

A map of the Yukon territory in Canada, showing major roads and towns. The Arctic Circle is indicated by a dashed line. The text 'Submissions to the Education Act Review Steering Committee' is overlaid in large, bold, pink letters. The date 'May 2001' is also overlaid in large, bold, pink letters. The Yukon Government logo is at the bottom.

Submissions to the Education Act Review Steering Committee

May 2001

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**Prepared by the
Yukon Bureau of Statistics for the
Yukon Education Act Secretariat**

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INTRODUCTION

The Yukon Education Act is the major piece of legislation that governs the priorities and activities of the Public Schools Branch of the Department of Education. At the time of its proclamation in August 1990, the Yukon Education Act was a visionary piece of legislation. Its two central goals were 1) the provision of universal quality education to meet the needs of individual students and, 2) greater public participation in the education system.

Section 326 of the Education Act requires a timely review of the Act. As a result, in June 1999, a steering committee was struck with the mandate to “guide the review process from planning that process to developing recommendations for submission to the Minister”. The steering committee is made up of representatives selected by First Nations, school councils, teachers and the Department of Education. Over the course of the last year, the committee developed a work plan for reviewing the Education Act. This work plan included a major public consultation.

During the fall and winter of 2000/2001, the steering committee visited Yukon communities to meet and discuss with local residents and organizations the review of Yukon’s Education Act.

Pages 10 to 48 of this report provide the public record of each community meeting. Pages 49 to 282 include the written submissions provided to the Secretariat, organized by the source organization or individual.

Please note that this report does not include information received in confidence from individuals or sources other than those listed.

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**Beaver Creek
December 6, 2000**

- * Lack of accommodations in Beaver Creek for Teachers. How do we recruit when we don't have accommodations to offer them? Apartment is fine for single person, but if there is a family it isn't appropriate. Any family rentals are high priced and/or not adequate.
- * Like to see calendar school year more in line with other provinces as opposed to each school having their own start and finish date. Very frustrating in trying to accommodate my children's vacations with relatives vacations. Try to amalgamate Christmas and spring break holidays with others. Even the schools within the Yukon have different start and finish dates.
- * Have spring break and Easter put together when possible.
- * School should start after the September long weekend rather than in mid August.
- * Like to go back to a normal 8 weeks off for summer.
- * Like idea of having 2 weeks at spring break and Christmas.

- * Recruitment and retention strategies for teachers should be looked at.
- * Have to do something to retain teachers in the communities. How do we keep the teachers we already have?
- * What about community assessment in relation to teacher evaluation. Is that evaluation done in consultation with the community?
- * Students who leave rural communities and go to Whitehorse are unable to keep up with those in Whitehorse. They seem to be behind the Whitehorse students.
- * Need to ensure that teachers are there to help all students including those that are not doing well.
- * Think that small towns not having a high school and children having to go to Whitehorse for school has to be addressed. Children are being taken out of their home too early and are not mature enough to deal with issues and appropriate choices.
- * Start in grade 7, that there be more opportunities for students to go to Whitehorse,

- spend 3 weeks in Porter Creek Secondary School to do a unit just to bridge the gap and make the transition easier.
- * Should have a school for children with special needs such as Fetal Alcohol Syndrome and Fetal Alcohol Effects.
- * Need to put money into education rather than into such things Curling Rinks, Visitor Centers', etc.
- * Educate children in the school about special need children such as those with Fetal Alcohol Syndrome.
- * Early literacy is very important, family literacy and adult literacy also.
- * See the school library and community library combined.

**Burwash Landing
Public Meeting
December 7, 2000**

- Length of time a teacher is permitted to stay in a community. Should be a limit on the amount of time a teacher is permitted to stay in a community. If they are there all the time, don't think there is enough exposure if they have the same teacher from grades K-9.
 - Suspensions - it was like a holiday for the kids.
 - Records follow them all the way through. If they are labeled a troublemaker one year that follows them all through the system. Think the records should stay at the school. Don't have the behavior records follow the children to each different school they attend. Give them a chance at a fresh start, not with the label from the previous school. Having this records follow you puts a look of pressure on the children.
 - Instead of suspending them and sending them home, there should be a separate room where they go and do their work.
 - Time for a change at the Kluane School.
- Yukon Native Teacher Education Program - don't get any of the students at Kluane School. Suggest a student be sent out here.
 - Kluane First Nation owns the transportation that is used to get students to school in Destruction Bay and is subsidized by Department of Education and that rate we are paid needs to be looked at.

**Carcross
Public Meeting
December 4, 2000**

- Use of resource assistance, non-teaching staff. Badly understaffed for educational assistants.
- Children after grade 9 go to Whitehorse concern that the children are being removed from the community. See the availability of high school in the community of Carcross.
- Kids who go to Whitehorse from here with good grade standard but when they get to Whitehorse it doesn't match up. They go with expectations of being equal in Whitehorse, but they aren't. Children who are in the communities need to have the same opportunity or have the same grading standard. Need to be on the same level as their peers when they get to Whitehorse. There needs to be a common ground when children enter grade 10.
- Could be some options for high school such as computer assisted education. Would be better if the kids were in their community rather than away in Whitehorse.
- Agree with the comments

on sending the students to Whitehorse. Hard to uproot the children from the community. Carcross/ Tagish First Nation provides assistance for students to continue their education. Students being pushed through the system without the skills necessary to do the work and moved to Whitehorse with no real concern or input into making sure they can do the job once they go to Whitehorse. Children often feel inadequate once they get to Whitehorse. Because their grades are lower they have a hard time.

- Would like to see a mechanism into place for the hiring of teachers coming into community. Would like to be directly involved in process for teachers coming into community. Provide recommendations as to hiring. Have not been given the chance to provide input. Have input to be able to know that the teachers coming in have a First Nation sensitivity and knowledge.
- More direct involvement into development of curriculum in community. Develop curriculum related to the First Nation. Culture camp. Like to see children who are having problems

being taken out on the land and having that count as part of their school year.

- More cooperative approach to administration of schools.
- Would like to see a First Nation immersion school which would see the inclusion of academics, culture, language and tradition. 20 minutes a day is not enough time to try to keep the culture and language active with the students.
- Involvement in consultation of school policies. More input into how our students are being schooled.
- Look at a high school in the community.
- Discipline - if children have problem in school they are just sent home. This is not a punishment. Some children will work towards being freed from having to go to school. If there was a culture camp there is responsibility there on the children. It is not just a holiday for a couple of weeks.
- Important to collaborate for these children that are having problems at home and social concerns. The more doors we shut the more problems we create in

the future. Some kind of program where they feel comfortable in order to assist them in attaining their goals. Hiring a teacher with counseling skills. Work together to solve the concerns.

- See the sacrifice of some of the programming as to being able to have the input into my child's life over the years that they would have had to go to Whitehorse, removed from our family life and community. Would prefer to see fewer options and have them here. Rather than to go to Whitehorse for more options and not have him here in the community with family.
- With computer technology could use the option to teach the students. Have a one-month biology course so children could come in from the communities so they are not gone for a whole school year. There are extra expenses that come with sending your child to Whitehorse to school food, boarding, telephone, etc. Keep our children home but come up with some options to get them the education.
- Could be successful bussing into Whitehorse for school if you had a really good supportive system.

Give families the option, doable with the Internet, on the job training, etc. Have to pay to transport the children back and forth on weekends, etc. Some children are boarding and some are in residence. Have a smaller house, to deal with these children that can't deal with the children that are not ready for institutional.

- Why doesn't the residence get deducted funds when the kids that live there are missing school. Parents get funds deducted from their subsidy when their students are missing school. Look at other options.
- Problem with sending children to Whitehorse. They are kids entering adolescence, they are extremely impressionable. Too much of a tender age to be dealing with leaving home. Bombarded with too much at once. Yes, can offer a variety of courses, but could have tutors in town. Bus them into town for certain courses. More beneficial for our children to remain in community with parents and have the same opportunities.
- Our students are pushed through the system without the necessary skills to move forward. Tried to get courses through Yukon

College so wouldn't have to go back to FH Collins High School. A post-test was given, test showed that was not working at a grade 12 level. Spent 12 years in school with the idea that was a grade 12 student and was going to graduate. Why is this happening and what can we do about it. Think it stems from taking children to Whitehorse at a tender age. Don't have parental supervision, have things to do in Whitehorse, staying out all night, drugs and alcohol. Whereas when they are at home they can work on their education. Carcross School has now agreed that if you aren't ready to move forward you will be held back.

- Carcross has asked for grade twelve years ago. Needs to stop. Other options, sure not all students want to stay, but it should be an option.
- Develop the curriculum and be part of hiring teachers, they are going to be part of the community.
- Have inter-governmental agency meetings and cooperation.
- Would like help with the inter-governmental accord.
- Should be changes so that

it would be optional as to whether you stay in the community or go to Whitehorse for schooling. Should be supported either way.

- Agree it should be optional for children to either go to Whitehorse or stay in the community and receive their education.
- Do not use kids in community as experiments. Using TLE math here, and there are a lot of glitches in the program, should have been worked out before it was even started. Kids are very frustrated.
- Accelerated Learning - been tested and proven in what would have been considered a no win situation in British Columbia. Has been highly recommended to any community that is thinking of using it. Feel we should carry on with this Accelerated Learning process. Suggest Accelerated Learning be utilized in the school.
- Lack of art classes within the older grades. Seems like a good thing.
- As partners we need to beef up some of the programs in the communities and within the system to help retrieve our native language.

- Think students should go to a camp and have elders speak to them in nothing but Tlingit.

**Carmacks
Public Meeting
November 27, 2000**

- I'm a home schooler. Would like to see ... don't know where the funding goes. Don't know where funding goes for home schoolers. If I want to use the facilities at the school to help me with home schooling, would like to see the funding go to the school, which helps.
- Not a problem to have access to the school. Know that in other ... other home schooling friend have had trouble getting access to the school.
- Instead of getting direct funding for home schooling, how about a tax rebate instead. If you are outside of the school bussing system and can't really send your children to school, an amount would be very helpful.
- Registration, don't like to give the 3 year plan. Know what I am doing this year but don't really know the full 3 years. Don't want to write a plan for 3 years don't know what they are going to do, may go back to school.
- Glad we have access to curriculum material a real plus.

- Home schoolers should also have access to go ... can take courses in grade 11 and 12 only if they have been home schooled for 3 years. Well if they do grade 7 and 8 as home schooled but then decide they want to go to school for grade 9 then they wouldn't be eligible to get grade 11 and 12 paid for.
- Would like to see more participation of parents within education system.
- See tutors let into the school to assist the children
- More native language and training for native language
- See keeping native children in schools.
- More native teachers and more tutors
- YNTEP teachers are not in the system teaching
- Native children are being left behind in the education system
- Don't see an end to my child's education. Would like to see more counselors, more native people helping native children. There is segregation happening within the school system. Need to see this segregation stopped. Need

to teach racism is not acceptable and teach that in the early grades.

- Get teachers and principals accountable for their own actions and to the education.
- Quality of education is to be taken into account here. Think quality of education poor in Yukon.
- More history of the Yukon should be taught.
- Consulting with the First Nations, what percentage of the bands information is going to be taken into account.
- Main concern in Carmacks, a lot of people taking their children out of school and sending them to Whitehorse or outside. Looking into the quality of education for high schools. Not getting the academic needs in their home community.
- No financial help to take their kids to school in Whitehorse instead of here when offered here.
- People are commencing and not graduating. People angry when they think they have grade 12 and they don't. Communication isn't there to let parents and

students know what is going on. Parents don't know what is available. Department of Education needs to let them know what is happening to the children.

- Differences in good teaching make a difference. First Nation knows who they like and don't like as teachers. Should have a lot more say in who ends up there. If they are not respected by the community there should be an automatic review. Problems are very difficult to overcome.
- There has to be a choice for high school children. Offering grade 12. Re-look at the rural high school is it really working. Don't go half way. Regional high schools could be an option. Here what happens is overwhelming for 1st year teachers. Teachers are being overwhelmed. Needs to be much more and has to be looked at. Can't move everyone to Whitehorse, but there has to be options available. If school doesn't offer grade 12 can get funding for residence. Offer some incentive for families that visit and offer support to their children.
- One teacher here is the Vice-Principal, counselor and alternative education teacher.

- I believe that it would be worth it to have a counselor here, so that the kids can eventually move on. Help solve the crisis of two cultures coming together.
- Look at junior colleges, so students from grade 11 or 12, could do some transition then move into post secondary. Do local high school until grade 10 then do junior college which would allow them to finish their grade 12 and give them the academic skills necessary for university education.
- I would like to have some of the bureaucracy cut out. Like to see the Deputy Minister position gone.
- Education for first nations comes first. Important that grades 1 to 12 be completed by first nations students.
- Drop out rate is a big factor. Will probably move once the children get to say grade 6. Like the idea of a regional hub, very big step for some children to leave the small community and go to Whitehorse. Have a high rate of elementary students' say 70% and 30% from grade 8-12.

**Dawson City
October 24, 2000
Public Meeting**

- Recommend the teachers have more patience with children with ADHD so they don't need drugs
- More Educational Assistants for special needs children.
- Would like to see Educational Assistants used as educational assistants rather than band aids,
- There isn't enough money to go around. There are kids falling through the cracks because we aren't developing the plans to help them fast enough. Often a money issue. Money should not be an object when we are talking about our children.
- Reading Recovery should continue that has been a big step forward for children.
- Reading recovery is working at the right end. Often leave them to late the more programs that catch the problems early the better.
- Double the manpower in reading recovery think could spend more effort with the children who are at the upper ends and are having difficult time reading. When they are in grade 11 with reading at grade 2 or 3 difficult to give them the skills necessary.
- Have more effort, more money coming to special needs students in our schools.
- Frustrating using Ritalin when

she hears there are problems with it would like to look at other ways of managing the problem.

- Minister does not have the ability to grant days for a teachers conference. This should be changed as this is an important opportunity for teachers. Change act so minister can grant days for teacher conferences.
- Would like to see a decision with regard to children being kept back a grade being done together with parents and teachers.
- More home contact before problems become real problems.
- Maybe we have to start saying they haven't got the necessary skills to move on to grade 2 and keep them there longer before they are in grade 11 two or three years.
- It doesn't matter if the child doesn't have the self esteem, there is no point in keeping them there if they don't want to then their self esteem drops, if you put them forward again, they fall behind. Need early intervention to help students.
- In some cases moving the child ahead does work as the child has to move ahead with their peers. What comes to the forefront is the failures that end up in the principals office, court system, etc. Schools set a pattern to keep pushing them on.
- Key is special assistance, early intervention, those programs

will make the difference in the end anything else is just masking the problem. Money is an issue.

- Are there differences between the communities and Whitehorse on placement? A lot of teaching has to come from parents- parents have to support the child at home.
- Yukon schools will be on the same report card system. Yukon achievement testing will be done throughout territory, grades 3, 6 and 9.
- Takes time at home, appreciate and complement parents that are putting that time in at home. May not notice it right away, but will make a difference.
- I think that maybe the future of education is more than just at school. Why don't we have educational assistants that come to you? We have always looked at the system as 8:30 to 3:30 why does it have to be like that. Why can't we see teachers or Educational Assistants moving out of the school a little more so they can deal with individual needs more. "If we can order a pizza, why can't we order an Educational Assistant?"
- Look at having individual help to get them to catch up. It is a dollar and cents issues. Looking at having an Educational Assistant come in and help regardless of where they are in the program. Have an Educational Assistants assigned to students who have moved up whether that is a summer program, make up

course, correspondence. Stay on top of things. Saddened for student that was moved up because of his size, age and didn't have his grade 8 but was moved on to grade 9, we are pushing but we are walking right there with you.

