

Yvette Berry MLA

Deputy Chief Minister

Minister for Education and Early Childhood

Minister for Homes and New Suburbs

Minister for Sport and Recreation

Member for Ginninderra

RESPONSE TO QUESTION ON NOTICE**Questions on Notice Paper No 4****21 March 2025****Question No. 208****Ms NUTTALL MLA:** To ask the Minister for Education and Early Childhood

1. What guidelines exist for school staff to facilitate proper inclusion for trans-diverse and gender-diverse students in ACT public schools' sports and physical education.
2. Are the guidelines from the ACT Education Directorate.
3. Do these guidelines align with the Guidelines for the inclusion of transgender and gender diverse people in sport released by the Australian Human Rights Commission, Sport Australia and the Coalition of Major Professional and Participation Sports in 2019.
4. Are these guidelines publicly available to students, parents and staff.
5. What actions does the ACT Education Directorate take to make (a) students and parents and (b) ACT public school staff aware of their inclusion obligations for trans-diverse and gender-diverse students.
6. What are the professional development opportunities regarding LGBTQIA+ inclusion offered to teachers and in particular sports teachers.

Ms Berry MLA - The answer to the Member's question is as follows:

1. Schools have legislative, professional, and ethical responsibilities to ensure they provide safe and inclusive environments for students, families, and staff.
 - a. The ACT Education Directorate's (Directorate) *Safe and Supportive Schools Policy* provides guidance for ACT public schools on promoting a safe, respectful and supportive school community.
 - b. The Directorate's *Physical Activities Policy* outlines the responsibilities of schools (and external providers where applicable) in relation to the planning and delivery of safe and inclusive physical activities.

- c. The *Physical Activities Procedures* require staff to consider students' age, maturity, specific needs, and previous experiences to make informed decisions about the sports and physical activities delivered. Schools must also make reasonable adjustments to support inclusive participation, developed collaboratively with school teams, students, and relevant support persons.
 - d. Regulations and guidelines for interschool and representative school sporting events are determined by the national and state/territory governing bodies for representative school sport.
2. The *Safe and Supportive Schools Policy* and the *Physical Activities Policy and Procedures* are Directorate owned policies. Regulations and guidelines for interschool and representative school sporting events are provided by School Sport Australia and School Sport ACT.
 3. Reasonable adjustments (as required under the *Physical Activities Policy and Procedures*) include strategies aligned with the *Guidelines for the Inclusion of Transgender and Gender Diverse People*, allowing students to participate in ways that best align with their affirmed gender identity. This support extends to uniform options and access to facilities such as change rooms. Physical education classes offer a range of activities to all students, including mixed team sports. Students are supported to participate in sports, physical education, and carnivals as their affirmed gender.

School Sport ACT supports the participation of students who identify with a gender different from their gender at birth. School Sport ACT respects and recognises a student's gender identification and addresses each circumstance individually based on needs. As School Sport Australia and School Sport ACT competitions are currently based on age and gender divisions, students identifying as non-binary choose a gender division to compete in.

School Sport ACT communicates and makes available the current external guidelines for participation in elite and representative sports

4. The *Safe and Supportive Schools Policy* and the *Physical Activities Policy and Procedures* are publicly available on the Education Directorate website at https://www.education.act.gov.au/publications_and_policies/policies.

Regulations and guidelines for interschool and representative school sporting events are available on the respective School Sport ACT (<https://schoolsportact.org.au/>) and School Sport Australia (<https://www.schoolsportaustralia.edu.au/>) websites.

5. Responsibilities of students, parents/carers, school staff and principals are outlined in the *Safe and Supportive Schools Policy and Procedures*.
 - a. The *Safe and Supportive Schools Policy* provides a Fact Sheet for Parents and Carers. Actions to ensure students and parents are aware of their inclusion obligations are managed by schools, in accordance with the needs of their school community.
 - b. ACT public school staff are required to adhere to the *Safe and Supportive Schools Policy and Procedures*. The Directorate provides information to staff on professional learning opportunities, inclusion, and inclusive practice through existing communication mechanisms such as the All-staff Bulletin, staff intranet and internal Service Portal.

6. The Directorate funds the Safe and Inclusive Schools (SAIS) Initiative delivered by Sexual Health and Family Planning ACT. The SAIS Initiative provides professional learning, support and advice to ACT schools on building and maintaining safe and inclusive learning environments for all students including students of diverse sex, gender and sexualities. The Gender Equality team in the Education Support Office also provides support and advice for ACT public schools on inclusive practice.

Approved for circulation to the Member and incorporation into Hansard.

Ms Yvette Berry MLA
Education and Early Childhood

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This response required 270 mins to complete, at an approximate cost of \$439.30.