position.

RESPONSE:

- The Department acknowledges growing community interest about school dress codes and the option for girls to wear shorts and pants as part of the formal uniform.
- Principals are responsible for developing a student dress code in consultation with their school community.
- The Department's Student Dress Code procedure provides guidance to principals on issues to consider when developing, implementing and revising their school's student dress code.
- In 2018, this procedure will be updated in consultation with key stakeholders, including the QTU, Principal Association Presidents, and representatives of Girls Uniform Agenda.
- As part of this process, consideration will be given to strengthening requirements regarding offering shorts and pants for girls as part of the everyday school formal uniform.

BACKGROUND:

At its 2017 Conference, the QTU unanimously adopted policy to support student dress codes free from discrimination.

P&Cs Qld has also called for inclusive uniform policies in its *Future Directions: QCPCA Position Statement* (2017).

The *Education (General Provisions) Act 2006* provides state school principals with the authority to develop a dress code for school students when attending or representing their school, travelling to and from school, and engaging in school activities out of school hours

While many principals support the offering of shorts and pants to girls in the student dress code, there has been resistance at some schools to proactive inclusion of these options.

Schools can review and enhance their student dress code at any time in consultation with students, parents, and staff.

RIGHT TO INFORMATION:

- I am of the view that the contents or attachments contained in this brief **are suitable** for publication.

ADG Signature:

Date:

Author: Danielle McAllister

Branch: State Schools - Operations

Phone: 3513 5927

Briefing Note

Chief of Staff

Office of the Minister for Education and
Minister for Industrial Relations

Action required: For Noting

Action required by: N/A

Routine – Background information on the Student Dress Code procedure, released in June 2015, to support the response to [s.47\(3\)\(b\) - Contrary to Pt](#), Girls' Uniform Agenda.

SUBJECT: STUDENT DRESS CODE PROCEDURE

Summary of key objectives

- To provide information to support a response to [s.47\(3\)\(b\) - Contrary to Pt](#), Girls' Uniform Agenda (GUA), for the Chief of Staff to sign (**Attachment 1**). To advise the Chief of Staff that the Student Dress Code procedure will be updated.

Key issues

- On 28 December 2017, [s.47\(3\)\(b\) - Contrary to Pt](#) wrote to the Minister informing her of, and seeking support for, the GUA.
- [s.47\(3\)\(b\) - Co](#) is a co-founder of GUA — a national advocacy group comprising parents, academics, educators and public health executives — supporting parents and girls seeking changes to school uniforms, and campaigning for policy and legislative change.
- Principals are responsible for developing a student dress code for their school in consultation with the school community. The Student Dress Code procedure provides guidance to principals on issues to consider when developing, implementing and revising their school's student dress code.
- Led by GUA, advocacy has been growing to require schools to include options for girls to wear shorts and pants as part of their everyday school uniform.
- In 2018, the procedure will be updated in consultation with stakeholders, including principals' associations, Queensland Teachers' Union (QTU), P&Cs Qld and GUA.
- Consideration will be given to strengthening requirements regarding offering shorts and pants for girls as part of the everyday school formal uniform as part of this process.
- In 2017, Western Australia and Victoria Education Ministers announced they would be amending their student dress codes to require shorts and pants options for girls.

Stakeholder views

- At its 2017 Conference, the QTU unanimously adopted a policy to support student dress codes free from discrimination (**Attachment 2**).
- P&Cs Qld has also called for inclusive uniform policies in its *Future Directions: QCPCA Position Statement (2017)*.

10. Community views regarding this issue are diverse. Recently, a father used social media to express concern that girls could not wear shorts as part of their uniform at the Gap State High School. It was reported he was shocked at the angry comments he received in response to his views.
11. While many principals support the offering of shorts and pants to girls in the student dress code, there has been resistance at some schools to proactively include these options.

Media Implications

12. During 2017 and 2018, there has been ongoing media and public interest regarding student dress codes, particularly the option for girls to wear shorts and pants as part of the formal uniform.
13. As at 1 February 2018, there were two Change.org petitions relating to student dress codes, namely:
 - a national petition seeking legislation that all schools that require students to wear a uniform must offer options that do not discriminate based on gender (21,481 signatures with a target of 25,000); and
 - a petition related specifically to Ferny Grove State High School to allow students to wear their sports uniform to and/or from school (414 signatures with a target of 500).
14. It is likely that this topic will continue to be of public interest and receive media attention.