- Don't just move the Educational Assistant with the student, but change the program to meet that student's needs. Look at instead of fitting kids into programs modify the programs. The answer is instead of fitting kids into program, come up with alternative programs. We have Individualized Education Plans but also need to include specifics about how we are going to help this student learn.
- Needs the help to do grade 4. The Educational Assistants should focus on helping him do the grade 4 level.
- How much of the educational budget is dedicated to special needs. I'm hearing that this isn't enough.
- Other children that are struggling through the educational system. Trying to help them. Children would benefit from more Educational Assistants.
- Every school in Yukon needs multi media.
- In elementary schools I don't think it is appropriate for children to be kicked out of school. I don't think it is beneficial for elementary children to be suspended or sent home for the day as they

will just keep misbehaving to be sent home. Children are sent to principal's office, they will know they won't be sent home.

- Have more first nations Educational Assistants for first nations children and more first nations teachers.
- We have to think of the rights and safety of all children maybe an alternative plan to sending a child home. Perhaps establishing an alternative for children there is a point when some children may need to be sent home as it is jeopardizing the safety of other children. Have to work together to find a solution for everyone. Don't always have the resources to deal with the children presenting safety issues. Something to help kids understand conflict resolution. Socializing skills.
- Educational Assistants running around after a child out of control is not the solution. Find the reasons so we can help them.
- Teachers need to be taught the skills to restrain children who are out of control.
- Teachers are going to school to learn how to educate children. We are also talking about the kid in grade 11 who gives you problems. Is physical force the answer.
- (behavioral problems) Took training on this type of thing, had one I looked after him for some years. Never had a problem when I was teaching

because I knew how to look after them. When he brought work to me I told him he was doing good. And the next time he did better again. If you tell them they do good, then they do better the next time. (positive reinforcement).

- Want to think about positive things for the future. Training is in arts education a lot of ignorance in arts being beneficial. I know there are so many things, arts education is a different way of teaching to try and enhance other ways of learning. Trying to use the arts education as a way to get through to kids that don't have a lot of self-esteem, doing many visual learning. People respond well to these types of activities. Put more effort into researching, look at Saskatchewan - Arts are a way where we can in fact develop the whole person. Can teach the academics through the arts. Consider this when we talk about the whole child. Talking about using the experience of walking through an arts education experience, like drama. There are opportunities here in dealing with special needs or early intervention through arts education.
- Beneficial for teachers to learn some of the first nations culture.
- Would like to see an emphasis on physical education. Headed to a sad state of affairs without daily physical education.

**Destruction Bay
Public Meeting
December 7, 2000**

- In small school sometimes you wish you could just be the teacher or just be the principal. Sometimes you just don't have enough time to get things done.
- Like to work one on one with the students.
- Like to have someone come to the school and give the children more appropriate computer instruction.
- Need access to Internet.
- Don't get any administration time because we are a small school. Catch 22, if I get more administration time I get less time with the students.
- Small schools need more secretary time.
- 1-800 number, we are not supposed to use the number, but would save us money if we used this number.
- Children come to school to young, think that the 5 years 8 months age is too young.

- Maximum age of 21 is OK if they are in the school system and succeeding. But if they are not actively in the high school system think they should go to Yukon College.
- Age 16 to quit school is just fine.
- Correspondence overall has been OK, French is difficult however.
- If there was a teacher in Haines Junction or Whitehorse that could oversee the work of rural students, would be more contact and less reluctance for the student to ask questions of a teacher. Would also afford the parents an opportunity to meet with a teacher. For French would be nice to bring student into Whitehorse for assistance occasionally. Should look into this.
- Didn't feel some of the materials were as well developed as I might have expected for a correspondence course.
- Would permit our children to attend a school run by the First Nation, but not if the First Nation was responsible for hiring of teachers. This is based on the control of the

curriculum. Fear is if First Nation has control of curriculum, they may be lacking in the academics.

**Faro
Public Meeting
November 21, 2000**

- Would like to have more Canadian history in class.
- Would like to see O'Canada sang within the schools.
- Technology big topic in Yukon. Support for rural schools for infrastructure and support for that infrastructure. Don't know how the act could support that. Students need to be up to date on technology when they leave school.
- Would like to see First Nation's history in class.
- Education kids get in Faro is fantastic and their teachers are fantastic as well.
- Faro has had very professional staff, especially over the last 10 years, very child orientated able to deal with children with special needs. Don't have a lot of problems with vandalism and kids take pride in their school.
- Student Financial Assistance Act. Where there is a particular demand or need for a trade or training. Start with

Doctors and work down but maybe not truck drivers. Where there is a shortage, could the Student Financial Assistance Act include an incentive for those who go into the shortage area, I would like this to be looked at.

- Perhaps an attraction could be added to see them stay for a minimum time, say 5 years for a doctor, 3 years for a nurse think this should be looked at.
- Could someone who is 26 years old and currently not working and did not receive their grade 12 and would like to do that in the public education system do it?
- Why can we not separate the funding for athletic related field trips as opposed to funding for scientific trips? Often in one big pot and the pot is dry before the end of the year. This funding is too discretionary and there isn't enough funding.
- Funding for trips, distance should be a factor in determining the amount of funding.
- Could we bring more specialized teachers (e.g.: drama) back into the community to do a short program such as 8 weeks.

It is a shame we can't have some of those programs even for a short period of time.

- In Alaska there is a teacher who travels to communities for a 4-week period and teaches a science program could look at that model.
- What is required to get the students more than 42 minutes at lunch hour? Remember going to school until 4 p.m.?
- With a longer lunch it would create a greater absentee problem.
- Having more time in the school week for second language, whether that is French or a First Nation language.
- Once video com comes to the communities teachers from outside of the community could teach other students through the Territory.
- Is there provision within the act which would allow the student to access an expert?
- Priority is to stay in the community that I am at because of what they give. How with my children's age do we maintain what we have? Want to ensure that they have all the

opportunities to get all the courses they need to get into university.

- Support the transitional work being done with kindergarten children.
- Teacher/child ratio and the demand for more Educational Assistants. Because of the technology there is a lot of information our kids have to learn, because of this age, kids are learning things at a much faster pace. Very difficult to keep up with this.
- Every year there are more and more things added to be taught. How does the Government in general support the Department to support the teachers and deter burnout of the teachers?
- Does the act talk about using the school in the community. Want to see encouragement to utilize the school by the community to promote overall community health.
- Sometimes there is a particular short course that a student would like to take and involves a teacher picking up a specific certification (\$200-300) can those costs be covered.

- Is there an evaluation follow-up to the act implementation, issues raised, and process.
- Offer workshops to communities once the new Education Act is in place.

**Haines Junction
Public Meeting
December 5, 2000**

- Attendance will always be a bit of a problem. The achievement and making it more interesting for students. Time when children switch from wanting to learn to wanting to see what is going on around them. Students should have involvement in planning what they want to take. Through a student council could bring students in that way, also possibly student exchanges throughout the territory. Exchanges may also pull in the First Nations.
- School Council responsibilities. Seemed like the School Council had everything to do with hiring principal but nothing to do with the letting go of the principal. Should have more to do with the review process and the evaluation process and termination.
- Think School Council should have say into the hiring of principals.
- A lot of the process for hiring a principal is done through the Yukon Government, think School Council should have their input, but don't think that they should have the final

especially when they are not responsible for the termination of that position. Hiring is usually done by the employer, and the employer in this case is the Government. There is something broken in this process of hiring administrators and it needs to be fixed.

- School Council elections time, polls were temporarily closed, when a poll runs out of ballots before they run out of voters. Did receive ballots 1 hour prior to close of poll but many people were unable to cast their vote due to this. Nothing in the act to controvert this election. Need some kind of appeal process.
- As School Council begin to become more responsible, have opportunity to special ballot process, proxy voting and advance voting. Look at providing for this.
- Very unusual that the ballots did not contain the names of the people that were running for the School Council. Ballots should include the names of those running for the office.
- Could stagger the elected representative and the guaranteed representation on the School Council.

- New teachers into the school, more support via a shadow teacher, if someone else is there problems may not arise.
- Community orientation of teachers, plus teachers that have been in the community for years would assist new teachers.
- Number of breaks throughout the school year for in-service, etc. Is there not a way for teachers to take a week at the beginning of the year to do some of this training? Get teachers together a week before school starts and do some training and find out what is new. Make a week compulsory, and would be paid for they get paid for 12 months of the year.
- There is a lack of discipline in the school by teachers.
- When there is a substitute in the classroom it is almost not a real teaching day and think that is a wasted day. When we are struggling for actual teaching time is it beneficial to have special interest groups in the school giving presentations. At what cost is this done? Do we need a longer year to accommodate these?
- Substitute teachers need to

be tightened up as to who they are responsible too. If there is a question about a substitute teacher, the act doesn't give you the answer. They fall into a grey area.

- Teacher preparation time, extending it or balancing it out. Both elementary and high Schoolteachers only get 30 minutes a day for prep time. Has there been any look at this? We expect them to do anything over the 30 minutes on their own time. If you are a parent looking for quality and want your teachers to provide this quality education and teachers are expected to be able to deliver an adequate program they should be provided with adequate paid preparation time. Can't see how teachers can effectively instruct a curriculum when they are only given 30 minutes of preparation time and do the rest on their own time as well as balance their involvement in the community, etc.
- Children lack respect for their instructor and there is nothing that I know that teachers can do to bring order into that. Know of no way a teacher can discipline a class of students.

- Don't want to bring back strap, but as adults we know there are limits and one way to know that is consequences. Our students need to know that there are some actions that may be taken if behavior is outside of the limits. Strap was an extreme and now we have gone to the other extreme, need to find a middle ground.
- Take exception to warm nurturing environment, because the world just isn't warm and nurturing. Should be dealing with the family when the child is hungry. Children can share their food. You are teachers you are there to educate them, not feed them.
- Take a look at a standardized dress code throughout the Yukon.
- Acts, regulations, parents and School Council need to understand that they are asking a teacher to do the near impossible. When you are reviewing acts and legislation need to balance off what we ask them to do vs. what they are paid it is not a substantial amount. Look at what other jurisdictions have done and not duplicate mistakes they have made. Be a little bit more pro-teachers.

**Mayo
Public Meeting
November 28, 2000**

- You have Education, Social Services, and Justice all going in different directions. Need to have them working together.
- Kids are to stay in school until 16 but there is no way to make them stay in school. If you can't keep family unit together, how can you work on education? Needs to be linked together. How do you do anything if the law says you can't?
- No law in Yukon that says when a child can leave home. If they leave home how do you keep them in school? Has to be laws where there are more programs to keep the family unit together through counseling. Have to tie all units of Social Services, Justice and Education together.
- Preamble doesn't support children to the level of responsibility. Overall has become a bit to societal kids are not being pushed being given too much freedom and power too early.
- After so many absences or unexcused lates, parents can be fined. Putting a dollar value on it seems strange. If a child is of the age where they can drop out seems pretty confusing. If the parent is trying hard

to get the child to attend, then fining the parent is cruel and unusual punishment. Could be scratched from the act.

- More counseling to try and keep the family unit together
- Have to take some freedom away and teach them to negotiate with parents, teachers, etc. Kids have to be healed from the hurt they are feeling through situations.
- System say at age 14 for some things and 16 for other decision that you can make decisions for yourself, and it also says a 21 year old student has to abide by school rules. Think 21 is extreme for a high school student unless it is under certain circumstances.
- Big problem with lates or absences. Seems to be a lot more common.
- Haven't been able to participate in any explanation of the Act. Explain it to parents or those who need to know. Whether by video, open forum or pamphlet.
- Expand the definitions, prima facie Liability - joint several liable
- Information technology has changed dynamics - start age of students, maybe these children are ready for school sooner. Maybe we are doing a disservice by not allowing them into the

system when they are ready.

- Disagree with an earlier entry age. Pre-kindergarten say we are in the age of information, but think we are in the age of babysitting. They are in a mass daycare system unless they are with instructors who can provide the learning of letters, numbers, etc. Children are not getting anything. Pre-kindergarten would be useful because our children are not prepared, not even going into kindergarten prepared. Problem with pre-kindergarten is it is just another babysitting service. Don't think Department of Education, school should not be a babysitting service. But if Department does intervene then those children who are being swept away out of the family home to be looked after will receive a good start to their education.
- Is information technology effecting our children to a point that we should be looking at whether we are providing them with what they need.
- I think all day kindergarten is too much to ask of the children.
- Kindergarten should be mandatory.
- Section 116(j) duties of school board, doing evaluation of school environment and facilities, put this under the

responsibilities of the school council as well.

- See corporal punishment defined in the definitions.
- Section 29(d) Private schools, does the public schools not have to abide by this as well. All schools should have to operate under this.
- Staggering of terms of school council members would be appropriate. Three-year terms with election held every 2nd year.
- School Council election should be earlier in the year.
- School Council conference in Whitehorse, but need to get training sessions in communities.
- Part 3 item 10 - and Individualized Education Programs - like to see this defined a bit more so children who have a better way of getting the education they deserve in small communities. All kids are in the classes and when they need special services they are pulled out, if they have special needs provide the extra staff. Need the really specialized education to get them through. Grouping of children with special needs.
- Only so much a teacher can do when you have a wide variety of needs within a classroom.

- Kids that are pushed through the system, and these children are frustrated and they know they haven't learnt. Being forced to try and do the work.
- If students need a grade 12 chemistry class it should be available in the school. If there is only one student who wants to take it that child shouldn't be forced to take upgrading later because it wasn't available.
- Need the chance for children to take courses they require in their home community. Shouldn't have to take upgrading when they leave grade 12. Having to choose one course over another is unacceptable. May need more teachers to make this happen.
- Nice if parents had a map or a flow of what is available to their children in the communities. Would show what the options are and what may suffer if they choose one course over another. It is a communication concern. Shouldn't have to leave a community to get upgrading and not knowing about it before hand.
- Communities should be supporting Faro and Ross River in getting Connect Yukon.
- Kids shouldn't be advanced to the next class until they are ready. If they are advanced without the skills

could hold back others. Should be held back until the necessary skills are gained.

- Some kids may not want to do all the academics. Some kids may want to hit grade 10 and then move into some kind of a trade. Why force a child to go through the academics if they aren't interested.
- Should be given the opportunity to repeat a grade one or two times to give them a chance to get the skills.
- Children could be given the opportunity to receive a trade education.
- Umbrella Final Agreement should be part of the curriculum and the local agreements should be part of the community curriculum.
- Communication regarding report cards and the information contained in them.
- What you are given for curriculum is so broad that you have to essentially have to write your own curriculum to be an effective teacher. Again, this is being downloaded onto a teacher.

**Old Crow
Public Meeting
January 16, 2001**

- Look at reviewing act more than every 10 years, there are so many changes happening in the world with people and technology. Thinking every 2 or 3 years would be better than every 10 years.
- See a lot of improvement in child's learning from pre-school to kindergarten. Feel it was a benefit. Helps them to adjust to the school environment. At age 4 they have a lot of energy and things are introduced early. Feel they need to continue the pre-school.
- Pre-school prepares kids for kindergarten, really see progress in child week to week. Really picking up the Gwich'in language. He is teaching me a lot of words.
- Like to see a teacher coming to Old Crow for special kids. We have a lot of kids that need the special teacher. Kids with FAS and would like to see a teacher work with them. We don't have a teacher for special needs children.
- Did our teachers come right from College or have they taught before. It seems like our kids are behind.

- A lot of the teachers do they have to go to a rural community for at least 2 years before they can teach in Whitehorse? Concerned that there is usually no orientation, when they come to our community they don't know about darkness, culture, area, etc. Should have a weekend of orientation so that they know what they are getting into and can decide if they want to live like that. They find out when they get here that they can't tolerate the darkness and have a difficult time.
- When they hire the teachers, information has to be given to teacher immediately and give them an overview. When they get to community give them an in-depth orientation into the community, leadership, parents, etc. Need to come to community at least 2 weeks prior to school starting so they can get a sense of what the community is about.
- Every community within Yukon and Canada is different.
- More so for teachers coming from outside the Yukon, but teachers that have been here for 1 or 2 years they are becoming aware of our community. Entirely up to teachers as to

how much they are willing to learn about the community they are in. They are in a lot of stress coming to a new location, if it is their first teaching job, it's isolated and it would help them become acquainted with the community. The more they are in the community the more parents and children get to know them and builds community.

