

Australian Education Union

**Policy on Gay, Lesbian, Bisexual,
Transgender and Intersex People**

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Policy on Gay, Lesbian, Bisexual, Transgender and Intersex People

1. INTRODUCTION

The Australian Education Union is committed to protecting the industrial and professional and civil rights of its members and the rights of all Gay, Lesbian, Bisexual, Transgender and Intersex (GLBTI) people throughout the world. Discriminatory practices such as homophobia, biphobia, transphobia, heterosexism, and monosexism are infringements of members' rights and as such are to be challenged and eliminated.

2. DEFINITIONS

- 2.1 **Homophobia** refers to the fear and hatred prevalent in society, of homosexuality, which in turn motivates the bullying of young GLBTI people (or even those only suspected of being GLBTI) in schools, colleges, on the streets and even in their own homes.

It is also argued that homophobia is also perpetrated by the anti-homosexual attitudes expressed by some leaders of the major churches.

- 2.2 **Biphobia** refers to the fear and intolerance of people who are bisexual and is manifest through a fear of intimacy and closeness to people who identify with neither the heterosexual nor homosexual orientation.
- 2.3 **Transphobia** refers to the fear and hatred prevalent in society, of transgendered people, this fear is based on ignorance of the issues involved in transgenderism and is thus an extension of Homophobia. Transphobia like Homophobia motivates bullying, and vilification of and violence toward Transgendered people

- 2.4 **Heterosexism** describes the pervasive assumption of heterosexuality which is common to language, the law and other institutions in society e.g.: the education system and the family.

Heterosexist assumptions may be fuelled by homophobia or by a lack of knowledge.

The assumption that heterosexual sex and relationships are “natural” or “normal” and practised by all members of the community leads to legal and social invisibility for many GLBTI people.

- 2.5 **Monosexism** describes the belief that Bisexuality does not exist and that all people love and are attracted to only one gender. Taking for granted the sexual dichotomy inherent in modern Western culture. Monosexism is exhibited by the pressure that Bisexuals experience to identify as either heterosexual or homosexual.

- 2.6 **Intersex** is a general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that doesn't fit the typical definitions of female or male.

3. HOMOPHOBIA, BIPHOBIA, TRANSPHOBIA, HETEROSEXISM AND MONOSEXISM

- 3.1 The main focus of discrimination against Gay, Lesbian, Bisexual, Transgender and Intersex People (GLBTI) is based on the related phenomena – homophobia, biphobia, transphobia, heterosexism and monosexism.

Whether ignorance of GLBTI issues is intentional or not, the resulting homophobia, biphobia, transphobia, heterosexism and monosexism with its legal and social ramifications can not be allowed to continue.

- 3.2 Homophobic, biphobic and transphobic attacks on some teachers and students have led to:

- loss of self esteem;
- loss of job or position at school or college;
- malicious allegations of child abuse;
- suicide;
- murder.

- 3.3 The AEU through its branches and associated bodies will develop strategies to counter the effects of homophobia, biphobia, transphobia, heterosexism and monosexism at three levels:

3.3.1. Institutional

Governments

As a matter of urgency we call on the Federal and State Governments to ensure their discrimination laws cover all aspects of law relating to GLBTI people. These must include laws on marriage, IVF, adoption, and age of consent. Because most states and territories have laws on age of consent which are different for same sex attracted men, the message being delivered to young GLBTI people is that they are not equal.

All states and territories should ensure that they have Police Gay and Lesbian Liaison Officers (GLLO) who can be used as positive resources for schools and colleges.

Departments

The Departments of Education in each state must ensure that their policies relating to GLBTI are up-to-date and implemented. Under no circumstances should they be left only to be used when addressing occasional incidents or when a teacher shows an interest.

All staff must be inserviced on homophobia, biphobia, transphobia, heterosexism and monosexism.

The unacceptability of homophobia, biphobia, transphobia, heterosexism and monosexism must be included in the codes of conduct of departments, schools and colleges.

All students must have the opportunity to maximise their learning potential, regardless of sexual orientation and/or preferred gender identity.

Homophobia, Biphobia, Transphobia, Heterosexism and Monosexism must be included in the content of pre-service training of all teachers.

Parents

Parents have the right to expect that neither they nor their children will be discriminated against on the basis of homophobia, biphobia or transphobia. Schools need to raise the issue of these phobias with the local parent organisation. The AEU and its Branches and Associated Bodies will communicate with the appropriate federal and state parent organisations and PFLAG (Parents and Friends of Lesbians and Gays).