Legal Implications

15. GUA has indicated a desire to test, as a case of law, whether schools are breaching anti-discrimination legislation by not allowing the option for girls to wear shorts and pants as part of the everyday school uniform.
16. The *Anti-Discrimination Act 1991* prohibits state schools from discriminating on the attribute of gender identity. The *Sex Discrimination Act 1984 (Cth)* also prohibits discrimination on the basis of a person's sex, gender identity, intersex status or sexual identity in the area of education.

Background

17. The *Education (General Provisions) Act 2006* provides state school principals with the authority to develop a dress code for school students when attending or representing their school, travelling to and from school, and engaging in school activities out of school hours.
18. Schools can review and enhance their student dress code at any time in consultation with students, parents and staff.
19. On 28 May 2017, in the article 'The Secret Life of Girls' Pants', the *Courier Mail* reported that the former Minister for Education indicated a review of the procedure was on hold due to other priorities (**Attachment 3**).

Right to information

20. I am of the view that the contents or attachments contained in this brief **are not suitable** for publication.

Recommendation

That the Chief of Staff:

- note that the Student Dress Code procedure will be updated in 2018; and
- sign the letter to [s.47\(3\)\(b\) - Contrary to Public Interest](#) Girls' Uniform Agenda (**Attachment 1**).

NOTED

letter signed by cos OH

SHARON DURHAM
Chief of Staff
Office of the Hon Grace Grace MP
Minister for Education and
Minister for Industrial Relations

16/03/18

16/03/18

Chief of Staff's comments

--

Action Officer Becky Walsh Director State School – Operations Ph: 3513 5919 Mob: s.47(3)(b) - C	Endorsed by Danielle McAllister Executive Director State School – Operations Ph: 3513 5927 Mob: s.47(3)(b) - Contrary to Public Interest Date: 18/01/2018	Endorsed by Bevan Brennan Assistant Director- General State Schools – Operations Ph: 3513 5836 Date: 29/01/2018	Endorsed by Patrea Walton Deputy Director- General State Schools Ph: 3034 4762 Date: 31/01/2018
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Released under RTI Act by DoE

From: MCCABE, Kath
Sent: Wednesday, 5 July 2017 6:57 PM
To: MAYNARD, Lauren
Cc: MACDONALD, Carol; DUNSTONE, Deborah; STEVENSON, Hayley; WALTON, Patrea; LASSIG, Christopher
Subject: RE: HPE Records Manager Memo or Minute : 17/341487 : State Schools Update - Promotional Positions Classification Review (PPCR) - 10 July 2017

Follow Up Flag: Follow up
Flag Status: Completed

Hi Lauren

Two other things came up in a meeting today that Patrea would like mini articles in Monday's SS update for:

- A reminder about enrolment policy, particularly in relation to accepting enrolments from students with disability
- A reminder about uniform policy/dress code, with particular reference to considering gender neutral options

Content should come to you via Deb Dunstone and Hayley Stevenson/Becky Walsh for both of these – could you please allow them in late as Patrea wants both updates in this issue.

Many thanks
Kath

From: MAYNARD, Lauren
Sent: Wednesday, 5 July 2017 2:47 PM
To: MCCABE, Kath
Cc: MACDONALD, Carol
Subject: RE: HPE Records Manager Memo or Minute : 17/341487 : State Schools Update - Promotional Positions Classification Review (PPCR) - 10 July 2017

Yes Kath, will do.

Kind regards
Lauren

Lauren Maynard
Assistant Communications and Marketing Officer

Community Engagement and Partnerships
Department of Education and Training

P: 07 3328 6604
E: lauren.maynard@det.qld.gov.au
Level 5 | Education House | 30 Mary Street | Brisbane QLD 4000
PO Box 15033 | City East QLD 4002

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Please consider the environment before printing this email.



WALTON, Patrea

From: DEBEL, Ellie
Sent: Thursday, 15 March 2018 10:34 AM
To: WALTON, Patrea
Subject: FW: Support for LGBTI students
Attachments: Supporting LGBTI Students in 2018.dotx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Info

Just flagging this one with you Patrea - Hayley sent it yesterday arv.
Ellie

From: STEVENSON, Hayley
Sent: Wednesday, 14 March 2018 3:12 PM
To: WALTON, Patrea <Patrea.WALTON@qed.qld.gov.au>
Subject: Support for LGBTI students

Hi Patrea

As discussed on Monday, attached is a document that summarises what we are doing and will do this year to support LGBTI students and their parents. This is focussed on the work of SSO, but if you thought it useful I could ask SSP to pull together current curriculum materials that address sexuality, diversity and gender norms to demonstrate how we are addressing these issues in the classroom (without Safe Schools materials).