- Not only the responsibility of Department of Education, but also responsibility of the First Nation. Works both ways, we have to take responsibility to make them feel welcome as well. Orientation in Whitehorse is important before they make the commitment to come here.
- Makes sense that First Nation training should be done on a local level rather than at the college level. Need to orient before the school year starts. Will make all the difference for the person coming into the community.
- Concerned that having different levels within one classroom is that children are not prepared to go on or do some students get held back by other students. Keep students that are at the same level together. Look at how we can work

that out. If there are special needs children should that happen in a different classroom.

- A lot of workers at the dorm should have First Nation people there. But because of competitions mother didn't get job. We need people there to support our children from Old Crow. Need our people to work there.
- Going to be very difficult to have grade 12 here and we know that. Still have to send our children to Whitehorse.
- Children in Whitehorse need support of a CELC to help them.
- Children going from Old Crow are not up to standard for their grade in Whitehorse. Always believed that we are all entitled and have a right to quality education. Address this issue, but know that within the whole issue there are many other things we need to look at - teachers, amount of students per classroom, student levels within a classroom, paraprofessionals, and other that can work with students with learning disabilities. To really start taking action in that area.
- Don't have environment

within classroom so that they can reach their full academic level.

- Need to have members from Old Crow to be on hiring team for principal and that needs to stay in place from School Council and Chief and Council leadership and member of elders Council to be part of hiring for that key person. If we want kids to have that level of education that we would like for them then we don't need to disrupt their learning by having someone else coming in. Not only key for principal and other to have the orientation. Not saying Department of Education has to do that, but letting them know there is a need for them to do the orientation.
- Believe education system is a community responsibility. Having said that... I'm not thinking that our system today needs a lot of changes but 10 years down the road when changes have happened again, and what options will be available and opportunity for an Old Crow student to feel comfortable to go to FH Collins and feel totally comfortable and confident in doing the academics.
- Have more interaction with Gwich'in community within Whitehorse.

- Need for a counselor position in Old Crow to be located right on site. A full time NOT part time. Part time does not cut it. Need to have someone here to help students through day. Many come from homes that are not stable; there is alcohol abuse. Able to access for many different reasons, doesn't always have to be for something bad, too often we don't tell them they are doing well and give them a pat on the back. Part of the education team and being in a community that is isolated like Old Crow we miss out on services like that.
- Paraprofessionals, remedial tutors, etc. Not sure what kind of training is available, would be great to see training for those positions being made available to people that we would be able to hire from within the community. Need community people there so they can look forward to long term employment.
- We have some excellent candidates for these positions and difficult for them to go away and get the training.
- Need learning assistance teachers.
- Could use a male counselor, as there are

many boys in the school. Need balance between teachers too, 1/2 male and 1/2 female.

- Language and culture - Know they have 30 minutes per day, we talk a lot about holding onto our traditions, know as parents and community members that is also our responsibility. Have some of the language components within the school so they know who they are and where they come from. Have history of culture and heritage of our area. Some of our ancestors have played major roles in our history and some of our rivers names I don't even know and our great-grandmothers and fathers gave the names to them. Use the resources within the community to be able to do these teachings, this is not only about Old Crow this is for the territory. Foundation of who I and how I live is based on this; who I am, where I come from and my family and that will never leave me. If I don't have that I will fall down many times.
- Try to get our food in the dorm.
- Students have been going out on cultural camps and if they do would like to see a point system where they

earn that and it is not just given to them freely. If they don't earn it, it is not important to them. Have some kind of point system, think that it is important for students to go out on the land, but also need to earn it. Also have them take some of their schoolwork with them to the camp. There have been a lot of trips where they haven't earned it. If they work towards it they are going to learn more.

- 20% of locally developed curriculum is not enough especially for Old Crow. For VGFN think that we need more locally developed curriculum and believe that it might not be 90% at outset, but definitely more than 20%.
- Can't wait 10 or 20 years to begin developing curriculum for cultural inclusion. Have to be able to do it as we go along. When we do dissection use a muskrat, caribou, etc. use something that we relate too. Don't think that we should let the fact that there aren't books, I think we should be able to try and use some new and innovative ways to teach our children.
- Real need for recognition, the Education Act needs to recognize how first nations people learn and how they

relate differently to the learning environment. Think restriction lies within the act, there is a mindset. Principals are following what their superiors want them to do. Make it so that higher ups recognize this.

- First Nation would be happy to contribute to education but feel there are resources available at the Department of Education, which would also contribute.
- Act is not as strong as it should be towards First Nation as it should be. Tighten this up, it should be a must that the Education Act does not overlook the First Nations, their culture, language and tutoring. This should be a long-term thing, not only for Old Crow. Been on back burner for a long time in all Acts. Need to work together. More communication, don't have any communication coming out of the school. Lack of communication and that should be in the Act. Need to meet with parents more often. Have School Council and thought there would be a good one, but sometimes it fails because of lack of support in community. Many need a board, as we would have more clout than School Council. Need to pay attention to what First

Nation's are saying. Need to work up ladder together.

- Private education, think that may happen. Something like that should go into the act. Went to private school with my parent in the bush and they taught me.
- Be some sort of training for Boards and Council on a regular basis.
- Teachers run a lot of extra curricular activities for no added pay, community could get involved in this as well. How do you attract volunteers, how do you keep them. Need a strong statement in the Act that recognizes volunteer work in our communities with out students. Teaching is a noble profession and it is not really recognized for that.
- Have major workshops in communities twice a year on education. Interest in education is rising because it is so competitive out there. They talk about the brain drain. Maybe it is time for all education interests get together and talk about education. An education summit.
- Review for Education Act should happen at least every 3-4 years.

**Ross River
Public Meeting
November 20, 2000**

- School Council's not listened to, not given the feeling they had the right to make decisions or call meetings without permission. Ensure there is a forum for School Council's to learn what they are responsible for and help them with the in's and out's of the school.
- Education standards differ from one school to another. Moved from Ross River to Faro, one child was able to take extra classes to stay in the same class and one child had to be put back a class. Seen students go to Whitehorse for high school and they have had to take steps back to fit into the Whitehorse System and finally just said to heck with it. Drop out rate is horrendous.
- Certain basic things you have to accomplish like reading, writing, and addition. Problem is passed on too easily. Have to have a good solid foundation that will hold up the building or your building sinks and cracks up and crumbles. It has to be kindergarten and grade one where they get the basics, if you are moving them into grade two

without the basics from grade one and kindergarten. In favor of a person mastering the basics of the skills in a lower grade. Have to use the basics for the things that will continue to be added.

- Student that are delayed. Do have head start program in the community. Like to see that continue and see that supported. Currently run through the day care. Supportive of early childhood learning. Need to get as much stimulation in the first five years as possible.
- Food for learning program modified program into the school.
- Children in school with delays keep them as close to one on one as much as possible. If this doesn't happen the gap will keep widening. Realize that means more teachers.
- School attendance, classes where there are supposed to be 5 there is one. Somehow work with something local. Doing some reading, project then go out on the land. Still have to do the math and reading, two-paragraph essay on what happened on the land today. Some are interested in learning; some are just here because it is

somewhere to go. Want to be part of the group but don't want to learn. This could add some interest to school. Add something to make it more interesting.

- Kids aren't going to school. Today's kids don't seem to be... don't know if they get different support. Make it so interesting they don't want to be away from school.
- Early education is really important. Need to build the skills early. Start the kids earlier perhaps it will help.

Public Meeting
Teslin
November 2, 2000

- We are trying to get education for children. Communities have a lot of different issues and problems than they do in Whitehorse. Most steady fight is to educate our children to grade 9 so they don't quite after one week in grade 10 in Whitehorse.
- Don't have the programming available.
- Don't get the teachers we need. Whitehorse has different problems than we do in smaller communities.
- End result is to get a proper grade 12 diploma for everyone. Very scary compared to before.
- I have felt totally useless as a school council, as I felt we didn't have a lot of influence or say and felt Department of Education has all the control. Didn't feel that we were presenting good arguments or being listened to.
- Problems are not just education problems they are often justice, social services and department problems. Are trying to get all these to work together but can't get social services together with the school.
- We want more cooperation between agencies that are getting money to deal with our children.
- Need the experts to help us

figure out solutions to the problems we are encountering.

- I think charter schools are very important and should be looked at. It could be important.
- Consideration should be given to providing residence to students who would benefit from receiving an education in Whitehorse even though their grade is offered in their community.
- Seems like we can solve some of the things here but then we have to deal with Whitehorse.
- Allow the principal to have more influence.
- If money is raised in the community it should be matched by social services or the department to assist the community in providing the service.
- Look at year round assistance.
- Takes everyone to provide an education.
- Getting young inexperienced teachers who are probably hoping to get to Whitehorse doesn't help us either.
- Have to have the principal involved in the hiring, he should have the final say.
- When you have 3 grade splits and at the lower grade the child has a personality conflict with the teacher, that child is going to have that teacher for 3 years.

What do you do? Could be detrimental to the child. Some kind of solution, maybe it only has to be an interim solution, a place they could work out of.

- I hope that they don't lose sight of the big picture and that is that academics is the key issue.
- Real problem with children who don't go to school but they pass, it influences the other children and they ask "why do I have to?"
- Need to prepare our children to continue on in the education system. Get some statistics as to how successful we are in our children continuing their education after grade 9.
- Either hold children back or apply the resources necessary to catch them up if you move them on to the next grade.
- I think children should be tested as soon as possible after a problem is noticed or suspected and that testing should be paid for by the public school system, health and social services, justice and Dept of Education.
- There should be a way school councils are heard. There should be a system in place to allow for councils to be heard. An easier way to have concerns heard and dealt with. Need to feel department support. Don't tell us why we can't do it, give us alternatives. Concentrate too much on numbers.

**Public Meeting
Watson Lake
November 1, 2000**

- have some concerns - children 7 & 10, curriculum totally different than Manitoba. Concern is the education they receive up here, is it going to be enough to get them into university or college. Have noticed big differences. Unclear as to the curriculum that is followed up here.
- Concern that access to courses in rural communities. Here we have limited staff based on students. Concerned students don't get the academic levels needed to get into university courses.
- School Councils have not gained the autonomy that was anticipated. Why haven't we had them step up and become more autonomous. Like this part of the act looked at.
- Concern that curriculum still isn't appropriate to businesses in community and need that reflected in the curriculum for the trades. Lose a lot of the interest of students as we are not keeping their interest in the way that their families are interest.
- Concerned with upper education that there are too many options available, they shouldn't have to choose between the courses, should be have to take it all. (no biology vs. physics). They should be required to take the biology, physics, calculus and all academic courses related to the grade.
- Look after children more one

on one. Problems with children getting their work done, not able to access adequate outside assistance, concerned without this will be difficult to cope with the added responsibilities and work.

- Distance education is not beneficial.
- Do not do enough for children that are not special needs. Special needs children need something that fits their needs. Being in the regular classroom is not meeting their needs. We are not meeting the needs of the "non special needs" children in the classroom. We are not doing enough for the gifted children.
- Need to meet the needs of all students. Need to broaden the spectrum to meet those needs.
- Great many children that have exceptionalities, have teachers that work very hard to provide as good a program to fit each child, but the variety of the exceptionalities very difficult to meet the needs. All the children have their own individual needs. Putting children with different needs together does not work. The needs we have go beyond a school. Must somewhere reflect that we have a significant need in the community to assist these children with the special needs.
- Can a different program be developed for the gifted children.
- A lot of special needs children and they need attention, but at

the same time the children without the special needs, need to be put in a position to be challenged.

- Education is about teaching children skills they need to succeed. Seeing many Individual Education Plans developed or they are waiting to be developed, I see a gap in that coming down from the department as well as the resources available at the school to implement the plans. Right now the school is to provide an education based on their individual needs and because of the gaps that isn't always available.
- Teachers here are doing the best that they can. Teachers are apologetic, as they want to provide the necessary education. Willing to do extra work with children at home. There has to be way more support for teachers in Watson Lake, would not blame them if they didn't come back next year. Need a lot more support. Need support with 8 or 9 kids who are at different levels in one class, hard to keep their attention. A lot of Educational Assistants, which is really good.
- May be an issue based on the population, each community has their own special needs. Not familiar with how the act would tackle the issues between rural and urban. Perhaps through this process more resources could be allocated to education.
- The kids with the problems are the ones that are really not well served. We feel we aren't able to do enough.

- Can the education act reflect the need to establish more partnerships. How can the partnerships be worked in the community to address or help the problems. Partnerships are critical in addressing the problem and those in charge need to work at more partnerships, whether that is territorial, federal, First Nations, municipal or business partnerships.
- Seems like a lot of our special needs stem from situations at home. Situation at school seems almost hopeless. Part of the solution is to involve the parents more in the school program and if they could come in and see how their children interact with other children and see how the situation is not a good one that they will begin to work with their children more at home. Stuck with mainstreaming it seems.
- Grouping children seemed to work when I was at school, why can't we go back to that.
- Should get rid of the mainstream and offer alternative programs.
- Nice to have parents involved, but really hard to get them there. Sometimes the child is worse when the parent is there. Teachers do the best they can, but they do need more training in helping the special needs children.
- Majority of staff at elementary level are female, thing there should be some kind of ratio say 70 – 30 to provide a balance, as I think a lot of children respect male teachers.
- Age of children should be looked at, possibly look at alternative say 14, and offer non-academic alternatives like public service trades.
- Need more funding for classes such as workshop, technical and art, other than academic, also need those skills.
- We push children ahead when they don't pass, are we doing them favors. Students are graduating but they don't pass. Don't think children should move ahead when they don't have the skills. Offering alternative programs may be better than pushing them ahead.
- Don't want to see 14 year olds in same class as 21 year olds.
- Didn't see a lot about life long learning. This is very important these days. Technical knowledge changes every 3 years. Parents and community need to instill this could be input into the act.
- The Curriculum framework has no prerequisites until grade 11, we have some children that are ready to learn to read when they are 9, some are learners when one on one available. Children need to progress at their own rate.
- We should be starting to spend more emphasis on lower grades. Give them more guidance at the lower grades, rather than pushing them forward.
- If we keep moving the children on and on, that would be more degrading. Don't see what the point of this accomplishment is. Don't see pushing them through helping them.
- General programming in Alberta, is that something that doesn't happen here? If it doesn't that greatly concerns me.
- Implementing different curriculum is there still going to be the same teacher ratio. As the different curriculums available make it more taxing on the teachers, how is that going to work.
- Need more opportunity to have these discussions about education, and not have to wait for a review of a piece of legislation to get it done. Need engagement within a community of all involved. Yukon Government needs to find a way to bridge the gap between government of Yukon and First Nations government.
- Because we are small we have higher costs, have to bite the bullet. Most good ideas cost money and we have to find money and resources. We don't just have a few problems with respect to the learning capabilities, styles. The problems related to the costs available are disproportionate. Serious violence issues. Have too few teacher aids and assistants and they are not compensated sufficiently. Hard to get people to be substitutes. People who can't afford to be substitutes or assistants. The requirements in the acts for children with special needs and what we are able to

deliver is a significant difference. Have to address the resources available, both people and money.

- Why can't kindergarten children go all day, it is my understanding this is in the act. Kindergarten should be considered for all day.
- What are we going to do about violence in the school. What type of discipline.
- There is verbal abuse, calling down, yelling, more talking about the environment. In my view more reflection of the high number of children that have very serious and particular needs that aren't being addressed. Not in the sense of the curriculum, but they came to school challenged caused by a lack of resources and the numbers are disproportionately high and this seems to snowball. There needs to be something addressed by the powers to be in Whitehorse. Has to be nipped in the bud.
- Look at having specially trained teachers for behavioral problems.
- My position is a partnership between governments, with Yukon Family Services. Need to address the violence.
- All these problems they are not school problems they stem from the homes how do we get into the homes and encourage positive parenting from day one?
- Have a lot of substitutes sometimes. The substitutes as well as the people that go into

the school to help have some kind of screening for security.

