

Inclusion, Equity and Diversity Policy



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PURPOSE

This policy provides guidelines to ensure all children and their families at Beechworth Montessori School are treated equitably and with respect, regardless of their background, ethnicity, culture, language, beliefs, gender identity, age, socio-economic status, level of ability, additional needs, family structure or lifestyle, and that all children have an equal opportunity to achieve their maximum potential.

SCOPE

This policy applies to all Committee Members, students, staff, volunteers, parents/guardians, families and others attending the programs of Beechworth Montessori School including during offsite excursions and activities.

POLICY STATEMENT

Beechworth Montessori School provides a safe, inclusive environment and recognises all children's capacity and right to succeed regardless of their social, cultural and linguistic diversity including learning styles, abilities, disabilities, gender identity and family circumstances.

This policy takes into consideration the increased vulnerability of Aboriginal and Torres Strait Islander children, children from culturally and linguistically diverse backgrounds, children with disabilities and lesbian, gay, bisexual, transgender and intersex (LGBTIQ+) children.

Beechworth Montessori School promotes a shared responsibility to support children, families, colleagues, and the local community to understand and value inclusion.

PROCEDURE

1. Promoting an inclusive school environment

Beechworth Montessori School considers the following guiding principles to support inclusive practice:

- a) Sets a strong inclusive school culture and positive staff attitudes towards inclusion to ensure positive outcomes for all students.
- b) Collaboration between teacher and students, parents /guardians, and education and health professionals to be able to consistently meet the needs of students and improve their learning experiences.
- c) Value specialist expertise and professional learning to ensure teachers and support staff have sufficient confidence and capabilities to support students.
- d) Use contemporary evidence-based practices known to be effective in responding to individual student needs and improving student outcomes.
- e) Recognise that each child and young person is unique and focuses on a strengths-based, personalised approach to education.
- f) Involve students, where possible, in collaboration with their parents/carers, in decision-making processes as respected partners in education.
- g) Identify students who may be vulnerable and require support to maintain engagement and connection with education.
- h) Ensure students with medical needs have an up-to-date and accompanying condition specific health management plan based on medical advice from the student's medical/health practitioner and consultation with the student and parents/guardians.
- i) Support alternative meeting arrangements via video conferencing platforms such as MSTeams.
- j) Provide a continuous feedback cycle for staff to voice concerns, suggest improvements and celebrate success.
- k) Accommodate specialist services to support education in the school's timetable.
- l) Check in with vulnerable students and their families to confirm their needs are being met. This can occur at pick-up or drop-off, at parent teacher interviews or through informal discussions.

2. Culturally Safe Environments

The term 'Aboriginal' includes Aboriginal and Torres Strait Islander peoples. It is important to be respectful of how individual students, their families and community refer to themselves, and use appropriate language. Respect of Aboriginal cultures, values and practices is at the heart of creating a culturally safe organisation.

Cultural safety includes being provided with a safe, nurturing and positive environment where Aboriginal children:

- feel comfortable being themselves
- feel comfortable expressing their culture, including their spiritual and belief systems
- are supported by carers who respect their Aboriginality and encourage their sense of self and identity.

It is the right of every Aboriginal child to be immersed in their culture. The right to culture which includes the inherent right to kin, community, cultural practices and identity relates to and impacts upon the enjoyment of every other human right. It is about connections, relationships and experiences and it is the greatest source of resilience for Aboriginal children. Section 19 of the *Charter of Human Rights* states that Aboriginal people hold distinct rights and must not be denied the right to enjoy their identity and culture, to maintain their kinship ties and to maintain their distinctive spiritual, material and economic relationship with the land and waters with which they have connection under traditional laws and customs.

For Aboriginal people "culture is about family networks, Elders and ancestors. It's about relationships, languages, dance, ceremony and heritage. Culture is about spiritual connection to our lands and waters. It is the way we pass on stories and knowledge to our babies and children; it is how we greet each other and look for connection. It is about all the parts that bind us together." (Commission for Children and Young People – Cultural Safety for Aboriginal Children).

Culture and identity are linked. By supporting Aboriginal children to feel strong in their identity our school will also help them enjoy their cultural rights. We will address all forms of racism and consider attitudes and practices that are a barrier to providing a culturally safe environment.

3. Students with Disability

All schools must comply with the *Equal Opportunity Act 2010 (Vic)*, the *Disability Discrimination Act 1992 (Cth)* and also the *Disability Standards for Education 2005(Cth)*.

The Standards cover enrolment, participation, curriculum development, student support services and the elimination of harassment and victimisation, and provide guidance for schools on making 'reasonable adjustments' to accommodate students with disability. An adjustment is a measure or action taken to assist students to participate in education and training on the same basis as their peers without a disability.

Beechworth Montessori School values a diverse school community and the associated contribution this provides for learning, engagement and wellbeing outcomes for all students. We foster a safe and inclusive learning environment that models positive attitudes and beliefs about disability, in and beyond the school community.

