

Approving University Official(s): Board of Governors

Responsible Office: Human Resources, Registrar's Office, Student Services, Academic Accommodations and Accessibility Office

Effective date: January 17, 2022 (new policy)

Last review date: January 17, 2022

Next review date: 1 year

[AD- Gender Inclusion Policy]

Purpose

This Gender Inclusion Policy (the "Policy") is intended to provide Yorkville University and Toronto Film School and their affiliates (collectively, "Yorkville") with the necessary framework and guidance to facilitate the following:

- that employees and students are aware of their rights and responsibilities towards Inclusion of persons of all Gender Identities and Gender Expressions and removal of related Barriers to ensure full participation in the workplace and learning environment;
- guidance for management and administration to help facilitate Accommodations related to the gender Transitioning process for employees and students;
- the promotion of a respectful, discrimination- and harassment-free workplace and learning environment, and providing workplace and academic Accommodations pursuant to the applicable provincial human rights legislation and Yorkville's policies (such as the Discrimination and Harassment Policy and Program, and Workplace Accommodation Policy, and Accommodations and Accessibility Policy and Procedures);
- the development and provision of training, education, resources and tools to raise awareness about gender Inclusion and increase the related knowledge and skills of all employees and students; and

- an understanding of when to consult with the Diversity, Equity and Inclusion Office (DEIO), the Mental Health and Wellness department, and make referrals to the Employee Assistance Program.

Audience

This Policy applies to all academic and academic support activities and departments of Yorkville.

For any concerns regarding discrimination or harassment, employees and students should refer to the Discrimination and Harassment Policy and Procedures that applies to them.

For further information related to workplace Accommodations and Individual Accommodation Plans, employees should refer to the Workplace Accommodation Policy and Procedures. For further information related to student Accommodations and academic Accommodation plans, students should refer to the Academic Accommodations and Accessibility Policy and Procedures.

Capitalized terms used throughout this Policy are defined below, together with other definitions of relevant terms.

Definitions

Accommodation	refers to a temporary or permanent measure used to address a Barrier which prevents an otherwise qualified individual from performing or fulfilling the essential duties of a job.
Ally/Allyship	is a person who works to end a form of oppression that gives them privilege(s). Allies listen to, and are guided by, communities and individuals affected by oppression. Forms of oppression include: ableism, ageism, classism, Biphobia, Heterosexism, Homophobia, Transphobia, sexism, racism, anti-Black racism, anti-Indigenous sentiment, anti-Semitism, Islamophobia, anti-immigrant sentiment and others.
Barrier	refers to physical, attitudinal, procedural, technological, information and communicational impediments to full access and participation. Barriers may be systemic or individual in nature. Systemic Barriers can be described as patterns of behaviour, policies or practices that are part of the structure of an organization, and which create a perpetual disadvantage. Individual Barriers can be described as impediments that are not system-wide/related to the system.

Biphobia	refers to negative attitudes, feelings, or irrational aversion to, fear or hatred of bisexual people and their communities, or of behaviours stereotyped as bisexual, leading to discrimination, harassment or violence against bisexual people.
Birth-assigned sex/gender	refers to the classification of an infant's sex at birth. It is often determined by the observational inspection and appearance of external anatomy when an infant is born. However, classification of sex is more complex and includes a combination of bodily characteristics including chromosomes, hormones, internal and external reproductive organs, and secondary sex characteristics. A person's Gender Identity sometimes matches their Birth-assigned sex, but sometimes a person's Birth-assigned sex does not match their Gender Identity. For example, a vulva-bearing child is typically assigned female at birth, or AFAB, for short. A penis-bearing child is typically assigned male at birth, or AMAB.
Diversity	refers to the wide range of human characteristics including but not limited to disability, marital status, family status, Indigenous identity, race, ancestry, place of origin, colour, ethnic origin, national origin, citizenship, language, creed/religion, sex (including pregnancy and breastfeeding), sexual orientation, Gender Identity, Gender Expression, age, political belief or activity, social condition, socioeconomic status, educational background, literacy level and geographical region.
Equality	refers to providing each individual with the same or similar opportunities and ensuring fairness in processes and outcomes so that each individual has an equal opportunity to make the most of their abilities.
Equity	refers to acknowledging that equal access to opportunities and services may require treating particular individuals and groups differently through the removal of Barriers that marginalized Equity-Seeking Groups experience in trying to obtain this access.
Equity-Seeking Groups	are communities that experience significant collective Barriers in participating in society. This could include attitudinal, historic, social and environmental Barriers based on age, ethnicity, disability, economic status, gender, nationality, race, creed/religion, sexual orientation and