- See more trades into the school. See kids coming from elementary. Level begin able to access the trades if they aren't academically included. Could have 1st year apprenticeship.
- Trade these days do require academics, have courses that could teach customer service. Things that would help them to prepare for working if they drop out of school,
- It is important that kids finish school with the skills. It is better if you have a ticket, but if you have the skills, you will get work in a community like this.
- Need to learn skills that have wider application in the world and that should be the focus in a trades program over four or five years.
- Some traditional activities can help towards self reliance and a subsistence life style, like hunting and trapping – they are also part of our culture and heritage.
- Has to be some support for the legitimate skills involved in hunting and trapping.
- Learning skills related to traditional activities help students feel valued
- Knowledge based technology – good that we are hooked up but we are short on computers and skills necessary to use the hardware at the staff level.
- Department of education needs to find a way to build partnerships with the

community, not tell the schools to go out into the community and do it. Good example is the Northern Lights Centre being a technology centre but there is a battle with the Department of Education to use it as partners in education. Alternate resources outside the school building need to be used. Some businesses would like to integrate what they do in the school system but there is no opportunity.

- Useful to learn skills that have application in the wide world. Have resources in our backyard and doesn't take a lot of financing to do this. Some see these as old fashioned but they are very much needed. Subsistence existence is also a skill that could be applied.
- Aspect of technology, knowledge based technology, this is necessary - short on the boxes, and the skills needed to use it all. Can be turned into a career. Need to champion these kinds of alternatives outside of the school walls. Encourage administrators to build community relationships.
- Doing the review of the act more often than every 10 years.

**Whitehorse Public Meeting
Golden Horn School Gym
November 14, 2000**

- How much room for consultation will there be once the recommendations have been put forward.
- Interest in future of art in the schools, I see it as a vital part of a child's day and see it as something that is loosing ground. One of the most important things in a child's day in school and art contributes in all areas.
- Home schooling - Sections 30 & 31 Distance Education. Is it going to be beefed up?
- Preamble - suggest that there is a distinct lack of equality for that right to an education for some.
- Increase opportunity to "right to education" through offering distance education programs.
- Section 31 language is permissive, 31(7) again discretionary. 31(5) & (6) put in the hands of the Minister, suggest change to "at the request of a parent the Minister shall.
- Provide correspondence program for children who are unable to attend school under certain circumstances (illness).

- No obligation of Minister to provide a grade to a student. Should be obligation to provide a grade.
- Schools should make their own decision with regard to School Calendar. Have an earlier start to the school year.
- Concerned that some children that are home schooled are entering the system without the necessary grade skills. Is there some way progress could be monitored more closely?
- Wise to be proactive and list duties and responsibilities of Educational Assistants.
- How can home schoolers and schools work together, it is very vague? More definition work together with the school and feel there was a place for the home schooled child.
- Not fair to other children if home schooled children just drop in on certain days and times or sporadically.
- Nothing in preamble on research to ensure that we are keeping abreast of new developments in education.
- Educational Assistants are not permanent employees so they never know if they are going to be back. If a principal recognizes a

- special needs student that will be in the school for a few years an Educational Assistant should be kept to work with the child over the long term.
- There should be a more effective way of dealing with problems with teachers or situations in the school rather than just home schooling.
 - Local hire policy - concerned, as it doesn't always bring new ideas from outside areas. Need to have new blood brought in continually into the system.

**Whitehorse Public Meeting
Takhini Arena Mezzanine
November 15, 2000**

- Dept of Education seems to be adopting curriculums from other provinces without a lot of thought as to how it effects the children. A few years later we find out that the province where the program came from is tossing it out, as it isn't working. Look at them more thoroughly.
- Accreditation, cost money, was a lot of work, money to implement, major pain and now we have let it go by the way side, because British Columbia is talking about not using it anymore. We jumped into it and it cost a lot of time and money.
- Locally developed material section 43.2 - often the 20% is not addressed because of the stresses of having to meet the curriculum itself. A lot of good stuff but often the Integrated Resource Packages is not addressed. Locally developed curriculum should be developed. Very important, enhance community participation in system.
- Issue of class size, because it is not in the act it is in the collective agreement we don't have any say. Classrooms are too big.
- The current process to determine who gets an

Educational Assistant is too cumbersome. Maybe just have a learning assistant attached to each class.

- Role of suspensions, limited options available in dealing with them.
- Forming of a School Council Association, really need a central body as there are so many common issues to be researched, dissemination of information
- Maybe we should be looking too moving towards School Boards more.
- Substitute teachers, have regulations for substitutes, have department take more proactive approach to recruiting qualified substitute teachers, particularly in secondary schools.
- Look at different ways of using technology in delivering program when a teacher is absent.
- Busing, seating capacity.
- Alternate programming. Looking to find some way to carry this through. Montessori programs, where do you start, and where do you go. Establish a process to carry this on.
- Preschool education, some schools have pre-kindergarten, why only in some schools, should be available to all children. Preschool programming is

not regulated by anyone and there should be some kind of standard either by education or social services. Pre kindergarten program in all schools Yukon wide.

- Space available in schools. Here there is a lot of space available in the schools. What is the department planning on doing with the extra space? What kind of process is available in order to access this space?
- Age criteria for kindergarten be reconsidered. Children in the age or near the age of kindergarten be screened in some way to determine their readiness. Try children for a probationary period to determine readiness. Would create extra work up front, but could be better in the long run.
- The numbers for class size are arbitrarily set, seems our kids aren't just numbers they are all unique, uncertain as to how they set these numbers. Needs to be a more qualifying way to set these numbers. Also better ways to get teachers the support they need in the classrooms.
- Have to get health & social services and education working together, because it stays with these children all through their years.
- Coming to point where we need a second person in the

classroom because of range of abilities and needs.

- Having a grade called “t” grade, which is where they were provided the opportunity to be given a boost to move along to the next grade. Were make up years at the end of 3 and 6 with no stigma attached.
- Truancy, what happens when someone doesn’t come to school, there doesn’t see to be any follow-up.
- Very few programs for children who are gifted. Group of kids who could also fall through the cracks. Discussion usually in the direction of non-gifted children rather than gifted.
- Ensure there is something there for gifted children written in the act, need a framework for this.
- Important piece to have a counselor in the school. Makes a wonderful difference in the school, helps kids deal with conflict and that spills over into the classroom. Have a kind of social worker at the school, the link back to health and social services. Get some of the supports from Health and Social Services.
- Health and Social Services, Justice, Education all need to play a part, has to happen early. Work with the parents, want to support the families and many need lots of support. Give it to

the kids early and emphasis on this and you won’t have as many difficulties in later years.

- Truancy, every school has their own policy. Have a problem with suspending children when they don’t attend school. Provide support so they want to attend and be there.
- Spirit of act is wonderful, but is pretty minimalist standards. 950 hours per year is not enough, we can go beyond that but we don’t and that has to do with employment agreements and the department. Stop looking at the minimum shoot for the best always. 950 hours is not enough if we are going to be increasing other things like counseling, and other programs.
- School calendar, there is 3 or 4 days we play with, I don’t know why we do that. Let’s just stick imbedded days in there. It is a big circus when the elementary schools are asked to make a recommendation. Don’t think we need these extra days of holidays.
- See a 4-day week for grade 1’s possibly even for grade 2’s and a 1/2-day for kindergarten.
- More support for teachers, legitimize what they do outside of the classroom, Educational Assistants. See a common theme as more support for teachers.

- Mandatory that training and qualifications be required for Educational Assistants.
- Need to graduate and employ Educational Assistants locally.
- Educational Assistant program should be supported financially by the department.
- Elementary school libraries seem to be cut first.
- Need arts, drama and music in the schools. Some kids learn best through these areas.
- If the school hours were increased, the teacher professional days should also be increased.
- Illusion that school councils have all this power. Bottom line is there are budget constraints and resources available in the community. Technology is always being pitted against the arts programs. Constant struggle.
- Power base needs to be broken up from the department of education.
- Any school who graduates students. Up to school to pay for the rental of the caps and gowns. Feeling this should be a departmental donation so schools don’t have to fund raise for this special time for students.

**Whitehorse Public Meeting
F.H. Collins High School
November 16, 2000**

- On-call teachers or substitute teachers, section 195 of act forbids substitutes, not defined as employees. Other positions are better paid with benefits than substitute teachers. Change this section of the act. On-call workers can move to other positions. Bottom 3 for pay Canada wide. Not a clearly established contract, part of oral culture. Paid \$35/day less than Northwest Territories. Paychecks do not reflect being paid between 5 hours a day without supervision or 8 hours a day with supervision.
- Can arrive to work a full day then told only needed for a 1/2 day. Can't be sure you are actually going to get the full day. This is happening quite frequently.
- Future revisions should require an implementation report or something that says how the act is being met, a way to measure how it is being implemented. *Opportunity for input on local curriculum, what was done, has there been any, did school councils recommend any. Would create awareness of that and that helps to implement the act.

- Teachers that are basically no good and how do you get rid of them. There are processes in place, but these teachers are still in place so they don't seem to be working. Act should cover this. Educhat on this topic that examined how it worked and examined the education system. Whatever process is currently in place doesn't seem to work.
- Education Act does not cover Yukon College, seems that from experience there, some coordination between the two systems would be helpful in terms of agreeing on curriculum. When people arrive at college and have to repeat things that they took in high school it is frustrating for them. Idea of some articulation between the two layers of education is worth pursuing.
- One school system works on a semester system and the other on a trimester system. That is a good example of differences. Co-ordinate start and end dates more closely.
- Trades - we get people arriving who have been through the high school system and they are able to show greater skill than is necessary but they are not able to get credit at the

college. English classes are at different levels.

- As a parent how can you get some changes made, just a name change, get things better labeled so it is not misleading for parents and students. Athapascan studies and have it as a language course as well. Needs to be a standards committee with some parental input to make sure we have good locally developed courses.
- Not very easy to find out what the students are studying, what the course plan is. With the Internet and access to technology would be interesting to see it through technology. Some places you can access test marks and you can track them through this information. Information can help parents be partners in education where they have easy access and it is not intimidating.
- Found as the children went through school they were not taught how to study, how to sit down, how to organize, how to study for an exam, how to organize materials so they are successful in studying. This should be taught in high schools and possibly at the elementary level.
- When kids go through high

school there are a lot of courses they study that do not have any impact on what they are going to do in life. They are studying Shakespeare when they are going to be a plumber. Look at separating this at an early age to say you are going this way and the other is going that way.

- Schools don't really teach the concept of being in business to students. May have to run their own business if they are a plumber. More and more jobs will be starting your own business. Don't feel this is being addressed.
- Don't feel computers are being addressed enough in the school. Don't see the skills being applied. Wonder whether the computers are being integrated enough into the everyday learning.
- The preamble is very neat, but it feels very railroad, don't feel that I have any say. If the minister wants this, the minister will have that.
- Going from the three-tier system to the two-tier system, felt that the consultation was not adequate. Felt like everyone should have known what it was all about.

- Area of counseling is a concern, as a school council member having to divert children into the community without giving them resources to help them. Not sure that the act or education system really addresses this or has sufficient resources. If they are troubled and are not given the resources in school it will become a community issue later on. School is an important place to start with the resources.
- Information Technology conference had a game in which children could role-play into real life situations.
- Separating academics and trades. There are courses of study where you can study different subjects by looking at a theme, without excluding or having arbitrary lines drawn between subjects, like to see more of that.
- 10-month program in trades in Manitoba provided a certificate that would allow me to be a teacher in that trade in that province, apparently here in the Yukon you need a teacher certificate. Would a 10-month program certificate be enough to teach here in the Yukon?

- Concern of what kids can learn in life long learning skills. There used to be a metal working class at F.H. Collins, which was expensive, and finding people to teach was also a problem. Section 166, definition of a teacher. Suggest that the Yukon examine the possibility of accelerated teaching credentials for trades and other specialties that would allow people who already have areas of expertise to teach them.
- Streamlining kids into academics or trades as early as grade 8, don't agree with that. Don't think they should make those decisions at a young age. Once you make a decision like that, could be years later before you could correct that decision. Like where they have an overview of four or five areas.
- Overall thrust in school is in the area of tolerance. Most of us would agree that tolerance is a good thing to teach. What seems to be coming through under the term tolerance is not only the putting up with something that you don't necessarily agree, I can respect someone and appreciate someone who has different ideas even though I don't agree.

Under the new thrust of tolerance you are not really tolerant unless you accept and agree with that persons beliefs and understandings. A person should be respected even though they may not necessarily agree with that teaching or idea. The traditional view of tolerance, no one should hate anyone, no matter what culture they come from, what colour they are. It is OK not to agree with what anyone does. To know that there may be better choices in life than others. Like not taking drugs is a better choice to taking drugs.

- Parents should be notified before their children are put into an options program. They need to know before it happens. Some people have graduated and then they find that it didn't really matter, they have to go to Yukon College and get upgrading.
- If the system is not meeting the needs of children could more options not be looked at such as experiential science and MAD. Turn this around and make it more meaningful for first nations children. Need something to satisfy their needs and the schools needs.
- Parents have gone into the

schools and spoken with teachers, counselors, principals, the needed credits required to go on to other education was not clearly explained to parents and students. Unclear as to what they need to go on to post-secondary education.

- Concerned on how the kids are doing on exams, problems within the area of math. What can we do about this, how can we addresses this problem. Should address the problem.
- Might be a need for information about how schools are doing. How are math students at Porter Creek Secondary School compared to students at F.H. Collins or Vanier. If one class is doing better why is there a difference, what are they doing differently. Provide better information about comparative grade scores on standardized test. Make it available on the Internet. Information more readily available in other jurisdictions and I think that consideration should be given to providing that kind of information.
- Yukon students did very poor on math, why is there such a discrepancy.

- In favour of the Yukon Excellence awards.
- Look to make it easier for students to access funds to assist them in going to university. The requirement of them having to come back here once a year in order to be eligible. Recommend Students should not have to come back to establish their residency, use some creativity in this. Seems that when kids travel after high school and they have to come back in this one-year window it seems unreasonable.
- Section 195 on-call teachers, physical security, lack of ID card means that anyone can claim to be a teacher in the school.
- Current security clearance check is very easy to circumvent. You can make up a name and birth date. If you are lucky the check doesn't show anything. Should be a fingerprint check like a teacher has. As it is now anyone can pretty much pass the criminal check. Delete section 195. Right now I can not get an employee record that says I worked for the Department for 190 days because not considered to be an employee. Is a concern that anyone can pass

themselves off as a teacher on call, doesn't take much more than an hour for a pedophile to cause problems.

- Some teachers are screamers or yellers.
- We look at rules for students and supporting the idea of respect. Had an administrator say they would not put respect in as a teacher rule. Struck me that this issue of respect is not there for teachers as it is for students.
- Very few student councils anymore. Maybe the education act may want to require student councils to provide an opportunity for the student body to be represented.
- Section 195, lack of employment status means no employee records, nor granting that substitute teaching experience is experience for permanent teaching position competitions.

**Whitehorse Public Meeting
Hidden Valley School
November 23, 2000**

- The ratios of teacher to students. Like to see more one on one, when they need it most in primary grades. Smaller ratios.
- Strongly feel there should be more hours for teacher librarian at elementary grades.
- Large attendance area that is drawn from. Number of home schoolers, requests from home schoolers, wanting to be at home and at the school. Look at this area and give more direction on how the school and home schooler can work together. What the responsibilities are for home schoolers, and school (Dept). Person designated in Department. More regulation for accountability.
- Idea of home schooling being proactive and work with home school assoc. Not the ideal communication between the assoc. of home schoolers and Department. Go to family and look at the parent objectives and the supervisor goes and sees if they have met the objectives. If objectives too broad or not appropriate could receive some guidance. Give a link between the Department.

and the home schoolers. Seems most are not registered with the Department. Utilize school facilities. Accountability needed. Attempt at welcoming in the act would help the working relationship.