I also have a meeting arranged with Giau and Gary Austen tomorrow morning at 8.30am.

Happy to discuss further.

Kind regards
Hayley

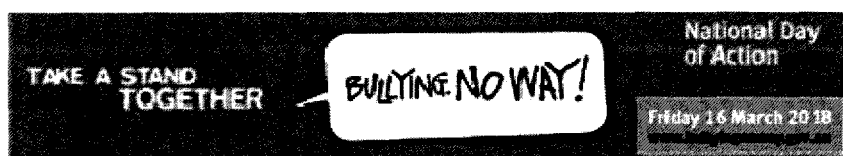
Hayley Stevenson
A/Assistant Director-General

State Schools – Operations
Department of Education

P: 07 351 35836
M: [s.47\(3\)\(b\) - Cq](#)
E: hayley.stevenson@qed.qld.gov.au
Level 15 | Education House | 30 Mary Street | Brisbane QLD 4000
PO Box 15033 | City East QLD 4002



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Supporting LGBTI students – Department of Education actions for 2018

The Department of Education (DoE) is committed to supporting lesbian, gay, bisexual, transgender and intersex (LGBTI) students enrolled in Queensland state schools and to providing nurturing, safe and inclusive learning environments free from discrimination.

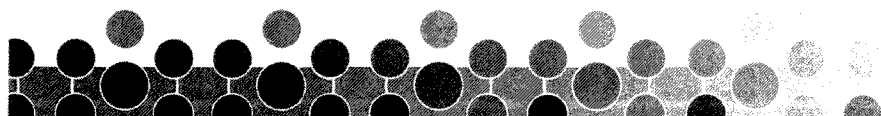
This document provides a brief outline of key actions for 2018 to ensure that the department continues to support LGBTI students every day in every state school.

Training

- Following well-received training delivered in 2017 to build the capability of key regional staff in supporting schools with lesbian, gay, bisexual, transgender or intersex students, in 2018 the department will again co-deliver with True Relationships and Reproductive Health (True) a one-day training session in each DoE region. The content of the sessions will have a focus on supporting students who are lesbian, gay and bisexual – building understanding of the potential challenges that these students face and addressing how to respond to homophobia and related bullying in schools.

Consultation and collaboration

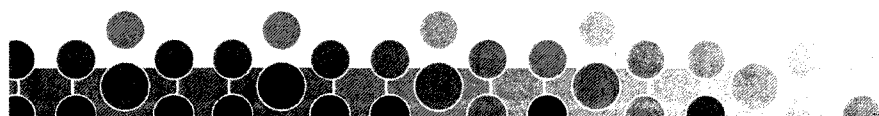
- The department will continue to have active representation on the following committees, whose purpose is to support the department and schools to create safe and supportive environments for LGBTI students:
 - Queensland Queering Education Consultative Committee (QQECC), led by the Queensland University of Technology with representation from the Queensland Action Group for LGBTIQ+ Students (QAG); and
 - Confidence, Capability and Diversity Initiative (CCDI) Advisory Group, led by True with members from the Aboriginal and Torres Strait Islander LGBTI community as well as representation from Parents and Friends of Lesbian and Gays (PFlag).



- The department will work to strengthen relationships with other key stakeholders including Lady Cilento Children's Hospital Gender Clinic and Statewide Service and the Anti-Discrimination Commission Queensland.

Resources

- The department's key documentation around supporting LGBTI students (*Diversity in Queensland schools – Information for principals and Internal Guidance Materials to Assist Queensland State Schools in Supporting Gender Diverse Students*) will be updated in 2018.
 - Departmental officers have begun liaising with key stakeholders to seek feedback on these documents to ensure that updated information reflects current and inclusive language and terminology and is aligned with current legislation and best practice.
- New resources will be developed to support schools and parents, including:
 - A fact sheet for parents of LGBTI students, providing information and advice with respect to how to engage with their child's school(s) around providing appropriate support. Content will include:
 - How to set up a meeting with the school.
 - Example topics that may be relevant to raise when discussing appropriate support (for example, use of preferred name and pronouns).
 - Examples of documentation to take along to a meeting (if appropriate), which may provide additional context to the school with respect to the student's needs and how to implement appropriate support.
 - Support services available at the school that can provide additional advice and support (i.e., Guidance Officers).
 - A template for schools to assist in the development of a diversity policy for their school, which makes explicit the expectations of the school community with respect to celebrating and respecting diversity and the actions that will be taken to ensure that LGBTI students are supported in the school environment.