Religious Institutions and Community Groups

While some groups and their members are to be commended for their positive common sense and humanist approach to GLBTI issues others are to be condemned for their discriminative attitudes and approaches. The AEU calls on all such groups to take a positive humanist approach to GLBTI issues.

Unions

The AEU will work closely with the ACTU and affiliated state bodies to ensure all unions have anti-discrimination policies on GLBTI issues.

3.3.2. Educational Settings

Educational Institutions must implement strategies to counter homophobia, biphobia, transphobia, heterosexism and monosexism. The use of language is important when teaching, gender neutral terms must be used e.g partner instead of boyfriend or girlfriend.

Educational Institutions should affirm diversity. As with sexism and racism, homophobic biphobic and transphobic remarks or actions should never pass without comment. Educational Institutions have an obligation to maximise learning potential, regardless of sexual orientation and/or preferred gender identity.

Technology

Educational workers must be aware of the increasing use of technology, particularly personal computers and mobile phones to vilify teachers and students.

Educational Institutions must set in place policy and processes to deal with such discriminatory behaviour.

Students and staff should be able to access appropriate GLBTI educational and counselling websites.

3.3.3. Curriculum

All curriculum should be written in non-heterosexist language. Sexuality should be included in all curriculum relating to health and personal development. Homosexuality, bisexuality, transgenderism and intersex need to be normalised and all states need to develop material which will help to combat homophobia, biphobia and transphobia. Material must be developed for students who are GLBTI and also Aboriginal and Torres Strait Islanders or from a non-English speaking background.

4. EMPLOYMENT ISSUES

4.1 Elimination of Discrimination in Employment

4.1.1. The AEU asserts that the employment rights and conditions of its members should in no way be jeopardised on account of their sexual orientation and/or preferred gender identity. In particular employment rights in relation to:

- leave
- recruitment
- appointment
- promotion
- transfer
- superannuation
- health and welfare
- ongoing employment

must be inclusive and free of discrimination. The AEU stresses the need to ensure that Gay, Lesbian, Bisexual, Transgender and Intersex members are supported professionally and personally at the school level to the same extent as any other member.

4.1.2. The AEU recognises that Gay, Lesbian, Bisexual, Transgender and Intersex members have family responsibilities and as such should have access to all leave and conditions applicable to workers with family responsibilities including:

- IVF
- paid maternity or paternity leave in relation to the birth or adoption of a child;
- extended unpaid leave for the purpose of child rearing; and
- family leave for the purpose of care and support of a partner and/or child.

- 4.1.3. Full job security and the right to return to work after such periods of leave, including leave for the purpose of Gender Reassignment Surgery must be a condition of the leave provisions outlined above. All members returning after longer periods of leave should have access to refresher courses and in-service education.

5. GAY, LESBIAN, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE IN EDUCATION

5.1 Elimination of Discrimination in Education

The AEU supports the allocation of adequate levels of resources by the Federal Government and State and Territory Governments to eliminate all discrimination in education. In particular, it seeks to ensure that discrimination on the basis of sexual orientation and preferred gender identity is eradicated. In order to achieve positive change, the AEU will cooperate in and facilitate where appropriate, research of parent, teacher, student, community and employer attitudes on sex-role stereotyping in the context of the development and implementation of policy and curricula.

- 5.1.1. Resources should be allocated by State and Territory Governments for the establishment of and/or the maintenance of non discriminatory resource centres which would provide appropriate and relevant material for in-service programs and/or for the development of, and inclusion in, curriculum.

6. VOCATIONAL EDUCATION

- 6.1 The AEU supports the provision of non sexist, gender inclusive and non stereotypical vocational education guidance for all students. Vocational guidance and education should be carried out in the context of a total life composed of work and leisure and information on sexual orientation and preferred gender identity as an integral part of such guidance and education. In particular it stresses the need for vocational to:

- 6.1.1. Counteract the traditional channelling of girls and boys into stereotypical learning areas so that their vocational education choices are not prejudiced by earlier school experiences.
- 6.1.2. Ensure that students are educated as to the rights and support group mechanisms available to GLBTI workers who might face discrimination (either in seeking employment or in the workplace itself) on the grounds of sexual orientation and/or preferred gender identity.
- 6.1.3. Provide students with an understanding of the responsibilities of employers and the legal limitations on employers' actions in regard to matters of sexual orientation and/or preferred gender identity and sexual harassment.