- Flexibility would allow for the socialization for the home schooler.
- If there is not a clear process of interaction between the home schooler and school could cause disruption.
- Utilize satellite schooling. Teachers come in for a while or periodically. Aspect of the Internet can come into play as well.
- Funding available for home schooling in Alberta. May be of assistance in working together. You are accepting their choice for home education and have to substantiate their use of the money.
- Would like to see a school year end by the 1st of June for all Yukon schools. Learning curve pretty flat by that time anyway. June is a busy time for people throughout and those that work during the summer
- Like to see more concentration on the 3 R's and less on the computers. The drills they used to do

years ago, get the skills needed. See over-dependence on the computer. They don't have to know anything with spell check, etc. Kids in high school that don't know their times table, can't spell or write but they are very good on the computer.

- Primary grades get a strong understanding of the basics and ... moving kids from activity to activity, the frenzy pace. Try to keep it calm for younger kids would help. Not have as much variety without the physical moving.
- School calendar - find the year to year work on the school calendar to be frustrating. See something where it is a 3 or 4 year plan so people in the community can look ahead and see what is going to happen. Large task to put together next years calendar every year. Tight timelines to get to Minister. Like the flexibility for communities to set calendars, hasn't quite worked the same in Whitehorse because schools are closer together and decisions seem to effect each other. Have asked to increase/decrease minutes but have been told we can't because we are in Whitehorse area.
- Very hard as a family to plan when the Whitehorse schools get out at different

times when you have children in elementary and high school levels.

- School councils change every two years, have them change alternately every two or three years.
- Can't they just make a school calendar and schools work within those limits. Legislate it and say school starts here and ends here.
- Other communities seems to have school calendar flexibility but Whitehorse doesn't seem to have that much flexibility. Hidden Valley students are mostly rural and would like more flexibility.
- Busing is not serving the need of the kids that are at the end of the bus route. Kids from Mendenhall live 45 minutes from school, but takes them 1 and 1/2 hours to get to school.
- Have flexibility but consult with Whitehorse student parents.
- Length of day although it comes down to numbers, minutes, number of days and total teaching time. Have kids that are tired and aren't learning anymore. German system, go from 8 a.m. to 12:30 p.m. then you go home and have homework. Teaching in the morning, do homework,

and come back with that in the morning. Be flexible possibly another system of learning.

- (Swimming levels) Like the idea of levels which are based on your ability. Kids are constantly challenged may work for some core subjects like reading and math.
- Do we keep accommodating, where is the responsibility an accountability of the students? If they don't hear it until grade 11 then what? Should be a standard and if you aren't meeting that standard ... make them accountable for attaining that standard.
- Parents should also be taking responsibility and accountability.
- Parent rights and responsibilities- see it listing a lot of rights, but section does not list the responsibilities of parents. Act lists duties of teachers, students, etc. but nothing for parents.
- Is there something that allows a process for dealing with attendance. If kids are not coming to school is there anything in the act to deal with this?
- Something in act needs to be looked at as to how it may be more successful in getting children to school

and responsibilities of parents.

- Attendance may be a cultural problem. Everyone buys their kids a Nintendo because they don't want to deal with them. More and more lack of respect. Grassroots issue that needs to be addressed. Don't think legislating this is the solution.
- Part of it may be the student attitude. PCSS awards for excellence. Don't know if this is contagious enough. Settle back into a routine and become mediocre again. Have to push.
- Need to have a high standard, aspire to personal excellence. Reach your potential. Have the child that draws all the teacher's attendance because of behaviour then there is the quiet child. Do not lower the standard. Try to reach everyone at their level.
- Make curriculum more challenging overall. Higher level of parent involvement at elementary level and parents have ideas to add things. Taking away from core curriculum. Learn how wonderful they are by their ability to do the work rather than spending time telling them. We are a society that depends on words, need to work with novels.

- Kids need to work on self-esteem, lack of extended families. Transient nature of the Yukon provides need for self esteem work.
- Taking time away from cores by delivering self-esteem courses.
- New report cards really like them. Like to know that they are giving the effort. Good way of communicating back to the parent.
- Is there an independent way in dealing with a teacher that you are having problems with. Felt wasn't getting anywhere with the Department. Nice to know what the process is in dealing with issues such as this.
- Communication Department is helpful, but feel that there is somewhat of a conflict of interest there. Feel there is something being kept from School Councils.
- Somewhat of a them vs. us. Parents vs. teachers. Need to be more casual, informal. Hammer things out without worrying about retribution. Teachers do have to follow policy and can't seem to be seen as not following it. There is some mistrust. More open atmosphere. Should be a free exchange of information.
- Support School Council Association.
- Completely comfortable going to my children's school. Teachers attended School Council meeting and was very open.
- Difficulty of Department people being able to talk with parents openly.
- Message from School Council is we are not sure what our role is, see it written but not sure how we can achieve those responsibilities. Roles and responsibilities of administration seem to be the same as School Council. There seems to be cross over, seems to be the concern area. Questioning what the roles are. Need to have some clarity on the roles.
- As a school council member ask administration to do what we think best for the school.
- As School Council difficult to get messages out.
- Partnership comes at it from all different angles.
- School Council is held accountable for the school.
- Not sure Education Act clarifies the role of the School Council and think that it should.
- Look at the hiring protocol for teachers. There are good teachers here that get passed by and that is because of some of the definitions of local hire. Not hiring local people who have supported the community. Should also be looking at the tenure of term teachers who have been teaching in the territory.
- Like to see some of the power taken away from School Council. Such as hiring principals. School Council not familiar with what is going on in education.
- November and told school doesn't have a visiting speech therapist. Hear there is no longer a speech therapist. Occupational therapist and speech therapist. Need more than one for the whole Yukon.
- Don't want an act that says we are going to meet the needs of each child when we aren't. Would rather say the truth.
- Use another language arts program in school e.g.: Utah from Dawson, Utah students were reading by end of kindergarten. Program they were using. Assignments didn't leave anything to chance. Wasn't just read to you child. Used a very precise program. Also Open Court Program and Reading

Mastering is great. Every one of children taught are at level.

- Seems to be a sloppiness with children. Anything seems to go. Need to learn the skills. Hard for children when they don't have to do things properly. Think they should be taught properly.
- Look at some of the programs that Andrew Nikaforuk (Open Court and Reading Master)
- Grey Mountain has a program that follows children at their pace from grade one to three. An all encompassing program is quite difficult to create for a teacher with all aspects of language development included and there are comprehensive language art curriculum available use them. Children like to see their progression through workbooks. Advocate structured programs, not so strict that there is no room for thought.
- Need tools to further your learning. Provide these basic tools.
- Whole language reading, difficult to measure success. Have parents at home scrambling to keep up.

- Teachers on call are not included in the act. Section 195 must include on-call teachers. Not represented by YTA so if an incident happens where am I. Need something that deals with teachers on call, substitute teachers. Think that issue has to be addressed, there is a place for us.
- School plan is only shown in Act under duties of principal. Can't see where else this may be in act. Doesn't say who writes the plan. Need to include who is involved in writing the school plan.
- More training for school councils is necessary.
- Special Education 15.1 and 15.2 very honorable statements to meet the needs of our children. Carrying out those statements is an immense task and I'm not sure if it can be done, or is being done. These statements are the best statements to meet the needs of all children in Canada. A lot of resources, time and effort is needed to meet these statements. We apply for Educational Assistants, etc. IEPs have increased workload, difficult to try and meet these two points.
- Special needs not being met, as there are limited resources.

- 15.3 are there guidelines and are these implemented to meet the needs.
- If the Education Act says we are going to do 15.1 and 15.2 we need the resources to do it. Different school may or may not meet these. Think that in this school we are meeting the needs of the children. Each situation is different.
- Need consistent resources to meet the needs. Lots of money is going into Reading Recovery, however, people with other special needs are not having them met.
- Have to meet the standard or lower the standard.
- CELC situation is different in each community and each school.
- School needs reflect what the community needs and there are dramatically different needs in the various communities.
- If we are saying CELC's are important perhaps it should be part of the Education Act.

**Whitehorse
Public Meeting
PCSS - December 11, 2000**

- Section 18 - Parents Rights and Responsibilities - how does this relate to ATIPP - for students who are 16 years or older. If student permission is required for parental contact for absences or report cards - if this is true what are we going to do about it? For protection of all should check this out, we are putting people at risk in doing this. Don't want to see a lawsuit for teachers providing the information to parents.
- Best practices approach for autism - global look at the child.
- Section 27(1) - legal proceedings - parental fines - take this out, it is not happening no one is going to do it.
- Section 177(3) - evaluation once every three years - at a school with 57 teachers, that is all a principal will be doing. Not realistic. This doesn't work, certainly not for large high schools, make it so it will work for teachers, principals and school.
- Act says children will not pay for their education.

When students go to Beringia Center I pay for it. Paying for core learning all the time. Time that an increase be put forward for children.

- Always wanted to know what my children are learning. Like the way this particular one is set up.
- Don't agree with having to ask permission to go into my child's classroom. Don't want to be kept out of the classroom by this.
- Class size needs to be smaller. Have a lot of children with different needs and if the size were smaller the children would get the education we pay for.
- Substitute Teachers - no rules or responsibilities for them. Understand can't have teachers waiting to Substitute. There needs to be training and do's and don't of how they conduct themselves in the classroom. There is no accountability for Substitute teachers.
- Would like to know how the money is spent in the schools, how much and what it goes for.
- Education Act very difficult to read. A lot of things about teachers,

principals, and vice principals but not a lot for Parents and Students. Don't think parents feel they know what steps to take. What are the rights to get the core learning needed and where do you go if core learning isn't being met. What are the steps a parent can take?

- British Columbia curriculum, would we be matched better to be on the Alberta curriculum.
- Teacher from Ontario told me that if your student is working at a "C" level you should have concerns why is it different here?
- The Act is still pretty good. My concern is not actually the law, but what is actually going on in the classroom and the school. If the law allows more to be done that what is being done. Concerned about the quality of education in classroom and school walls rather than making a few changes in the act. Demands on teachers and administration are incredible. May have less stress on teachers with smaller class size and demands placed on them. Theme is what we are dealing with is that "OK" is good enough. Don't see the demand of excellence on what children have been

going through. Rigor in classroom can have exciting and rigorous learning. Need self esteem for students. What are we trying to get out of 12 - 13 years in school? Technology - have incredible amount in schools, problem is there aren't the professionals to teach it. How is the teacher reaching the student and how are they trying to do it? Not the law, or policy, it is the skill level. Marks have to be real, or don't have them. Things should be measurable. Administration whether within school or Department of Education have to support teachers in becoming better. There are problems that don't support the excellence in education. Need skills on how to approach learning, how do you problem solve, research, how do you ask questions. Need support for excellence. Need to develop push for excellence for all children, whether gifted or challenged in some way, they should be meeting their true potential.

- Don't see a category for substitute teachers. Have 10 years experience as a substitute teacher. See an opportunity to hire most qualified first. Who makes the decision of who to hire

for a substitute teacher? Consider Substitute teachers as employees.

- Free education Section 12 - doesn't say free education, tuition fees, think we should fix this up. Parents pay student fees, if a book is lost have to pay for it. Definition of what a free education is and a list of what parents are to pay for including school fees and textbooks. Have to fix the language, can't have it both ways. Education is not free so lets be honest. Any student who is going to high school for their 14th year should pay for that year. They may work a little harder if they have to pay for it.
- Like to see a three-semester system. Could be problems, but would also provide opportunity for students to catch up if needed or even graduate earlier. Take section out of the act, and look at alternative school years.
- Would like to see three weeks at Christmas and two at spring break. 10 weeks at the summer is a great deal of time for summer.
- If School Council has certain rights the Department of Education should allow them to have

those rights.

- If students have to take an extra year or two of school I think they should have a right to do that. Students are doing those extra years because there are things missing and they are not succeeding as well as they should.
- Roving teachers - like to see Department of Education be more open to allowing teachers to rove, teaching one high school in the morning and another in the afternoon.
- Think there is more going on in the Yukon Education system other than just re-writing the act. We need to address parent concerns. This isn't going to make changes in our education system that is going to make a difference to our children's education.
- Like to be able to pick my children's teachers. Want to find teachers that are suitable for my children. Like to have some say in who teaches my children.
- How do you spark the teachers to spark the students. It is those good ideas and those that have that energy, some have it for their life and some only have it for a few years.

How do you give it to some who don't have it?

- The framework is in the act, need the will. There is lots left to accomplish but is it the act that is preventing us from doing those things?
- Has to be a re-definition of who does what - parents/ teachers.
- What has happened to parent participation. Act is not just about the school but also about who comes to the school. If parents don't like what is happening there is no communication. People are not coming and saying can I help you or I appreciate what you are doing can I help? How many parents care? For young teachers they have no life for 5 years it is just overwhelming. Part of the problem is that we don't know where the parameters are any more.
- Need to spell out what everyone is responsible for, parents, teachers, principals, and students.
- Need commitment.
- Would like to hear partner perspectives on suggestions. Need to be educated on other

perspectives. Public consultation should be education on the perspectives from partners as well as providing input to the consultation process.

- Schooling is an executive task, children have to be educated. Has to be goal orientated.
- Try and set up some form of communication that is friendly that can be a little less protective of our own interests. So that teachers, parents, Department can talk honestly with each other. Often you know there are two sides of the story but can't say it. Could achieve the big goal a lot better, we are too interested in our own needs. Look at the big picture, if we keep with the tunnel vision we are just going to keep stumbling along.

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Recommendations from the Elders Council

The Elders Council met on December 12, 2000 and discussed the review of the Yukon Education Act. The Elders Council felt strongly that the following points must be incorporated in to the Education Act.

- The Education Act needs to represent view of aboriginal people in all Yukon First Nation communities.
- The review of the Education Act should be reviewed more frequently than every 10 years (at least every 2 years)
- Education Act Part 2, 7 (page 5) – there must be a clear, solid commitment to work with Yukon First Nations to develop agreements (i.e. Devolving education to the self-governing Yukon First Nations where desired or providing funding from Yukon First Nation programming)
- Yukon First Nation self-government agreements and Yukon First Nation Final Agreements must be respected in the new Education Act (the legislation must be supportive and complementary of self-government agreements)
- There should be support and adequate resources to establish a Yukon First Nation operated school (similar to the support and resources of French schools)
- The Elders need to be respected, viewed and utilized as valuable resources as culture, tradition and language teachers in the schools (The Yukon First Nation Elders are Keepers of the Language, tradition, and culture at the community level)
- More Yukon First Nation teachers should be trained to speak and teach Yukon First Nation languages in schools.
- More than 10-15 minutes per day should be spent on teaching Yukon First Nation language. It should be an equal amount of time as English Teaching
- There should be sufficient funding provided by Government of Yukon for adequate cultural, traditional and language programming not only in schools, but also outside the schools, (i.e. In the Yukon First Nation communities)
- There should be funding for curriculum development (for all seasons), i.e. Fish camps, culture camps, hunting, berry picking, trapping
- Schools in the communities should go to the completion of grade 12 and teachers should be provided in the community for this purpose. Students should not need to come to Whitehorse to continue their education. Many Yukon First Nation students do not finish their education or, after coming to Whitehorse they are detrimentally affected
- Students need to be at the appropriate level before they are passed to the next grade and every effort should be made to teach them adequately through the year (assistance should be provided to them when required throughout the year). If students receive their graduation diploma, they need to be at that level.
- Adequate programming and support needs to be provided for special needs children.
- The Education Act should mandate sufficient funding provisions for adequate Yukon First Nation cultural programming in the schools
- Teachers must take refresher courses not only by order of the Teacher Certification Board by any partnership agreement, school council, and Yukon First Nation
- Students dropping out or being expelled from school should be assisted in reintegration back into school (adequate assistance and programming needs to be provided to them according to their needs). What happens to the funding once students are expelled? Communities should develop a plan to be implemented when the students are expelled)
- More focus should be placed on “arts” programming (drawing, painting, making masks, etc.)

Keykwadan Submission Dec 12, 2000

Preamble

We understand the significance of this section of the Education Act for setting the overall vision for the document and would like to make some recommendations for taking this vision a little further, in fact, as far as it needs to be taken so that what is being described here reflects the unique qualities and characteristics of the Yukon.