At an in-class level, teachers and support staff follow a personalised student-based approach and will:

- a) Differentiate and make adjustments to curriculum or introduce alternative curricula.
- b) Use information technologies where applicable.
- c) Prepare Individual Learning Plans (ILP) in collaboration with students/families and where applicable specialist services such as occupational therapists and/or speech therapists.
- d) Organise structured activities at lunchtime to include all students.
- e) Encourage students with disability to participate in all activities inside and outside the classroom (e.g. school performances, excursions, sports carnivals).
- f) Plan for a supportive transition for the student as they move to the next cycle or another school.

4. Gender Diversity

Beechworth Montessori School supports gender diverse (LGBTIQ+) students by:

- Providing a positive, supportive and respectful environment.
- Respecting privacy and confidentiality in relation to all students.
- Supporting students who want to affirm or transition gender identity at school.
- Challenging all forms of homophobia and transphobia to prevent discrimination and bullying.
- Giving proper consideration to the impact of any requirement to participate in school activities according to gender identity or an assumption of heterosexuality (for example, school graduations, sports activities, camps).
- Inviting the young person and a family representative/carer to be part of the formulation of a school management plan.

For students affirming their gender identity the school will prepare and implement a student support plan. It is important that the student is at the centre of creating their own support plan, and consulted in all decision making. The plan should be developed in consultation with the student and their parents or carers, where possible, and be reviewed periodically to ensure that it reflects the needs of the student at the different stages of their transition, and at the different stages of their education.

In preparing the plan, the school should consider the following;

- Catering to the students' affirmed gender identity.
- Developing the support plan over staggered sessions to allow time for trialling and opportunities for adjustments to occur.
- The best timing to undertake a gender affirmation process, such as term break.

- Maintaining appropriate privacy and confidentiality — consider the privacy of the student, and only share information to those who have an appropriate reason to know.
- The referencing of and recording of student's affirmed name, gender identity, and pronouns (he, she, they etc.).
- The use of toilets, showers and change rooms that meet the needs of the student. This should be based on the student's gender identity and whichever facilities they will feel most comfortable using. Students without a disability should not be required to use disabled toilets or facilities.
- The appropriate uniform that reflects the gender identity of the student and meets the school's dress or uniform code.
- Developing a communications plan that includes what information staff members and other students need to know to best support the student.
- Make plans to address potential community concerns, ensuring students' right to privacy is maintained.
- Providing support to staff through professional learning and briefings on the arrangements for the student where appropriate.
- Note: a letter from a gender identity specialist may be requested by the school to support them in developing the plan. This letter is not a conditional requirement for the school in providing support to the student, but it may help to ensure that schools can adequately discharge their duty of care to a student by planning appropriately. Gender identity specialists are available through Royal Children's Hospital and Monash Medical Centre.

It is unlawful under state and federal laws to discriminate against a person on the grounds of their sexual orientation, gender identity or intersex status. Anti-discrimination laws:

- Require schools to take reasonable and proportionate measures to eliminate discrimination on the basis of sexual orientation, gender identity or intersex status, including by taking positive steps to promote an inclusive school environment.
- Prohibit direct and indirect discrimination on the basis of sexual orientation, gender identity or intersex status.

5. The school leadership team will ensure:

- a) The enrolment process is fair and equitable, and facilitates access for all children.
- b) Facilities are designed or adapted to support access by every child and family including adaptive equipment where necessary.
- c) Staff have access to professional development activities that focus on inclusion, skill development and resources.
- d) Language services are available to assist with communication where required and will consider the employment of a multilingual worker/s to meet the needs of culturally and linguistically diverse families.
- e) All eligible three-year-old Aboriginal and Torres Strait Islander children and children known to Child Protection are supported to access the Early Start Kindergarten program.
- f) Any behaviour or circumstances that may constitute discrimination or prejudice is dealt with in an appropriate manner.
- g) Programs are reflective of, and responsive to, the values and cultural beliefs of families, and of those within the local community and broader society.
- h) Staff, parents/carer, specialist services and other professionals work collaboratively to implement educational programs based on the developmental needs, interests and experiences of each child.
- i) Beechworth Montessori School policies are adhered to at all times.

6. Educators are responsible for:

- a) Delivering an educational program that is reflective of the schools values, beliefs and philosophy, and embraces the principles of fairness, equity, diversity and inclusion.
- b) Providing a range of opportunities in the outdoor and indoor spaces and the natural environment, for all children to engage in physical, explorative and creative experiences.
- c) Undertaking professional development to support the inclusion of all children.

- d) Meeting any specialised medical and nutritional needs of children on a day-to-day basis.
- e) Working collaboratively with other staff, parents/carers, specialist services and professionals to provide individualised support for children, where required.
- f) Reviewing and evaluating individualised support programs in consultation with all people involved in the child's education and care.
- g) Critically reflecting on practice to ensure that interactions and programs embrace an approach in which children and families feel valued and respected, and that their contributions are welcomed.
- h) Notifying the Principal/Nominated Supervisor of any behaviour or circumstances that may constitute discrimination or prejudice.
- i) Adhering to Beechworth Montessori School policies at all times.