Gender Identity, Gender Expression, etc. Equity-Seeking Groups are those that identify Barriers to equal access, opportunities and resources due to disadvantage and discrimination and actively seek social justice and reparation.

Gender Identity	refers to each person's internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the Gender Spectrum. A person's Gender Identity may be the same as or different from their Birth-assigned sex. Gender Identity is fundamentally different from a person's sexual orientation.
Gender Expression	refers to how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person's Chosen Name and pronouns are also common ways of expressing gender.
Gender Pronouns	are pronouns that a person uses when addressing themselves/being addressed by others [e.g., he, she, him, her, they, them, ze, hir (ze/hir are gender neutral pronouns that can be used instead of gender specific ones) etc.] verbally and in all written documents and correspondence.
Gender Spectrum	refers to the representation of gender as a continuum, as opposed to a binary concept. The gender binary system classifies people within either one of two genders: "man" or "woman." These genders are expected to correspond to birth sex: male or female. In the gender binary system, there is no room for living between genders or for transcending the gender binary. The gender binary system is rigid and restrictive for many people whose sex assigned at birth does not match up with their gender, or whose gender is fluid and not fixed.
Heterosexism	refers to a system of attitudes, bias and discrimination in favour of female-male sexuality and relationships.
Homophobia	refers to negative attitudes, feelings, or irrational aversion to, fear or hatred of members of the LGBTQI2SA+ community. It is used to signify a hostile psychological state leading to discrimination, harassment or violence those who identify as LGBTQI2SA+.
Inclusion	refers to ensuring that individuals feel welcomed in the academic and workplace environments, and that they can

bring their authentic selves to the educational and work spheres.

Inclusive Language

refers to terminology/words that treat diverse individuals and communities with respect and dignity. Inclusive language focuses on the words that the specific individuals and communities in question would like others to refer to them as. Inclusive language also includes using the appropriate self-chosen Gender Pronouns/titles that individuals/communities choose for themselves. A commitment to using Inclusive Language requires reflection and sensitivity to the impact of potentially derogatory words and labels on diverse groups. When in doubt, ask someone how they would like to be addressed.

Intersectionality

refers to the fact that our identities as individuals have multiple intersecting dimensions (which include but also go beyond prohibited human rights grounds) like race, gender, socioeconomic status, etc. As a result, the manner in which an individual experiences inequities or Barriers to opportunity is similarly complex and multi-layered depending on the interplay of these intersecting dimensions. Intersectionality needs to be taken into account when assessing Equity impacts on an individual or group.

Individual Accommodation Plan (IAP)/Accommodation Plan (AP)

refers to the formalization and documentation of the reasonable Accommodation (including Interim Accommodation) that is arranged between the supervisory/management personnel and the employee in the case of an Individual Accommodation Plan, or between the Academic Accommodations and Accessibility Office and a student in the case of an academic Accommodation Plan. The plan ensures that the parties clearly understand their roles and responsibilities, and facilitates accountability and regular monitoring.

Interim Accommodation

refers to cases where it may be necessary to provide Interim Accommodation while waiting for an Accommodation to be put in place or while assessing and exploring a request for Accommodation.

Intersex

refers to a person born with reproductive or sexual anatomy, chromosomes and/or hormones that do not fit the traditional or binary classification of male or female. Some individuals who are Intersex may identify with their Birth-assigned sex, while others may not.