The AEU stresses the need for vocational education teachers and others involved in advisory roles to be fully familiar with the rights and support mechanisms for GLBTI students and workers.

7. SEX EDUCATION

- 7.1 The AEU believes that comprehensive sex education should be available on an ongoing basis to all primary, secondary and tertiary students and considers that:
- 7.1.1. Comprehensive sex education programs must be part of a broad health education curricula (which includes areas such as safety, environmental, consumer and mental health);
 - 7.1.2. Sex education programs must be non-sexist and non-racist;
 - 7.1.3. Any teacher-directed presentation or discussion of GLBTI issues in a class situation should be positive in approach;
 - 7.1.4. Sex education should be developed in a manner that encourages critical thinking and considered decision-making by students;
 - 7.1.5. Sex education programs and related developmental areas should be coordinated between and within schools;
 - 7.1.6. Training, both pre and in-service, must be provided so that teachers of sex education have an understanding of sexism, sexual politics, the human sexuality and gender spectrum and the politics of health in order to deal with any prejudices, myths and superstitions which may exist or arise in class situations;
 - 7.1.7. Sex education programs should reflect the interests and concerns of students and other members of the school and local community;
 - 7.1.8. The sexual orientation and/or preferred gender identity of individual teachers must not be a factor in determining which teachers are able to teach sex, health or human biology education.
- 7.2 The AEU endorses the development of curriculum on sex education.
- 7.2.1. The AEU branches and associated bodies should seek adequate yearly allocations of in-service education dealing with health education, including sex education (which would include sexuality, transgenderism and intersex);
 - 7.2.2. The AEU branches and associated bodies are encouraged to develop and conduct such in-services;
 - 7.2.3. The AEU branches and associated bodies are encouraged wherever possible to promote sex education within the teaching service and among school communities.
- 7.3 The AEU believes that where GLBTI issues are relevant to programs that fall outside the health education area that such relevance be acknowledged in a positive manner.

8. EDUCATION WORKERS' HEALTH AND WELFARE

- 8.1 The AEU asserts that employers are responsible for:
- taking preventative measures to avoid health or welfare problems; and
 - developing a range of options for dealing with matters of health and welfare.

- 8.2 In considering education workers' health and welfare, the AEU demands that the employer bodies recognise the stresses placed upon non-heterosexual education workers, as well as those whose preferred gender identity is incongruent with their assigned birth sex in a society that is considered to be heterosexist.

9. THE ROLE OF THE AEU - BRANCHES AND ASSOCIATED BODIES

- 9.1 The AEU, its Branches and Associated Bodies are committed to ensuring that the concerns of Gay, Lesbian, Bisexual, Transgender and Intersex members are addressed. Every endeavour shall be made:
- 9.1.1. To promote the general welfare, personal, civil, industrial and curriculum rights of GLBTI people as members.
 - 9.1.2. To liaise with the various networks of GLBTI people to maximise unionisation of education workers within all groups and foster a more positive and active role for them within the teacher unions.
 - 9.1.3. To initiate and coordinate a staff development program so that all officers and staff of Branches and Associated Bodies are better able to further the welfare and the rights of its GLBTI members.
 - 9.1.4. To establish committees expressly for the purpose of supporting the personal, civil, industrial, and workplace rights of GLBTI members, and encouraging their closer relationships with the union. These committees should also pursue the rights of all education workers to influence curricula in ways that will enhance understanding and acceptance of GLBTI people.
 - 9.1.5. To jointly sponsor and encourage the development of a nationwide support network amongst its members, for the purpose of further policy development on sexual orientation and preferred gender identity, and for development of strategies for implementation of such policies.
 - 9.1.6. To support workshops and discussion groups specifically for their GLBTI members to identify and clarify their needs, concerns and conditions.
 - 9.1.7. To monitor and participate where possible in relevant research regarding GLBTI issues for members and students within all education sectors.
 - 9.1.8. To ensure that all industrial agreements contain a positive clause on the rights of GLBTI members.
 - 9.1.9. To encourage AEU Branches and Associated Bodies to establish themselves as a "Safe Place" for GLBTI people.
 - 9.1.10. For the AEU, its Branches and Associated Bodies to consider the effects on GLBTI people when formulating or amending any policies.
- 9.2 National and International Support
- 9.2.1. To be proactive in promoting a safe workplace and environment for GLBTI workers both nationally and internationally.

- 9.2.2. To support other unions nationally in establishing policies and practices that support GLBTI education workers and students.