We recommend that this section open with a description of “what it means to be an educated student in the Yukon” and that included in that definition would be qualities such as:

That a Yukon student feels at home in a variety of settings, from the natural world, to a Math or English class, to a computer lab,

An educated student has a set core of values shaped by the cultures, history and environment of the north,

Has a deep respect for all living things,

Is a caring and confident individual with a strong sense of community,

Has a love of learning.

We would also like to make a few changes in the existing text: (Paragraph #3)
“Recognizing that meaningful partnerships with greater parental and public participation are encouraged (change to “is fundamental”) for a high quality education system”.

And

(Paragraph #4)
“Recognizing that the Yukon curriculum must include (and add

“and reflect a comprehensive inclusion”) of the cultural and linguistic heritage of Yukon aboriginal people (and add “for all Yukon students”) and the multicultural heritage of Canada (this should be a separate item).

Definitions:

Under the term “community”, we would like to see the term “may include”, in respect to Yukon First Nations community, be changed to “shall include”.

Also, we would like the committee to review all the definitions to be sure that they reflect the current references. For example: “Central Indian Education Authority” should be, “First Nations Education Commission (or committee?)”.

The intent of these recommendations is to have the goals and objectives for this document reflect an integrated approach to the inclusion of Yukon First Nation’s curriculum.

Such as the following:

- 4 a) I) Include storytelling in this list
- ii) include “traditional world view or ancient wisdom” (based on patient and careful observation over time)
- iii) include traditional science
- v) including traditional and current art forms of Yukon First Nations people
- viii) Add a new item: empathy, caring and respect for all things
- ix) Add: a regard for learning as “lifelong interest”
- c) include: extended family, clans and elders/seniors
- f) should also include “first nations women”
- g) should be moved up on the list. Change the wording to: “to provide the necessary resources necessary to promote an understanding of the history, language, culture, rights and

- values of Yukon First Nations and their changing role in contemporary society”
- h) change “to increase awareness” to “increase understanding” and appreciation of Yukon’s natural environment, recognizing the “kinship of all life”
- k) promote a positive school environment based on mutual respect and the laws of natural justice.

Special Education:

When I was growing up 10 miles down the highway from Oka, it was normal for us to see First Nation’s students – mainly boys – sitting in the back of our class. They were usually three or so years older than us and there they sat. They were taken out and strapped if they disturbed the rest of the students. That was “special education” in the 1950s.

We’ve come a long way since, but we have a long way to go.

In 2000 in the Yukon, a disproportionate number of First Nation’s children are declared “exceptional” (labeled). Why? In many cases, children who have been “identified” don’t do school very well – reading and writing. Yet they are often strong visual learners, strong “hands on” learners, strong learners in almost every sense of the word, with talent in art, in story telling, and in the outdoors.

Once these children have been “identified” that label will stay with them for their entire school career. Unless they have a strong advocate – parental or otherwise – that school designation will determine that student’s path – very often into “life skills” – a path that for many leads to early drop out. I’d guess that a large proportion of drop outs are First Nations students and a large proportion of those are ones who have been identified and/or who are

IEP's – the very students who should be staying in school.

Surely we can expand our definition of “school” to include many of the attributes which our First Nations students bring to us. If these attributes can be viewed initially as strengths, then the curriculum, teaching styles and school organization should reflect this. So too should our assessment tools. By expanding the definition of “school”. By valuing more than the basics – reading writing and math – by broadening the framework, students, all should be more comfortable with their learning and achieve more success, and consequently, reduce the number of students who need to be “identified”.

Recommendations

1. Make programming more culturally relevant, broaden teaching styles to include more than the traditional school subjects.
2. The Assessment/IEP process must include parents and advocates at every step. Parents need to clearly understand the implications of their child being designated “exceptional”.

Our goal should be to designate students only when they clearly need support because of diminished capacity.

Division 3 – Parent Rights and Responsibilities – Student Records

20. (1) Every school administrator shall establish and maintain a student record in accordance with the guidelines established by the Minister.

ADD: “with appropriate information and cultural data that will assist in appropriate programming for individuals” (the data set may include language, cultural group, Reading Recovers, Ashea Daycare, Head

Start, participation in cultural camps, etc.)

RATIONALE: Special programming and research requires specific statistics on students that will help in determining which groups of children are in need, and to track what programming has been successful, etc.

Note: There might be a legal issue regarding ATIP – Access to Information Privacy Act.

There is also a government accountability issue. YTG is required to be responsible for First Nation's students to the Federal Government and must be accountable for them. If there were records on First Nations students grades, early leave rates, number of graduates, and the percentage of First Nations students in general studies in the past compared to present data with the early daycare programming and other intervention programs that would indicate successes to this kind of programming.

There is also a concern with “early leavers” and the need for an interviewing process to find out what are some of the problems are that the students face. Also a good question would be – “What would it take to get you back in school?” It seems that there is no “follow-up” with a phone call to the family for the following term – no leads or bridges back.

We recommend a committee could focus on “school leavers” and determine what support is available for families on “how to keep kids in school.” As well, they could research any pertinent studies that might help with this problem.

Pre-School Education Program

Section 33 (1-3)
The Minister or a School Board may establish and maintain educational

program for children who have not attained school age.

The Minister or the School Board may charge tuition fees for attendance at the program referred to in subsection 1.

No child shall be prohibited from attending a program referred to in subsection 1 due to the inability of the parent to pay the fee for such attendance.

The development of early childhood programs and having them based in the schools has been a topic of discussion. Educators, through experience and study, know that early intervention especially for at risk children is a must if these children are going to experience success in their young and adult lives.

The Early Years Study by J. Fraser Mustard and Margaret Norrie McCain comes to the conclusion that the early years from conception to age six have the most important influence of any time in the life cycle of the brain development and subsequent learning, behaviour and health. The report states that the evidence is clear and that society must give at least the same amount of attention to this period of development as it does to the school and post-secondary education period of human development.

The Education Act has provided an avenue to introduce pre-school programs but there appears to be a hesitancy to do so. A K-4 program has been offered sporadically in rural school to get children off to a good start. Full day every day kindergarten is being offered in two schools.

However Ontario has a fully formed and funded Junior Kindergarten program and in some boards it has been in place for nearly thirty years.

We recommend that:
A comprehensive study is required with the purpose of putting in place a

universal school program that would begin a year earlier for children and the Junior Kindergarten programs be explored as model.

Educators have expressed the understanding that education is most successful when there is cooperation among the parents, community and the school. Parents would benefit from a place to go to learn more about the stages of growth and learning.

We Recommend:
That child development and parenting centres be established in all communities and that these are a one door for services to families of children. Ongoing programs on child development and parenting would be offered as well as questions answered regarding health needs. Professionals and experienced lay people would have hours in which different topics would be addressed. These centres would focus on supporting the family and be jointly funded by the appropriate government departments. Education would take the lead.

Learning that takes place on a seamless continuum affords not only continuity but reinforces a feeling of security and support. At any stage on this learning continuum we know where we are going but as important where we have come from. Many of our children enter the school system through day cares and home programs.

We recommend:
There is ongoing formalized dialogue with these partners to ensure that we are assisting each other and sharing expertise.

We believe that it is time to look seriously at the early year's programs and recommit to the Education Act and work in full cooperation with our families to fame and develop supportive strategies that will truly be partnership with our families and students. Aboriginal Head Start

programs, ongoing dialogue, parent involvement, culture and language, and Health.

Division 6 – Students Rights and Responsibilities – Rights of Students 34. (e) be treated in a fair and consistent manner, and

We ask that the Department of Education look into what other systems in other areas work – for example – instead of dismissals?

Add the word “respectful” and encourage “natural consequences” or “laws of natural justice” for misdemeanors.

Rationale:
If all schools had a consistent way of dealing with the dilemma of children's behaviour, it would make it easier for parents and teachers to know what to expect. This could be a listing of appropriate consequences. There was a concern that dismissals and suspensions give the message to the student that they are not part of the school – “inclusiveness” – the door should be left open – “take home work, but can come in at 3:30 – phone us, etc.”

Perhaps a circle sentencing (circle meetings) could be looked at in the school setting to deal with issues like vandalism so students would have to be accountable to a larger audience and get feedback from the school community that what they did was wrong. Also it encourages proper behaviour in their peers.

Part 5 #51 Currently reads: “The Minister shall include courses of study prescribed for use in school studies respecting the cultural, linguistic, and historical heritage of the Yukon and it's aboriginal people, and the Yukon environment”. (Add “current issues”)

We recommend that a specific curriculum guide (IRP) is developed to provide guidelines and suggestions

to teachers for the inclusion of Yukon First Nations' culture and heritage as a topic to be integrated across the K-12 curriculum and that this curriculum guide reflects the following values:

- that all students, First Nations and non First nations, need to know about the cultures, interactions of cultures, history and current issues of the north,
- that this should not be considered locally determined curriculum (and thus regulated to a possible 20% of the timetable) but used as content and a vehicle for meeting the prescribed learning outcomes,
- that Yukon First nations' culture is presented as a dynamic and living culture, one that is based on enduring spiritual values and one that is deeply rooted in the environment and still reflected today,
- that Yukon First Nations' history should not be taught in isolation of other shared Yukon historical events.

For example, there is one history of the construction of the Alaska Highway, which should include the impact of the highway on Yukon First nations, not a separate perspective.

- that quality teaching materials are available to teachers to facilitate this integration, and recognizing that the stories are a key to understanding and preserving cultural information and worldview. The stories, in particular, need to be available to teachers and students.
- That teaching suggestions also be included that are not tied to the availability of these resources yet encourage teachers to make use of local resources that are currently available.

These activities could be, for example, project-based and draw on the expertise of Elders and

community members, while at the same time providing students with an opportunity to collect and preserve Yukon history and culture and contribute to the community, regardless of the background knowledge of the teacher. Another example would be the use of personal histories to provide young people with a positive vehicle for exploring who they are.

- that wherever and whenever possible resources be made available to provide opportunities to bring Elders and community members into Yukon schools such as a resident Elder program.

Similar to the program at Yukon College or as incorporated into the Traditional Parenting Program at Skookum Jim Friendship Center.

- that whenever cultural activities are undertaken, concerted effort is made to highlight the under-riding cultural value within the activity,

For example, respect for animals is demonstrated by the principle that all parts of the animal are used, nothing is wasted.

Storytelling is not only for entertainment, it is an important vehicle for passing on important lessons and cultural information.

Clothing decoration (e.g. Beadwork) is not about vanity but shows the love and respect for this person by the sewer and the pride the sewer takes in his/her abilities.

When students make drums or snowshoes they must also learn the purpose of the device and have opportunities to use them often.

- that there are many levels to consider when it comes to cultural inclusion. (Based on James A.

Banks: Transforming the Mainstream Curriculum)

1. the inclusion of content, for example the contribution that First Nation's people have made to the overall Canadian culture and history (people, heroes, and events).
2. Knowledge construction: teaching children about different cultural perspectives and that these are different (such as traditional science).
3. Prejudice reduction: efforts we take to teach children about different cultures and develop a positive attitude toward our difference (tolerance).
4. Making the pedagogy equitable: teaching for diversity of learning styles (variety of teaching strategies).
5. Empowering school culture and social structure: the extent to which a school's culture and organization ensure educational equality and cultural empowerment for students (self-esteem and self-knowledge).

- that this area of study should not be seen as simply another add-on that teachers can deal with then they have time, rather as an opportunity for Yukon First Nations culture to shape the methodology, content, and evaluation of an important part of our children's education and help to shape the attitudes and values of the next generation of Yukoners.

Part 9 – Teachers

Section 166 – Teacher Qualifications
 “No person shall be employed as a teacher unless that person holds a valid certificate of qualification or a letter of permission as a teacher issued in accordance with the regulations.”

ADD (subsection a): All (new) teachers shall be required to take a “Yukon” certified course of study on Yukon First Nations Culture and

History.

Rationale: It is imperative that all Yukon teachers acquire an understanding of an appreciation for Yukon First Nations' culture and history.

ADD (subsection b): All teachers shall be required to take a CYFN certified course of study on the Yukon First Nation Land Claims Process and History.

Rationale: This is now a requirement of the Umbrella Final Agreement between CYFN and YTG.

Section 168 – Duties of Teachers

ADD (subsection): Teachers with a minimum of 3 years teaching experience in the Yukon are encouraged to have a locally trained student teacher in their classroom once every 5 years.

Rationale: This is considered an obligation to the profession. It is a requirement in other jurisdictions. The word “encouraged allows for a teacher to chose not to take a student teacher if he/she is not ready or willing to do so.

Section 169 – Duties of the Principal

“A Principal of a school shall:”

ADD (to subsection c): “Develop and implement procedures for parental, community, and First Nations involvement in the school and promote cooperation between the school and the community it serves (as community is defined in Part 1, Definitions).”

Rationale: It is the principal's responsibility to encourage and foster a better relationship with the First Nation community, regardless of the First Nation enrollment. To accommodate that change in this subsection, we would also like to change the definition of

“community” in the definition section to say “and must include a Yukon First Nation community.”

ADD (similar to subsection t):
“Include in the activities of the school, cultural heritage traditions and practices of the local Yukon First Nation’s served by the school.” But do not add “... if the number of members who possess the cultural heritage so warrant.”

Rationale: It is imperative that all Yukon school children, regardless of heritage, learn about and appreciate the unique history of the Yukon and its’ people, particularly the history of Yukon First Nation people.

Part 9 – Teachers Employment of Staff

ADD:
171 (4) Staffing Protocol –
Recruitment of Teachers (New Hires)

If no suitable qualified candidate can be identified from existing indeterminate staff members the recruitment process for a new hire shall commence as follows:

- a) Graduates of YNTEP who request to return to their traditional territory as defined in their Land Claims Final Agreement.
- b) Graduates of YNTEP.
- c) First Nations Graduates of the Yukon school system that have received their post secondary training outside the Yukon Territory.
- d) Graduates of the Yukon school system.
- e) Candidates from within the community.
- f) Temporary employees with more than one year of continuous service.
- g) All other Yukon candidates.
- h) Candidates from outside the Yukon can only be considered if there is no suitably qualified Yukon candidate.

Rationale:

- a. Have locally trained teachers of First Nation’s ancestry sensitive to local culture and in particular First Nation’s students’ culture working in the classrooms of the Yukon.
 - b. Provide positive role models for Yukon First Nation’s students who are at-risk in both drop-out and special needs areas.
- Yukon statistics Report from Student Information Management System of May 2000 (Dept. of Education): Graduation levels for First Nation’s students are 11% versus for non-First Nations at 89%. Students who are IEPs – 20% of First Nations student versus non-First Nations at 6%
- c. Cultural inclusion is more likely to occur with a larger number of First nations personnel which in turn gives relevance to First Nations students’ education.
 - d. Bridge a community gap caused by factors such as Residential School Syndrome and lack of cultural relevancy or cultural inclusion in the institutions.
 - e. Demonstrate to the community at-large and the future teachers of the Yukon that cultural inclusion is a significant interest in all aspects of the Education system.

Closing Summary

Like pedagogy, like educator, like children, culture – specifically Native culture, has to be integrated into the foundation of the building of the new Yukon Education Act.

Never should a child leave a Yukon Education system without the knowledge and understanding of the legal and cultural history of the Yukon First Nations people. More than the histories and cultural traditions, all Yukon students need to see the healthy present and future of First Nation’s societies.

A current example was just overhead in my husband’s classroom a few

weeks ago when a student in his school was learning of Louis Reil and the Metis people and stated that he believed that all Metis were dead – they learned only of the past. We should never have left any one of them with the distinct impression that a vibrant and active culture with all its people, were dead. Our education system has to change before Yukon children think that they themselves along with their own cultures or those around them are dead.

How do you make a culture alive and relevant? – Only by doing it in every imaginable living way. Students have to see it living amongst them. It is not just an add-on or a replacement of something else. This is why we strongly recommend that school culture must reflect the First Nations’ culture – in all areas – formal and informal community participation, educator composition, teaching materials and teaching itself. Educators specifically cannot do this without the support of teaching materials developed for use by Yukon students.