Lived Experience	refers to personal knowledge about the world gained through direct, firsthand involvement in everyday events rather than through representations constructed by other people.
LGBTQI2SA+	is an acronym for Lesbian, Gay, Bisexual, Transgender, Queer (or Questioning), Intersex, Two-Spirit (2S), Asexual (or sometimes Ally). The '+' is for all the new and growing ways that people identify their biological sex, sexual orientation, Gender Identity and Gender Expression.
Marginalization	refers to the social process by which individuals or groups are (intentionally or unintentionally) distanced from access to power and resources and constructed as insignificant, peripheral, or less valuable/privileged to a community or "mainstream" society.
Member(s) of the Yorkville Community	includes students, faculty, post-doctoral fellows, contractors, the Board of Governors and all employees of Yorkville.
Non-Binary	is an umbrella term for Gender Identities that fall outside of the man-woman binary.
Preferred/Chosen Name	refers to the name an individual prefers to use which differs from their legal name and which they feel is essential to their identity and safety. This is not simply an optional 'preference'. It is the only name to be used for the individual and it is essential to their identity. It is especially important for Transgender and Non-Binary individuals, whose workplace and learning environment experience and well-being are negatively impacted when their preferred/Chosen Name is not used.
Safe Space	refers to the organizational facilitation of space (on-campus and online) where members of Equity-Seeking Groups can feel comfortable and physically, emotionally, and socially safe enough to talk about sensitive topics/Lived Experiences that relate to their unique Intersectionality. These are spaces where they feel no assault, challenge, or denial of their identity, of who they are, and what they need to thrive and reach their potential. Safe Spaces can also be explicitly demarcated by the use of inclusive signage, symbols, art, ceremonial spaces, language and inclusive cultural practices and protocols.

Transgender/Trans	is umbrella term referring to people with diverse Gender Identities and expressions that differ from stereotypical gender norms. It includes but is not limited to people who identify as Transgender, trans woman, trans man, transsexual, cross-dresser, gender non-conforming, gender variant, gender-fluid, or genderqueer.
Transitioning	refers to the process an individual takes to change their Birth-assigned gender to the gender with which they most identify. The process can involve some or all of the following changes: dress, appearance, grooming, name/Gender Pronouns, medical, legal, social and/or personal.
Transphobia	refers to negative attitudes and feelings and the aversion to, fear or hatred or intolerance of trans people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence toward trans people, or those perceived to be trans.
Two-Spirit (2S)	refers to Indigenous people that are gender-variant and identify as having both male and female spirits.

*The President may direct that definitions be amended from time to time to ensure consistency with public policy and community expectations and standards.

Policy Statement

Yorkville is committed to providing a working and learning environment that is free from gender-based discrimination and harassment.

Yorkville recognizes that individuals who do not conform to a gender binary and societal gender norms experience Barriers, inequities and risks to their wellbeing based on prejudices. This has the potential impact of hindering the individual's ability to fully, freely and equitably participate within the Yorkville workplace and/or learning environment.

Yorkville is committed to ensuring that all Members of the Yorkville Community feel welcome and included in the workplace and academic environments. Yorkville will promote and support gender Inclusion in all academic and corporate policies, procedures, programs and services to reflect and respond to the needs of our faculty, students and staff. Yorkville strives to create work and learning environments in which individuals can participate, maximize their contributions, and achieve their full potential. Yorkville promotes environments where a plurality of Lived Experiences are embraced, including Safe Spaces. Furthermore, Yorkville will work towards eliminating Barriers to gender Inclusion in its workplace and learning environments.

Self-Identification

Self-identification is the sole and whole measure of a person's Gender Identity and/or Gender Expression.

No person shall be required to 'prove' their gender in order to gain access to any opportunities and Accommodations within the Yorkville workplace and learning environments.

Confidentiality of Information

Yorkville respects the national and provincial privacy legislations to which it may be subject. To the extent that Yorkville has in its possession personal information, which includes the protection of information relating to an individual's Gender Identity and/or Gender Expression, Yorkville is committed to keeping that information confidential, except as permitted or required under such legislation. Gender Identity and/or Gender Expression includes information that directly or indirectly identifies that a person's Birth-assigned sex is different from their Gender Identity and/or Gender Expression. An individual's history and medical information will be kept private and confidential, and relevant information will be shared only with the people directly involved in helping to provide Accommodation. Those involved in the Accommodation process (including but not limited to: employees, Human Resources, Yorkville departments, supervisors/managers, healthcare professionals, subject matter experts, etc.) shall also be required to commit to protecting the confidentiality of personal information. Human Resources staff and the Academic Accommodations and Accessibility Office staff are responsible for the safekeeping and protection of personal information. All personal information will be kept in a secure location and will be housed in the Human Resources department and Academic Accommodations and Accessibility Office for employees and students, respectively.