WALTON, Patrea

From: STEVENSON, Hayley
Sent: Wednesday, 14 March 2018 3:12 PM
To: WALTON, Patrea
Subject: Support for LGBTI students
Attachments: Supporting LGBTI Students in 2018.dotx

Hi Patrea

As discussed on Monday, attached is a document that summarises what we are doing and will do this year to support LGBTI students and their parents. This is focussed on the work of SSO, but if you thought it useful I could ask SSP to pull together current curriculum materials that address sexuality, diversity and gender norms to demonstrate how we are addressing these issues in the classroom (without Safe Schools materials).

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Hayley

Hayley Stevenson
A/Assistant Director-General

State Schools – Operations
Department of Education

P: 07 351 35836

M: [s.47\(3\)\(b\) - Cd](#)

E: hayley.stevenson@qed.qld.gov.au

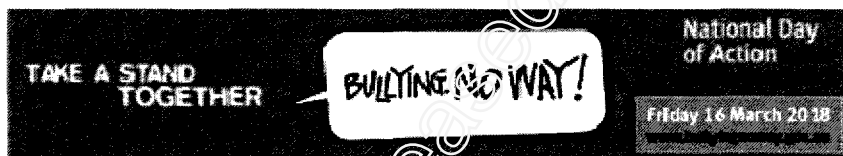
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PO Box 15033 | City East QLD 4002



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Released under RTI Act by DoE

MCCABE, Kath

From: WALTON, Patrea
Sent: Tuesday, 22 August 2017 9:32 PM
To: BRENNAN, Bevan
Cc: MCCABE, Kath
Subject: 17/389813

Hi Bevan

I don't recall a discussion with me about a procurement process (re above brief) for an external service provider to support LGBTIQ students.

I am meeting with Jim next week and would like to check with him before progressing. Does this suit you given the brief is marked urgent for some reason.

Patres

Sent from my iPhones

Released under RTI Act by DOE

MCCABE, Kath

From: BRENNAN, Bevan
Sent: Wednesday, 23 August 2017 12:17 PM
To: STEVENSON, Hayley; MCCABE, Kath
Subject: RE: 17/389813 - LGBTI procurement - Q from Patrea

Yes it is. In fact the CEO of True was suggesting that they will scaled down their services from the end of September.
BB

Bevan Brennan
Assistant Director-General

State Schools – Operations
Department of Education and Training

P: 07 3513 5836
M: [s.47\(3\)\(b\) - C](#)
E: bevan.brennan@det.qld.gov.au
Level 15 | Education House | 30 Mary Street | Brisbane QLD 4000
PO Box 15033 | City East QLD 4002

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From: STEVENSON, Hayley
Sent: Wednesday, 23 August 2017 12:04 PM
To: MCCABE, Kath
Cc: BRENNAN, Bevan
Subject: RE: 17/389813 - LGBTI procurement - Q from Patrea

Yes I believe so.

Hayley Stevenson
Executive Director, Student Protection and Wellbeing

P: 07 351 35947 | E: hayley.stevenson@det.qld.gov.au | M: [s.47\(3\)\(b\) - C](#)

From: MCCABE, Kath
Sent: Wednesday, 23 August 2017 12:01 PM
To: BRENNAN, Bevan
Cc: STEVENSON, Hayley
Subject: 17/389813 - LGBTI procurement - Q from Patrea

Hi Bevan and Hayley

Re the cessation of the SSCA contract on 31 October 2017 – is this also the date that True's contract (to deliver SSCA) ends?

Thanks
Kath McCabe
Director, Office of the Deputy Director-General
State Schools Division
Department of Education and Training

P: 07 303 44760 | E: kath.mccabe@det.qld.gov.au | M: [s.47\(3\)\(b\) - C](#)

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ARNFIELD, Shirley

From: MCCABE, Kath
Sent: Monday, 24 July 2017 5:14 PM
To: SMITH, Jean
Cc: SSP&R; CUSKELLY, Elizabeth; ARNFIELD, Shirley; BRENNAN, Bevan
Subject: RE: Bullying No Way Gender resources on the Wellbeing Hub

Follow Up Flag: Follow up
Flag Status: Completed

Jean can you please frame this information as dot points describing what resources are available to schools for adding to the safe schools brief.

If you just reply all with the dot points we will insert them.