7. Parents/guardians are responsible for:

- a) Communicating with the school to ensure awareness of their child's specific needs, and raise any issues or concerns regarding their child's participation in the educational programs.
- b) Being involved in, keeping fully informed about, any individualised adjustments or support proposed or provided for their child.
- c) Attending student support team meetings.
- d) Adhering to Beechworth Montessori School policies at all times.

DEFINITIONS

Culturally and linguistically diverse: Refers to individuals and groups who are from diverse racial, religious, linguistic and/or ethnic backgrounds.

Diversity: Refers to all characteristics that make individuals different from one another, including race, religion, language, ethnicity, beliefs, age, gender, sexual orientation, level of ability, additional needs, socioeconomic status, educational attainment, personality, marital and/or parental status, family structure, lifestyle and general life/work experience.

Equity: (In the context of human rights) is the behaviour of acting in a fair and just manner towards others.

Inclusion: The incorporation of children and families into the service to ensure that all individuals have an equal opportunity to achieve their maximum potential.

Direct discrimination occurs when a person treats a person with a protected attribute (such as a gender identity, intersex status or sexual orientation) unfavourably because of that attribute. Direct discrimination may occur if the school denies or limits any access to any benefit provided by the school or subjects the student to any other detriment. For example, excluding a transgender student from using the toilet that matches their gender because of the sex they were assigned at birth, may limit or deny that student's access to the benefit.

Indirect discrimination occurs where a requirement, condition or practice is applied to all students equally but its application is likely to have the effect of disadvantaging students with a protected attribute (such as gender identity, intersex status or sexual orientation), and it is not reasonable. For example, it might be indirect discrimination for a school to apply a uniform policy with only 'male' and 'female' options to all students equally without regard to a student's gender identity. The result of that policy might be a student with a non-binary identity would be required to wear the uniform of their sex assigned at birth rather than their gender identity, and the requirement to do so is unreasonable.

RELEVANT LEGISLATION

Relevant legislation includes but is not limited to:

Child Safe Standard 5 – Diversity and Equity

VRQA – Student Welfare – Mandatory

QA6 – Collaborative Partnerships with Families and Community

- Ministerial Order No. 1359 – Implementing the child safe standards – Managing the risk of child abuse in schools and school boarding premises
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- *Children, Youth and Families Act 2005* (Vic)
- *Child Wellbeing and Safety Act 2005* (Vic)
- *Disability Act 2006* (Vic)
- *Disability Discrimination Act 1992* (Cth)
- *Equal Opportunity Act 2010* (Vic)
- *Fair Work Act 2009* (Cth)
- *Health Records Act 2001* (Vic)
- *Privacy and Data Protection Act 2014* (Vic)
- *Occupational Health and Safety Act 2004*
- *Racial and Religious Tolerance Act 2001* (Vic)
- *Racial Discrimination Act 1975* (Cth)
- *Sex Discrimination Act 1984* (Cth)

RESOURCES

- Early Childhood Australia (ECA) and Early Childhood Intervention Australia's (ECIA) *Position Statement on the inclusion of Children with a Disability in Early Childhood Education and Care* www.earlychildhoodaustralia.org.au/our-work/inclusion-resources/
- FKA Children's Services www.fka.org.au
- Guide to the National Quality Framework & Standard: www.acecqa.gov.au
- The Kindergarten Funding Guide (DET): www.education.vic.gov.au
- Safe Schools www.education.vic.gov.au/safeschools
- The Royal Children's Hospital Melbourne <https://pridecentre.org.au/resources/the-royal-childrens-hospital-melbourne-gender-service/>
- Commission for Children and Young People – Cultural Safety for Aboriginal Children <https://ccyp.vic.gov.au/assets/resources/tipsheet-cultural-safety-aboriginal-children.pdf>
- Commission for Children and Young People – Safety of Children from culturally and linguistically diverse backgrounds <https://ccyp.vic.gov.au/assets/resources/tipsheet-safety-children-cult-ling-diverse.pdf>
- Commission for Children and Young People – Safety of Children with a disability <https://ccyp.vic.gov.au/assets/resources/tipsheet-safety-children-disability.pdf>

RELATED POLICIES

- Child Safe Environment Policy
- Code of Conduct
- Anaphylaxis Policy
- Asthma Policy
- Complaints Resolution Policy
- Curriculum and Student Learning Policy
- Dealing with Medical Conditions Policy
- Duty of care Policy
- Enrolment Policy
- Excursions, Incursions and Camps Policy
- Interactions with Children Policy
- Privacy and Confidentiality Policy
- Student Behaviour Guidance Policy

Child Safe Standard 5 – Diversity and Equity

VRQA – Student Welfare – Mandatory

QA6 – Collaborative Partnerships with Families and Community