First Nations’ children are as individuals more urgently at-risk in our education system. At-risk children need the help of our system through the guiding principles of the Education Act. They need the greatest amount of help available so that they contribute as healthy members of both their own culture and Yukon society.

Today the churches and the Government of Canada are paying for their deliberate plan to impoverish First Nations cultures. One day Keyakwadan believes that the Yukon Education Act could be celebrated as being a cornerstone to making Yukon First Nations cultures as alive and healthy as they ever were or could be.

Thank you for giving individuals and groups like ourselves the opportunity to share with the Government of Yukon our aspirations for all Yukon

Education Act Kwanlin Dun First Nation Position Paper

Jan 9, 2001

Overall, the Education Act is a reflection of a western-based society and does little to promote or to acknowledge the First People of the Yukon. Consequently, many First Nations' students continue to fall between the cracks of that regime. This failure of the Education Act to address the educational needs of our children indicates to us that the Education Act is not fulfilling its responsibilities towards the First Nations' students, parents and communities. If the students fail in an educational system that has been imposed upon them, then it is the responsibility of the governing body that manages the delivery of services to ensure that changes are made to ensure success of First Nations' students. The Department of Education cannot continue to make the same mistakes of the past to shape the future.

Currently, First Nations have no control over the curriculum for their children. Nor are First Nation educational initiatives accorded the same status as French or Catholic educational programming. This reality must change. First Nations governments need to be empowered, vis-à-vis the Education Act to ensure that we can participate as partners in the education of our children. Our culture, which includes our language, our heritage, and generally our worldview, must be reflected in the curriculum.

At Kwanlin Dun First Nation (KDFN), education is an important aspect of the social, political and economic development of our people and community. The KDFN's House of Learning is a leading force amongst Yukon First Nations for

developing First Nation programming. The House of Learning has successfully partnered with the federal and territorial levels of government, and other First Nations to develop educational programs that serve the best interest of KDFN constituents. However, the House of Learning continues to carry the brunt of the financial load with minimal support from the Yukon Territorial Government – department of Education Branch.

It is important to remember that the efforts made by KDFN are in fact benefiting the Yukon education system: funds are transferred into the YTG Department of Education through Federal Transfer Agreements, and part of that allocation is based upon the First Nation population of the Yukon. We question if one third of the Yukon's population is First Nations, how much money is going into First Nations programming? Furthermore, what are the allocations for the First Nation students? If Yukon First Nations are to act as partners upon "a level playing field" with YTG, more funding needs to be channeled into an organization like the House of Learning. That is, finances that are allocated for the First Nation population should be designated to the First Nation community without having to "fight for the crumbs that fall from the Queen's table".

At all times, the Department of Education has to consider that the Yukon has a First People – the First Nations people. In essence, every work, component, theme and section of the Education Act has to reflect this fact. The non-First Nations people arrived here only in the pursuit of gold and the desire to "get rich", and the Yukon was not considered a "place to live". One third of Yukon's population is First nations, one third is non-First nations, and the other third is its transient population. With that in mind, how is the Education Act addressing the

two-thirds that remain as part of the stable population, particularly the one-third who have lived here from time immemorial?

Kwanlin Dun First nation would like to see a K4-K5 immersion program set-up, with funding from YTG. Another suggestion is that schools be evaluated every three years to determine what works and what needs improvement in First Nation educational programming and services, including First Nation students' progress.

Rick O'Brien
Chief, Kwanlin Dun First Nation

Education Act Review Kwanlin Dun First Nation

Preamble

- Should include "instill respect for the family, *elders*, and community"
- Should include "and promote a love of *life-long* learning"
- Should include "*shall* include the *historical*, cultural and linguistic heritage of Yukon" (Note: **Section 51.0**)
- How does "multicultural heritage" fit within the context of the North, especially when we have two main groups of people: aboriginal and non-**a b o r i g i n a l** " ?

Multiculturalism fits within the context of a western-based society; however, is not applicable to aboriginal since it's an imposed concept. What heritage is there more important in the Yukon other than aboriginal – first peoples? The Education system can embrace this concept, but should provide more than “an acknowledgement of FN presence in the Yukon”.

- Would one include “majorities”? Is this statement not biased? Why not include “*all people* shall be enshrined ...” ? (note 51: Yukon Heritage and Environment, p. 19)

PART 1

Definitions

- Aboriginal - How does the definition “aboriginal” fit within the context of the 1972 “multicultural” policy? Is the Yukon not responsible for the education of “other aboriginal peoples”? Who determines those types of distinctions?
- Educational Program – it states that an “‘educational program’ means a set of learning activities for schools and does not

include any *post-secondary, college, or adult training program*” (p. 2); however, it states that one of the duties of the Minister is to “institute adult training and continuing education programs” (p.5). How does the Minister step outside of the “educational program” and exclude this definition within this section?

PART 2 TERRITORIAL ADMINISTRATION

4.0 Goals and Objectives

4 (c) What is the ED ACT’s definition of *family*? Is it all-inclusive and embracing extended families (ie. First Nations’ communities)? Single families? Other families?

4 (h) the term “promote” does not guarantee that schools will adhere to this section – requires a more, powerful verb that will in essence “increase an awareness of the First Nations’ contribution to western society as it exists today” and including the history, language, culture rights, and values of YFN...). An established relationship based upon a consultative process is in order here. How can a nation outside of a nation promote that nation of people? Requires active participation on both parts, which also includes funding mechanisms to support those endeavours.

5.0 Duties of the Minister

5 (c) What does the Minister provide in terms of “professional development” for paraprofessionals that contribute to the school culture? What about FN Language Teachers/Instructors?

5 (e) Expand upon and clarify this concept “institute adult training and continuing education programs” – does the Minister support “other adult training and continuing education programs” outside of its recognized institutions? If not, it should.

5 (g) When references are made to “the Yukon education system”, does that include those programs that “support” the endeavours made by the First Nations to support their students within that system? Are those programs not included as an integral component of the Education system? What happens when First Nation communities establish their own systems – will the funding be equivalent to what already exists?

6.0 Powers of the Minister

6.1 (a) “establish schools” – Does this section include “First Nations’ schools”? What are the “guidelines” and does the public have access to that document? What about FN Immersion schools?

6 (b) How does an independent school fit within this context? First Nations schools (when es-

tablished) should be given the same recognition and designations as French and Catholic schools.

6 (g) What about students that are pursuing their education outside of the Yukon? What efforts are being made to support their educational pursuits? What provisions are made for students who reside in other provinces or regions within Canada? The ED ACT must conduct a comparative analysis of the overall expenditures across Canada as well as abroad (internationally). What efforts are being made for those students who are “exchange students” or who desire to pursue an education in another country to expand their horizons? In essence, how is the ED ACT building capacity? Are they securing positions for those students (teachers) who desire to return to the Yukon?

The term “Yukon education system” is used loosely here; does this reference only address schools that are recognized by the Minister? The ED ACT clearly targets the school system rather than education in general.

7.0 Agreements

- What happens to those First Nations that do not fall under the Umbrella of CYFN? For instance, KDFN is not a member of CYFN and obtains only observer-status. Does that mean the KDFN can make an agreement outside of

CYFN and if so, what impacts does that agreement have upon the UFA and SGA when it remains unsigned?

8.0 Appointments

8.1 Has the Minister considered the implementation of “Regional Principals” who are First Nations and work alongside the Superintendents to ensure that the cultural component of the curriculum and embedded within the ED ACT is adhered to, followed up, and supported within the School system?

PART 3 STUDENTS AND PARENTS

DIVISION

Access to Education

10.0 Right to Education

10 (a) Should include 4 years to accommodate a K-4 Program (extension of Head Start). YTG can enter into an agreement with the First Nations to jointly fund this program. It can be a major benefit to the education system. The US has been implementing this program since 1972.

11.0 Responsibility to Resident Students

11.1 Remove “other” since this term is connotative and has an embedded meaning that could be considered biased.

11.3 The term “residency of the student’s parents” should include “**or guardians**”.

14.0

- This section is very open-ended, because it transfers the responsibilities over to someone or department outside of the First Nations. Every section of this ED ACT has to consider the First Nations people/community.

14.1 In addition, where does the FN community or leadership fit within this section? What if a community decides that it desires to have students within its “attendance area” or “lands set aside” to attend its school, should it not have that right as long as the parents agree through consultation? YTG is accountable for “education in the Yukon”; therefore, has to consider that decision without levying any additional costs due to the fact that these students are continuing to receive an education.

14.2

- YTG should, in fact, support the endeavours made by the community, family, and student by **not** levying an additional costs onto parents. Families and students do have “the right to choose” where they want to attend school; therefore, are in fact continuing to receive an education outside of the existing public school system. Is that not the ultimate

goal in a student's and family's life?

DIVISION 2

Special Education

15.0 Special Education

- This section may be problematic. Many FN students are identified as "Special Needs" students at an early age. What needs to occur is the education system has to accommodate the needs of its students and focus on "prevention" as opposed to "intervention" strategies. The current system is very "top-down" and should be a "bottom-up" process where the efforts made within a community should be supported financially and in whatever way it can. Education has to be perceived as multilayered in the sense that there are many partners involved, and not one isolated entity such as the Department of Education. How does the term "partnership" fit within this context? Is it a coined word or in fact, a joint effort between peoples and nations?
- Where does the "gifted" student's needs fit in this section? How does the Department propose to address this need? Is it not categorized under

Special Education?

15.2

- "**most enabling environment**" could mean that a First Nations may implement a program that is deliverable to the "First Nation's child(ren)"; therefore, "special education" funding should be allocated to that First Nations. **IF** a FN chooses to implement such a program, YTG Dept of Education should support that FN in its endeavours, and not perceive itself as the "omniscient" educator.
- Where the ED ACT discusses parents, it also has to include "guardians" since they function within the capacity of "parent".

DIVISION 3

Parents Rights and Responsibilities

18.0 Rights and Responsibilities of Parents

(b) What are the rights of a parent if he or she has to give "reasonable notice to observe the instruction of their children". Are not schools implementing an "open-door policy"? Parents should be able to enter the classroom for observation purposes without notice given in advance other than informing the princi-

pal that he or she is visiting the classroom at that specific time. Does the teacher not "catch the student doing good" and record it without his or her knowledge, and for educational reasons? So parents should have that right, too. Although this section is for the parents, it still protects the system and its members. Education has to protect the rights of the parents and student at all times.

19.0 Choice of Education

- What about "independent" schooling? What does "education" mean to the Department of Education when other schools such as Band-controlled or Independent Schools can offer a program equal to that of the Department? Is not education the ultimate goal? Does it matter how it is achieved or by whom?

20.3 Student Records

- First Nation's organizations that manage and operate its own education programs should have access to records without the signed consent of the parent or student. It is imperative that FN have access to student records since they are acting on the best interest of that student and this information is "required for the improvement of the student" only.

- Students absent for these reasons should not be recorded as absent from the classroom. Sometimes, what a student learns outside of the classroom may be a more worthwhile learning experience in the long term. For instance, a young man learning the skills required for living on the land, will not learn those skills within the classroom context. Life long learning means that these types of learning experiences are valued and respected, and not just the 3 Rs. A FN view of the schools system incorporates more than the 3Rs.

20.8

- “Any person who discloses information from a student record in contravention of subsection (3) is guilty of an offence and liable to a fine of not more than \$200.00” definitely does not protect the interest of the student, parent, or family. What right has an individual to disclose confidential information that is not privy to them? How does the Human Rights Act fit into this context?

DIVISION 4

Compulsory education

22.(c) Compulsory Education

- Should also include “spiritual” activities. The same right is given to others, and should be given to FN people who exercise their religious practices. (**Note: b**)

22.(f)

- Should include “on-line courses” due to the nature of technology and its impact upon education.

DIVISION 5

Optional Education

29.7 Private Schools

- Are the Roman Catholic Schools not considered “private schools”?
- Funding is allocated to RC Schools under the ED ACT, so there is a conflict here.
- If a FN individual were to open a “private school”, would that school be funded? Why does the Department continue to segregate nations of people? Is the ultimate goal in education to “achieve or acquire certification” and continue on to Post-Secondary and then back into the work force? Why not do it in “partnership” rather than “isolation”. The last 100 years in the Yukon is sufficient time for the De-

partment to understand Ken Coates’ position of “Best Left as Indians”. What more damage can the “white man” do to FN people in the Yukon? Has the system not failed us enough times already? Partnership incorporates into its meaning the need for a shared response or efforts. Does the Department believe that FN people are incapable of operating its own schools? In the long term, all Yukon people have to live together, and they should learn to live together “beginning” in the schools.

32.0 Kindergarten

- The Minister should also establish a K4 Program (Head Start). The FN can jointly fund the program, and it can be operated on a _ day basis. Any one else who wants to access this program, YTG has to allocate funds for those students.
- Should include full day kindergarten programs for FN students since other provinces have been implementing that program for years. If not within schools, it should be provided at the community level and funded by the Department.

32.6

- Provided that the school is a FN one, it should state that “*in consulta-*

tion with the FN, the Minister or School Board shall designate the school or schools that shall offer the kindergarten program”.

DIVISION 6 Students Rights and Responsibilities

34.0 (d) Rights of Students

- If a student chose to live in Vancouver, does that mean that YTG will be responsible for accommodations? Or is it limited to the Yukon region only?

39.2 School Rules

- In addition to posting it “in a conspicuous place[s]”, the School Handbook should include the school rules.

40.0 Dismissal of Students

- (Note: Section 21)
- Should also consider this section in conjunction with Section 38.
- Damage to school property is a serious offence not mentioned.
- Also, dismissal of students should only be considered if it is life-threatening or due to damage to school property. Students perceive dismissals or suspensions as a reward for not having to attend school. The objective is to make

school “fun” and a place where students want to be rather than a place to occupy time. The system needs to work with the parents and the students, not against them.

40.2 (b)

- In the event that a parent feels insecure about meeting with a teacher or principal, then a neutral member should be called upon to represent that individual. Some FN parents do not feel comfortable about the school environment; therefore, should have the right to invite either the Director of Education, CELC, Chief, Executive (Representative of Education), or “other” into the meeting.

PART 4 SCHOOL OPERATION

42.0 Language of Instruction

- Confusing section – why is it necessary to have two sections that deal specifically with “language of instruction” (Section 50)? Is the Department making a distinction? If so, it is biased, and therefore, can be challenged.

43.0 Locally Developed Course of Study

- Locally developed courses should be mandatory rather than optional. Change the words of “may be” to “shall be”.
- Where is the consultation with the FN in this process? If a FN chooses to provide a locally developed course for its school (in its jurisdiction) then the school and the Minister should support those efforts. Research has shown that students need to have 4 important aspects of a school in order to succeed: voice, teacher models, peer models, and text. Without the FN involvement, any Yukon school will continue to fail to meet the needs of its FN students.

PART 5 YUKON FIRST NATIONS

SHOULD INCLUDE “SEPARATE SCHOOL RIGHTS” the same text granted to a French language and schools

- Any First Nations who desires to establish a school should receive the same rights given to the French and Catholic Schools
- The ED ACT is biased if it does not support First

Nations' schools. This bias may be challenged.

49.0 Yukon Land Claim Agreement

- Define the term “conflict”. The term itself can be used generally and other meanings may be embedded within it.
- What if a First Nations decides to establish and endorse its own Education Act outside of this existing one – should that not be it's right without having a “conflict” with the existing ED ACT?

SHOULD BE WRITTEN AS “RESPECTIVE FIRST NATIONS LANGUAGES”

50.0 Language of Instruction

- If a First Nations desires to have a language taught within the school, it should not have to be “considered” by the Minister; rather, it should be “approved” by the Minister. Where is the “equal partnerships” embedded within this ED ACT?
- If this process is the case, the ED ACT “empowers” the Minister and not “the people”.
- Should take into consideration the % of FN students within the school in question; thus, making it mandatory and not optional.

- The Minister should be responsible for to play an active role in ensuring that educational programs are provided in the aboriginal language.

50.2.(d)

- What are the “effects” of teaching French “on students who receive their instruction in English? Is this section not a biased one?
- Is there a difference?