Situations in which the Gender Identity and/or Gender Expression of a Member of the Yorkville Community may be disclosed as per the applicable national and provincial privacy legislation may include the following:

- the individual has directly given explicit and documented permission to disclose their Gender Identity and/or Gender Expression; and
- the disclosure is made to an employee of Yorkville on a "need to know" basis for the purpose of enabling the employee to carry out their duties (e.g. to fulfill a specific Accommodation request, to allow for the provision of serious medical attention that attends to or prevents impending and significant harm, to issue or administer payroll or benefits, among certain other situations that Yorkville may identify).

Members of the Yorkville Community who identify as Transgender should confirm with Yorkville the name(s) and pronoun(s) by which they prefer to be referred to in correspondence and communications.

Disclosing the status of a Transgender Member of the Yorkville Community without explicit and directly expressed consent or in the absence of a “need to know” circumstance is generally known as “outing”. Under the Discrimination and Harassment Policy, this form of outing could be a form of harassment and/or discrimination on the basis of Gender Identity and/or Gender Expression that puts the individual’s physical, emotional and psychological safety at risk.

To the extent Yorkville is aware of the intention of a Member of the Yorkville Community to transition genders or the fact that they are Transitioning, this information must be kept confidential. Without clear, explicit and documented permission from the person intending or undergoing a transition, disclosure is prohibited, except where such disclosure is necessary to protect the rights of the individual (including the provision of Accommodation), to change documentation kept by Yorkville or if required by law. If such disclosure is appropriately made it must always be limited and only go as far as reasonable. Disclosing the transition plans of a current Member of the Yorkville Community may be necessary in this regard to minimize inappropriate responses from others within the Yorkville community.

Accommodation Roles and Responsibilities

It is the responsibility of an employee or student to make a request for workplace/ academic Accommodations on the basis of Gender Identity and/or Gender Expression to the appropriate Yorkville department. Employees should consult the Workplace Accommodation Policy and Procedures for more information on the Accommodation process and Individual Accommodation Plans. Employee Accommodation requests should be directed to their supervisor/manager and Human Resources. Students should consult the Academic Accommodations and Accessibility Policy and Procedures for more information on the Accommodation process and academic Accommodation plans. Student Accommodation requests should be directed to the Academic Accommodations and Accessibility Office.

Workplace and academic Accommodation shall be provided in a manner consistent with the core principles of independence, dignity, individualization, Inclusion, integration and equality of opportunity.

Publication of the Policy

This Policy will be published in the Yorkville Employee Handbook, Yorkville University and Toronto Film School Faculty Handbooks, Yorkville University Academic Calendars, Toronto Film School Student Handbooks, and all orientation materials for new employees and students.

Implementation

Please refer to the *Gender Inclusion Procedures* document.

Related Information

Gender Inclusion Procedures
Diversity, Equity and Inclusion Policy
Workplace Discrimination and Harassment Policy and Program
Student Discrimination and Harassment Policy and Procedures
Workplace Violence Policy and Program
Policy and Procedures on the Prevention of Sexual Violence
Student Code of Conduct
Workplace Accommodation Policy and Procedures
Academic Accommodations and Accessibility Policy and Procedures
Accessibility Policies
Accommodations for Religious Observance Policy and Procedures

Contacts

The following [individual(s)/office(s)] can address questions regarding this Policy:

Director of Diversity, Equity and Inclusion
Email: tjaferi@yorkvilleu.ca

Revision Log

This is a new policy.

Policy URL

<https://www.yorkvilleu.ca/wp-content/uploads/2022/06/Gender-Inclusion-Policy.pdf>