



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON EDUCATION AND COMMUNITY INCLUSION
Mr Michael Pettersson MLA (Chair), Mr Jonathan Davis MLA (Deputy
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Submission Cover Sheet

Inquiry into the Future of School Infrastructure in the ACT

Submission Number: 03

Date Authorised for Publication: 4 April 2023



A Gender Agenda

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Mr Michael Pettersson, MLA

Standing Committee on Education and Community Inclusion

ACT Legislative Assembly

15 March 2023

RE: Inquiry into the Future of School Infrastructure in the ACT.

Dear Mr Pettersson and members of the Standing Committee,

A Gender Agenda (AGA) would like to thank you for the opportunity to make a submission to the Inquiry into the Future of School Infrastructure in the ACT, and welcomes the opportunity to do so. In particular, we are grateful for the opportunity to discuss the following elements of the Terms of Reference:

- A) Access to safe and healthy schools, including distance (travel to school);
- D) The learning interactions between teachers, spaces and pedagogy, including scheduling/timetabling of access to spaces;
- G) Use of technology;
- I) Synergies with the wider community; and
- J) Long-term planning and demographic change.

Background:

A Gender Agenda (AGA) is a community organisation that supports the trans, gender diverse and intersex populations of the ACT and surrounds. Our community includes people who identify as trans, gender diverse, and intersex, as well as their families, friends and allies. We advocate for our community in a range of spaces, acknowledging that all areas of life impact on the experiences of trans, gender diverse and intersex people. Our vision is the safety, respect and inclusion of trans, gender diverse and intersex people in every aspect of Australian society.

AGA has a large population of both young people and parents. We engage with youth through our drop in event services, our youth point and kid's point events, and through our gender pathways service (including a youth focussed service located at Headspace Canberra City), and through outreach activities in schools and community groups. We also engage with parents of young people through our Parent's Point drop in event, gender pathways service, and through specific advocacy and engagement work. Our work includes both primary and secondary school age young people, and we have advocated for the community in both primary and secondary school spaces. This work and connection, as well as current research, will be drawn on in this submission.



Summary:

Access to safe and healthy school environments, and the interaction of safe school spaces and school engagement/educational outcomes is a key concern for AGA. A common theme that emerges from conversations with young people and their families is negative experiences of school directly related to explicit and covert transphobia, a lack of safe facilities, and a lack of consistent affirmation and support within the school environment. These concerns have direct impacts on the mental health and wellbeing of young people, with trans and gender diverse young people identifying poorer mental health and greater psychological distress compared to their cisgender peers (Hill et al., 2021). AGA has heard many stories of young people who have experienced mental health crises, often fuelled by negative experiences of school environments. These stories are reflected in numerous national reports, including *Writing Themselves In 4*.

A lack of access to safe and healthy school environments also has direct impact on the attendance and therefore educational outcomes of trans, gender diverse and intersex young people. According to *Writing Themselves In 4*, 64.3% of trans women, 54.4% of trans men, and 44.6% of non-binary people missed days of education over the preceding 12 months due to feeling unsafe or uncomfortable at school – a figure more than twice that of cisgender queer peers (Hill et al., 2021). This highlights that school safety remains a particular issue for trans and gender diverse people. While schools in the ACT have worked hard to build awareness of sexuality and gender diversity into the curriculum and cultures of the school environment, more needs to be done to ensure the day to day safety of trans and gender diverse people in these environments. Feedback from the community (including parents), which is supported by research, indicates that there are a number of structural and infrastructure considerations in attempting to design for safe and healthy school environments for the trans, gender diverse and intersex community. These include:

- Access to safe and affirming bathroom and change room facilities;
- Technology and consistency in the use of names and gender markers across and within schools;
- The ability to access affirming and appropriate supports within both school and community;
- Safety within the classroom and playground environments, including safety from violence and transphobic language.

AGA is aware that some of these considerations may be beyond the scope of these terms of reference, however raise them as they all contribute to the ability of the trans, gender diverse and intersex communities to access safe and healthy school environments.

Access to Safe and Affirming Bathroom and Change Room Facilities

Traditional school infrastructure design is limited in the provision of bathroom spaces for people who identify outside of gender binaries. Similarly, the use of appropriate bathrooms by transgender students is often a contentious issue of debate. Traditional designs of school toilet blocks, segregated into 'boys' and 'girls' bathrooms have created a lot of anxiety for trans and gender diverse students, and become spaces of both physical and emotional violence for these communities. AGA has been informed of transphobic graffiti occurring in bathrooms when a student begins using a bathroom of their affirmed gender, as well as other incidents designed to discourage trans students from using the bathrooms. According to *Writing Themselves in 4*, less than 30% of



trans students felt that they were safe to access the toilets and change rooms that matched their gender identity (Hill et al., 2021) – supporting the anecdotal evidence that we have received.

AGA has also heard positive stories of schools attempting to facilitate student safety in bathroom and change room facilities, including through the designation of gender neutral bathrooms within schools. However, there has been mixed success with these, including community reporting that they needed to ask for a key to access the toilet, or that the gender neutral toilets were repeatedly vandalised and then closed. It should be noted that AGA does not support the use of gatekeeping on toilet facilities for trans and gender diverse young people, as this raises ethical and human rights concerns.