Thanks
Kath

From: BRENNAN, Bevan
Sent: Monday, 24 July 2017 4:56 PM
To: MCCABE, Kath
Subject: Bullying No Way Gender resources on the Wellbeing Hub

Begin forwarded message:

From: "SMITH, Jean" <Jean.SMITH@det.qld.gov.au>
Date: 24 July 2017 at 4:51:02 pm AEST
To: "BRENNAN, Bevan" <Bevan.BRENNAN@det.qld.gov.au>
Subject: BNW resources

Hi Bevan
Here are the links – they are around diversity including gender diversity

There are links to the SSCA materials and videos on the student wellbeing hub
<https://studentwellbeinghub.edu.au/resources/detail?id=fe024922-d5c5-6d32-997d-ff0000a69c30#/>

Other resources for educators
<http://www.advocatesforyouth.org/sexual-orientation-and-gender-identity-lessons>
<http://www.humanrights.gov.au/our-work/education/publications/human-rights-examples-australian-curriculum>
<https://bullyingnoway.gov.au/Resources/TeachingResources/Documents/celebrating-diversity.pdf>
<http://www.togetherforhumanity.org.au/teachers/>

BNW documents
<https://bullyingnoway.gov.au/Resources/TeachingResources/Documents/celebrating-diversity.pdf>

BNW site
<https://bullyingnoway.gov.au/UnderstandingBullying/WhyDoesBullyingHappen/Pages/Diversity-and-bullying.aspx>

Jean Smith

Director
Behaviour
State Schools - Operations
Department of Education and Training

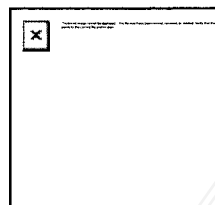
P: 07 3513 5953

M: [s.47\(3\)\(b\) - Cq](#)

E: jean.smith@det.qld.gov.au

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PO Box 15033 | City East QLD 4002



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ARNFIELD, Shirley

From: SMITH, Jean
Sent: Monday, 24 July 2017 5:35 PM
To: MCCABE, Kath
Cc: SSP&R; CUSKELLY, Elizabeth; ARNFIELD, Shirley; BRENNAN, Bevan; MCINALLY, Beth
Subject: RE: Bullying No Way Gender resources on the Wellbeing Hub

Importance: High

Hi Kath

Three bullet points

- The Bullying. No Way website provides links to the Safe Schools Coalition Australia lesson plans, videos and information on gender diversity found on the Student Wellbeing Hub.
- There are also links to resources for educators on topics such as diversity, gender identity and gender expression and respecting human rights.
- The Bullying. No Way website also explains that bullying can sometimes involve negative judgements about a student's gender, sex and sexuality. A classroom activity on Celebrating diversity and rejecting stereotypes is available to address these issues.

Thanks

Jean

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Cc: SSP&R; CUSKELLY, Elizabeth; ARNFIELD, Shirley; BRENNAN, Bevan
Subject: RE: Bullying No Way Gender resources on the Wellbeing Hub

Jean can you please frame this information as dot points describing what resources are available to schools for adding to the safe schools brief.

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Kath

From: BRENNAN, Bevan
Sent: Monday, 24 July 2017 4:56 PM
To: MCCABE, Kath <Kath.MCCABE@det.qld.gov.au>
Subject: Bullying No Way Gender resources on the Wellbeing Hub

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Hi Bevan

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Other resources for educators

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Jean Smith

Director
Behaviour
State Schools - Operations
Department of Education and Training

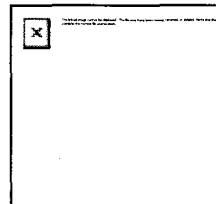
P: 07 3513 5953

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From: MCCABE, Kath
Sent: Monday, 24 July 2017 5:44 PM
To: SMITH, Jean
Cc: SSP&R; CUSKELLY, Elizabeth; ARNFIELD, Shirley; BRENNAN, Bevan; MCINALLY, Beth
Subject: RE: Bullying No Way Gender resources on the Wellbeing Hub

Follow Up Flag: Follow up
Flag Status: Completed

Thanks Jean
SSP&R could this information be added to the safe schools brief please.

From: SMITH, Jean
Sent: Monday, 24 July 2017 5:35 PM
To: MCCABE, Kath
Cc: SSP&R <SSP&R@det.qld.gov.au>; CUSKELLY, Elizabeth ; ARNFIELD, Shirley ; BRENNAN, Bevan ; MCINALLY, Beth
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