



Gender identity issues

There is minimal research, resources and information around the issues concerning gender identity. In addition, many youth expressing gender non-conforming behaviours or identifying as transgender can find themselves rejected by family, school, church, peers and other communities of origin. They face the same risk factors as same-sex attracted people.

While young transgender people are not present in as many numbers as same-sex attracted young people, it is still important that their needs around gender identity are recognised.

DEFINITIONS

Note: While these definitions are the most commonly accepted in the transgender community, some are subject to ongoing debate and discussion.

Sex: The biological status of male or female.

Gender: the social construction of sex. In our society one's sex is expected to correspond to their gender, i.e. if you are female you are supposed to have a feminine gender.

Gender identity: a person's internal sense of being female, male or both or neither. This is communicated to others by one's gender expression - clothes, hair style, mannerisms etc. Society prescribes arbitrary rules or gender roles (how one is expected to and not expected to dress act, think, feel, relate to others etc) based on one's biological sex.

Transgender: An umbrella term for those whose gender identity or behaviour fall outside of stereotypical gender norms. Transgender people are those who do not identify with the gender assigned to them at birth. This includes those who identify with the opposite gender to their biological sex, i.e. someone who is born anatomically 'female' but feels this is at odds with their inner sense of being male. There are other transgender people who do not identify with either sex/gender or may feel bi-gendered, challenging the notion that there are only two mutually exclusive genders.

Transsexual: those individuals who are born anatomically male or female but have profound identification with the gender opposite to that assigned to them at birth. Many, though not all, opt for surgery and hormone treatment to correspond to their internal concept of self.

Transphobia: refers to the fear and hatred of transpeople which take place in the form of harassment, violence, abuse and towards those who are or perceived to be transgender.

Affirming Gender/transition: The process of living as and/or adopting a body that matches a person's sense of their gender. The process may take some time, involve a number of different but related processes and may or may not involve surgery.

Intersex: A biological condition where a person is born with reproductive organs and/or sex chromosomes that are not exclusively male or female. The previous term for intersex was hermaphrodite.

(From Transgender Victoria)

Gender identity and the law

Under the 2000 amendments to the Victorian Equal Opportunity Act 1995, it is unlawful to treat someone unfairly or harass them because of their actual or perceived gender identity. This legislation is a framework for creating and maintaining safe and supportive learning environments free from harassment and discrimination for all students.

Schools are both providers of services and employers, and have legal and moral responsibilities for the 'duty of care' of students under both State/Territory and Commonwealth legislation. This law protects anyone whose identification as a member of the relevant gender is genuine against unlawful discrimination and harassment based on their gender identity. The Equal Opportunity Act 1995 (and its amendments in 2000) recognises and promotes everyone's right to a fair go by:

- making discrimination and harassment unlawful in public life
- making it unlawful to discriminate on the grounds of gender identity, perceived or otherwise
- stating that 'inaction may also amount to an implicit authorization or encouragement of discrimination or sexual harassment. This means that the teachers or principal who 'turns a blind eye' to discrimination or sexual harassment by students may be liable on the basis of authorizing or assisting discrimination (Equal Opportunity Commission, 1996, p14).

It is unlawful to treat someone unfairly or harass them on the basis of their actual or perceived gender identity. Schools are obliged by law to ensure their environments are free from discrimination and harassment.

Schools are also required to support and respect a student's choice to identify as their desired gender when this does not align with their biological sex.

Some commonly asked questions

What pronouns do I use when I am referring to a transgender person?

This is typically one of the first questions people ask. The answer is: ask the person which pronoun they want you to use. If you're not able to ask the person, it's best to use the pronoun applicable to the person's gender identity (clothing etc) rather than their biological sex.

Is transgenderism the same as homosexuality?

No. Transgenderism is about gender identification. Gender identification is distinct from sexual orientation. Gender identity is about someone's innate sense of maleness or femaleness, whereas sexuality/sexual orientation is about who someone is attracted to.

Can transgender people be same-sex attracted?

Yes. Just like people in the rest of the population, there is a range of sexual orientations within the transgender community.

Making a world of difference for transgender students

For teachers dealing with transgender or gender variant students there are some simple guidelines that can make a world of difference.

Firstly under equal opportunity law transgender people have a right to equality in education. The responsibility for ensuring this rests with the institution and its staff.

Secondly, afford the transgender student the same level of respect and courtesy as you would afford anyone else and would expect for yourself.

Finally, if the student is fully transitioned and attending school as a member of their chosen gender, then facilitate their access to activities specifically designated for that gender, respect their identity by referring to them by their chosen name and appropriate gender references and acknowledge their rights to access toilets and change rooms appropriate to their gender identity.

Adapted from the article: 'Issues confronting transgender and gender variant students in education' by Elizabeth Riley, Coordinator, The Gender Centre, NSW.

The needs of transgender youth

- Contact with others like them
- Up-to-date and factual information about gender identity
- Safe supportive spaces
- Adult mentors who respect diversity
- Material and emotional support when forced out of home
- Services which embrace gender difference
- Strategies to resist transphobic abuse and discrimination

Strategies for Supporting Transgendered Youth

- Be an educator of others as you increasingly educate yourself. If necessary advocate for the student.
- Facilitate their access to activities specifically designated for that gender.

- Use their chosen name and pronoun that relates to their identified gender.
- Positively affirm and respect the young person's gender identity.
- Ensure confidentiality.
- Demonstrate that you do not tolerate any put downs, harassment or discrimination based on gender identity.

Support and referral for transgendered young people:

The NSW Gender Centre

Resource packs and information for teachers and students including fact sheets are available from the Gender Centre. Call (02) 9569 2366.

- NSW Gender Centre website has useful information and advice for those experiencing gender identity issues and those supporting them.
www.gendercentre.org.au

Gender Questioning

A resource written by and for transgender and gender questioning young people. Available from Gay and Lesbian Health Victoria www.glhv.org.au

Other useful website links:

- Transgender Victoria <http://www.transgendervictoria.com/>

Adapted from Family Planning Victoria's ssafeschools website. SSAFE (same-sex attracted friendly environments) in schools was a project of FPV that ended in 2004. Material updated 2007.