AGA supports the re-imagining of toilets and change room facilities in school environments to, by design, create a safe spaces for all students to use the bathroom and change for PDHPE classes. One proposal to do this is the design of single stall lockable gender neutral bathrooms and change facilities, not segregated, and not within ‘closed away’ rooms – that is, built onto the sides or ends of buildings with the stall doors opening into a corridor or through way (with or without a privacy screen of some sort). Creating a space like this within a school would reduce the singling out of trans and gender diverse students as an ‘issue’ to be solved by a dedicated toilet space, remove gatekeeping, and reduce the possibility of physical or emotional violence and vandalism. It is noted that, as per the current Building Code of Australia, these facilities would need to exist in addition to designated male and female spaces (ABCB, 2019).

Technology and consistency in the use of names and gender markers across and within schools

Schools are increasingly utilising information technology in the administration and delivery of learning, and this has a direct impact on trans and gender diverse young people within the school environment – in both positive and negative ways. Currently, AGA is aware that there is great inconsistency across schools about how the preferred name and gender of students is recorded in centralised administration systems, and therefore how online learning environments are set up for individual students. Social affirmation of a young person’s gender identity is protective for the mental health of young trans and gender diverse people. Therefore, ensuring that school technological infrastructure can consistently reflect and affirm a young person’s gender and name will support young people to access and thrive in the school environment. Sadly, this is reliant at the moment on individual school policies and bounded by limitations in the technology used by schools.

AGA supports and recommends the development of system-wide policies and technologies regarding the use of affirming names and gender markers within school, reflected across administration (roll marking) and learning (Google Classroom etc.) technologies. This will help to ensure that accidental use of a previous name or gender marker (dead naming and mis-gendering) is less likely to occur, and that students are able to see themselves reflected in their digital learning environments.

Positively, technological advancements and take up within schools has also created places of safety for students to re-engage with learning after periods of absence (especially due to the safety concerns discussed previously). AGA is aware of the positive impact of distance education options for gender diverse young people who have experienced bullying or transphobia in the school



environment. We support continued access to these schooling options for trans and gender diverse young people when necessary.

Access to affirming and appropriate supports within both school and community

AGA offers, as part of our service to the community, outreach and support to schools. We are also utilised by schools for small excursions, and host student groups at AGA House. Feedback from the community has indicated that when schools are able to access our services in this way, trans, gender diverse and intersex young people feel safer and more supported in their school environments. Therefore, consideration of synergies with the wider community should include the ability of schools to facilitate community visits, and also the ability of students to access support services within the school environment that are affirming and supportive. Additionally, this may also need to be designed for in future school planning. While AGA has provided outreach to schools in student 'hub' environments that are used for a variety of purposes and students with no issues, we have also been made aware of other schools where LGBTIQ+ groups are regularly seen as unsafe, or lack a dedicated place to meet safely. For this reason, designing schools in such a way that access to community support is easy, safe and (where necessary) discreet is an important consideration. In addition, working with public transport providers to ensure that students are able to access relevant community organisations after school should be considered.

Safety within the classroom and playground environments, including safety from violence and transphobic language.

While general safety from violence and transphobia may be beyond the terms of reference, there are important infrastructure concerns that AGA wishes to briefly touch on. In particular the need for accessible safe spaces, away from areas where behaviour or other wellbeing concerns are addressed, should be considered in future school design and planning. Traditionally, youth worker spaces and libraries have been seen as safe spaces for trans and gender diverse young people, but the changing nature of the school environment has meant that in some schools these spaces are being used for other purposes, or are no longer considered safe for students. For this reason, AGA recommends planning for the inclusion of dedicated safe spaces for trans and gender diverse young people, and others, who do not feel safe in more public areas of the school. It should go without saying that this space should be considered adjunct to the continued development of safety cultures within schools that limit the occurrence of transphobia.

Why is this important? Long term planning and demographic change.

It is becoming increasingly evident that young people are more comfortable in identifying gender diversity openly, and from earlier ages. AGA has seen an upsurge in access to our youth services in the past 12 months, supporting this. In *Writing Themselves In 4*, 27.2% of the young people surveyed indicated that they identified as either trans or non-binary (Hill et al., 2021). In the previous study (*Writing Themselves In 3 – 2010*), only 3 percent of the respondents identified in this way (Hillier et al., 2010). This suggests that there is a growing population of young people who identify as trans and gender diverse, and this statistic is likely going to continue to grow as society more broadly reflects greater safety for trans, gender diverse and intersex people. For this reason,



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school infrastructure design into the future needs to recognise the population of young people who are currently not adequately accommodated in school design.

Conclusion and Recommendations:

A Gender Agenda recognises that the school environment is complex, and simultaneously provides opportunities for young people to explore and express their identities, while at the same time being a space that fuels anxiety, lack of safety, poor visibility, and disengagement. However, there are a number of things that ACT School Infrastructure can support in order to alleviate some of the negative experiences of schools for trans and gender diverse young people.

- 1) Design schools with single stall, lockable, gender neutral toilets and change facilities that are visible and in common areas.
- 2) Support system wide affirmation of names and gender markers through technological infrastructure
- 3) Enable access to distance education and online learning when young people disengage from school due to transphobic bullying and harassment
- 4) Enable access to community organisations and resources through the provision of space and transport, and the facilitation of in-reach and community visits.
- 5) Design safe spaces into the infrastructure of schools

Thank you again for your invitation to participate in this inquiry.

Kind regards



Vik Fraser

Executive Director

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