51.0 Yukon Heritage and Environment

- The Minister should make it mandatory that students learn the “cultural heritage of the Yukon First Nations”. This policy will acknowledge that FN people are the first people of the Yukon. Does the YTG Education Department not recognize that reality?
- The Minister should support the endeavours made at the local levels where “curriculum development” is concerned. The efforts made by a FN is in support of its students within that institution.

52.0 Aboriginal Languages

- **52.4** A language teacher should only be classified as an instructor unless that teacher is a certified teacher as well as a cer-

tified language instructor; otherwise, it creates a conflict within the ED ACT.

- The Minister should be reviewing the growing demand for certified teachers with a First Nations language major (component) in an effort to maintain and support the language (may be lost in 50 years as projected by anthropologists, etc.)
- **52.5** What is allotted for French? And for French Immersion Schools that are sanctioned by the ED ACT?
- The ED ACT needs to sanction Pilot Projects that are classified as a First Nations' Immersion Projects. Thus, funding should be allocated. Are not the FN people the First People?

53.0 Agreements

- What authority or power does the School Board or Council have to enter “on its own initiative” into an Agreement with a First Nations? What is the protocol process here? Does the term “consultation” mean anything here?

54.0 Central Indian Education Authority

- **54.1** should include “culture” in “any matter affecting the education, **culture** and language of

instruction of aboriginal people”.

- **54.6** should include “or the Local Indian Education Authority” since many First Nations are assuming responsibility for education at their respective levels.

55.0 Cultural Activities

- Department of Education should be financially responsible for all cultural activities within the school system. In doing so, it demonstrates to the FN and to other people that it recognizes and acknowledges the First People’s presence in the Yukon. It has only been in the last 100+ years that “other people” have come to reside in the Yukon. The 21st Century is an opportunity for the Department to change its perspective.

PART 6 FRENCH LANGUAGE AND SEPARTATE SCHOOL RIGHTS

57.0 Separate Schools

- The term “right” should include “culture” since culture and language are one and the same; therefore, should work in conjunction with each other.
- Should also include First Nations’ languages relevant to geographical ar-

eas in the Yukon.

- Separate schools should include those First Nation’s communities that establish its own school system should be recognized and given the same rights and privileges under the ED ACT.
- Biases in this section.

PART 7 SCHOOL COMMITTEES, COUNCILS AND SCHOOL BOARDS

Division 1 Establishment

58.0 Attendance Area

58.2

- Does this section include lands set aside (as an “attendance area”)?
- This definition would provide support in including land set aside.
- Transportation should take into consideration the preferences of the student as well as the guardian. (Note Section 47, subsection 2)

59.0 Education Area

59.2 Does this section “split the First Nations’ communities”?

62.0 Residents

- This section should include culture and ethnicity in designating residency.

64.0 Council

- Should be comprised of FN **if** on lands set aside.

68.0 Guaranteed Representation

- Guaranteed representation is great; however, what is the formula to ensure that **all** schools have FN representation on it?
- Why should a FN **negotiate** its own rights for guaranteed representation? Is it not a given?

69.0 School Committee Changing to Councils

- Should include a FN community since it does represent the population (if it doesn’t already).

72.0 Councils Changing to School Boards

- Should be more than 20% of the electors resident in the attendance area. Does 20% adequately represent the interests of the parties involved?

73.0 Combining Councils

- Should be more than 20% of the electors resident in the attendance area. Does 20% adequately represent the interests of the parties involved?

74.0 Combining School Boards

- Should be more than 20% of the electors resi-

dent in the attendance area. Does 20% adequately represent the interests of the parties involved?

75.0 Combining School Boards with Council or School Committee

- Should be more than 20% of the electors resident in the attendance area. Does 20% adequately represent the interests of the parties involved?

77.0 Transfer of Assets

- What about the transfer of property to a First Nations?
- What stipulations are necessary before this process is considered?

Division 2 Elections

78.0 Election of School Boards

(2) Should be for a term of “two” years with the possibility of extending for an additional year provided that everyone agrees.

- Elections should occur within a FN community every two years. (**Section 94.0 Polling Places**).

82.0 Qualifications of Electors

- How does this section include “elders” or “grandparents” that are integral members of the “family” (Note: Section 4.0).

91.0 Acclamation

- If there are not enough nominations, put the offer out once again prior to declaring the person(s) elected.

94.0 Polling Places

- Should include “two” polling places. Some FN people do not feel comfortable within a school environment and refuse to enter due to their prior experiences. To ensure that they are represented, a polling station should be set up in the FN community.

Division 3 Powers and Duties

113.0 School Councils

- Should also include “FN consultation” when it concerns a FN community.
- Governance means that the people are empowered; therefore, what is the consultation with the FN community in this section?
- Accountability to the people is an issue here.

116.0 School Boards

116.0 (C)

- Should include “including locally developed courses, *and those courses that are sanctioned by the local FN*” since many people perceive FN individuals as

part of a generic group rather than understanding that aboriginal people are unique and different from each other.

117.0 Agreements

117.1

- Should include “First Nations” since it does include “First Nations” in Section 118.1.
- How does “jurisdiction” of the FN fit within this section?

125.0 Principal as Director

- Should include “a School Board *for a maximum of one year*”.

NOTE: THIS SECTION SHOULD INCLUDE “DISTRICT PRINCIPALS” or “REGIONAL PRINCIPALS” WHO ARE EDUCATORS OF YUKON FIRST NATIONS ANCESTRY. THESE POSITIONS WILL ENSURE THAT THE FIRST NATIONS CONSTITUENTS ARE BEING MET WITHIN THE YUKON EDUCATION SYSTEM and THAT CULTURAL RIGHTS and REPRESENTATIONS ARE ADHERED TO WITHIN THE SCHOOLS.

RECOMMENDATION: AT LEAST 3 DISTRICT PRINCIPALS TO REPRESENT THE VARIOUS REGIONS – NORTH, CENTRAL, AND SOUTHERN REGIONS. THE SAME REGIONS AS THE SUPERINTENDENTS.

Division 4

Meetings and Operation

139.0 Regular Meetings

139.2

- Why does it state that “no notice is required to be given to trustees of School Boards or members of Councils of regular meetings”?
- Does this section not take into consideration the advantages of technology?
- Dates have to be set for regular meetings; however, in our busy society and work places, some considerations have to be made here? Is it expected that all members “will remember” the dates?

PART 8

APPEALS

157.1 Education Appeal Tribunal

- Should have “guaranteed representation” on the Appeal Tribunal (with at least 50% [5/10] or the percentage of representation of FN within the school[s]).

158.1 Composition

- The Chair has the power to choose the members; however, it should be mandatory that there is equal representation on the members of the Tribunal.

159.0 Mediation

- If an individual wanted a mediator present to represent his or her interests, it should be included as part of the mediation.
- To have representation on one side without one on the other, is considered biased and not representative of a democratic society.

162.0 Matters to be Considered

- Add (d) to “the precedent set by the decision on the school...”.

PART 9

TEACHERS

168.0 Duties of Teachers

- Should include “have access to the budget as it pertains to them”.
- Reason being that schools should also consider “capacity building”.
- How are teachers to learn what it entails to be a principal or what is allotted for them during that school year?

169.0 Duties of Principals

- Should be required to attend First Nations’ leadership meetings due to “partnerships” and “communication”
- When First Nations set up a Local Indian Edu-

cation Authority, it should be mandatory that principals attend these meetings

- Should include “that the Accreditation Recommendations be adhered to, followed, and reviewed every five years”
- Make recommendations for school improvement (physical, intellectual, and so forth)

170.0 Qualification Upgrading

- Should also include training for teachers who desire to develop professionally in the areas of vice-principalships or principalships.
- Note: UBC’s Short Course for VPs and Ps.

171.0 Employment of staff

- The Minister shall: (additions)
 - Ensure that there is equitable representation amongst the school staff population with regards to (a) gender; (b) nationalities; and (c) First Nations
 - Hiring process should include YFN graduates as well as YFN who are YNTEP graduates. Currently, all YNTEP students are considered in

the hiring, but some of them are not from the Yukon; therefore, in the event that a YNTEP student (from another province, territory, or country) must be considered **after** a Yukon First Nations' teacher.

- The Minister should make every effort to hire FN graduates in the administrative level. How many principals have been hired who are of FN ancestry has the Department of Education hired thus far? It can probably count them on **one hand**. Shall we request an internal review of past records and hiring practices?
- **171.4** Where it states "School Board", it should also include LIEAs (needs to be considered and reviewed where applicable)

173.0 Probation for teacher

- **173.2** Where is the consultation process – is 30 days sufficient time for a teacher to "correct the problem"?

179.0, 181.0 Transfer of Teachers

- what if the community does not want that teacher or principal? What guarantees does that community have in negotiating its rights?

PART 11 FINANCE

295.0 Annual Operations and maintenance budget for School Board

295.2 Should include "cultural instruction" as well as "First Nation's language instruction".

- Budget should include a sufficient amount of funds for the cultural program.
- Currently, the Cultural Program at ESES is funded primarily through the K-12 Program at House of Learning.
- HOL does not discriminate against other FN; therefore, YTG should fully fund the cultural components of its programming. What are the current allocations for cultural activities and programs? Does anyone

know? What is YTG's commitment towards the "cultural heritage" of the First Nations' people? All "words" without the financial support?

- It is critical that both world views are equally represented within the education system.

Please find listed below comments and discussion from Liard First Nation members regarding the Education Review Act

Tutoring:

- Demolish Individual Education Plan replacing with tutoring in class.
- More First Nation people tutoring.
- C.E.C. more involved with parents.
- Inform parents of any incidents.
- Meet with parents if problem arise with child(ren).
- Does not fundraise for students to go out for trips (Elementary & High School).
- Wants tutoring instead of special classes.
- Are there any programs available for reading problems?
- Having F.N. people prepare meals for breakfast and hot lunch programs (rotating basis) for J.E.S. and W.L.S.S. Liard First Nation has certified cooks.
- Guidance of grads, career

- planning for 6 months and starting at Grade 10
- Own school bus systems for after school activities.
- Experience should be recognized as certified.
- Student Exchange programs outside of communities.
- Costume making and dancing with local first nation.
- Wants no medication for over active children.
- Wants elder and youth on school council.
- Life skills, living off the land, trapping, traditional living and survival skills.
- Stay in school programs, or interview dropouts, use local people for interviewing the student who dropped out.
- What can we do for students who graduate short of credits?
- No mainstreaming
- Parents aren't involved in child(ren)'s school program.
- M.L.A. go into schools to give speech of education goals.
- Is there are program to assist FAS, FAE or Down syndrome children?

- Is there a program to assist children who are not moving ahead in a semester?

Little Salmon/Carmacks First Nation Submission to the Education Act Review

Education Reform as under the Umbrella final agreement 13.2.8 of our constitution where it states: We are responsible for the education of our First Nation children....

This is how we are doing the research: We are researching the Education system in our community because a lot of concerns have come up about our Education system here.

When asked people what area of education they were concerned about, the answer was “the school”. Because the area of concern is the school we have been going to people in our community and interviewing them about their concerns and looking to find concrete information not hear-say or gossip.

So far to date we have interviewed 20 people in our community (First Nation and non-First Nation parents, and our elders) who have concerns about the school. We had an interview with our principal at our local school and he and the vice-principal were very helpful. If you need any more information from us of what we are trying to do please feel free to ask. We have also interviewed a teacher and a teacher-substitute from the school.

We are not going into this research project with our eyes closed. We know that the school **does** have a positive side, and it **does** have some really good programs but there are problems that need to be cleared up. For example, there is a lack of communication between parents and teachers and the community. Another is the social problems that are not directly from the school but are brought in to the school and are affecting our children’s learning abilities and behavior.

We are doing something called participatory action research, which involves the community and their concerns about the school. We do have an advisory group of five local people. The wonderful thing about this sort of research is that we want to leave something in the community to use as a tool. In this case we are having LDAY come out and do a workshop on learning disabilities. We are hoping that this will help the staff in the school and the community at large to understand what a learning disability is and how we can help to better understand what they are going through as well as how to help someone who has a learning disability.

We have traveled outside the community to get a better understanding of how different schools operate, one in a large and one in a small setting. The schools we decided to visit

were the Elijah Smith School in Whitehorse and the Carcross School. Both interviews were with the principals of the schools and they were very helpful and made a lot of suggestion on how to improve the communication gap that is happening in our community. At one time the schools were having a hard time communicating with members of the community regarding their children’s education due to lack of trust in the school on the parents behalf and lack of traditional knowledge within the school. The communication gap is closing in both schools but it did take a lot of hard work and energy within their schools and community and their CELC working with their principals.

Among some of the things we have done is to go to the Yukon College library to help us with a literature search for similar situations for example in Alaska.

Several members of the Little Salmon Carmacks First Nation have studied the Dawson First Nation submission to your committee and really like their points in certain areas. Some of their proposed changes we agreed with but for different reasons such as:

Issue: Section 18.1(a) “Parents of students attending school are entitled (a) to be informed of the progress, behavior and attendance of their children.”

Problem: We agree that it does take away from the Teachers and this is over half the problem in our community and all the communication problems. Yes, we also agree that it is the parents responsibilities to be informed but the school needs to make sure that the door to communication is open at all times. We need to help to make sure this is happening within our small communities.

Proposed Change: Section 18.1(a) Parents of students attending school shall be informed of the progress, behavior of their children.

Issue: Section 169 (b): “A principal of a school shall (b) promote satisfactory relationships with parents and the community served by the school.”

Problem: What are satisfactory relationships? If the principal of our school was making sure that this is happening then why is there such a large communication problem within our community? And how are the principals to know if the relationship is satisfactory? To do this the principal has to be relating back to the community through some means of communication and reaching out to the community they serve. A lot of our First Nation do not have a good relationship with the school because of

their past experience. A lot of our people are not able to handle the authority figure in the school and need a person to be there for them.

Proposed Change: “A principal of a school shall promote satisfactory relationships, as defined by the School Council and the Local First Nation Community, their CELC, with parents and the community served by the school.”

Issues: Section 169 (c): “A principal of a school shall (c): develop and implement procedures for parental and community involvement in the school and promote cooperation between the school and the community it serves.”

Problem: We do not know if this is happening and the First Nations do not appear to be a part of this process.

Proposed Change: “A principal shall develop and implement procedures for parental and community involvement in the school and promote co-operation between school, the community and the First Nation it serves.” (In full agreement with the Dawson submission)

Issue: Section 169 (t): “a Principal shall (t) include in the activities of the school, cultural heritage traditions and practices of the members of the

community served by the school if the numbers of the members who possess the cultural heritage so warrants.”

Problem: This is happening in our school only for the Grades 7 to 12. If this is going to be a learning experience than the whole school should be involved in a cultural heritage experience.

Proposed Change: The act should ensure that this is implemented in the school system so that it becomes a part of the teaching experience at our local schools several times each year.

Issue: Section 177 of the Act that deals with evaluation of principals and teachers.

Problem: There is no community or First Nations involvement.

Proposed Change: When doing evaluations the general public and First Nation should be a part of the evaluation.

Issue: Part 9 in the Education Act regarding Teachers.

Problem: Nowhere in this section does it say anything about First Nation teachers being the first to get hired in our small First Nation communities, especially from YNTEP.

Proposed Change: there should be a clause somewhere that states that First Nation Teachers are to be interviewed and hired over all others including principals.

Issue: Section 6(g): “the Minister may (g) establish and provide for the operation of student residences and boarding programs for students who reside in the Yukon and leave home in order to receive an educational program and the prescribing of fees, if any, to be charged for the accommodation.”

Problem: Does not define the educational program. And still takes the children away from the parents even if they are paying their way. If parent does not think that their child is getting a proper or justified education in a small community does this say that the department will pay for their child to go to school? The rural schools should provide the same quality of education as a large based school and keep our First Nation children at home however this is not the case. Therefore what is stopping the department from implementing this section?

Proposed Change: Insure that the Act supports the same quality of education in rural communities as in Whitehorse.

Issue: Part 5 Yukon First Nations

Problem: Our First Nation people make up over half of our school population in our rural communities, yet we do not have equal representation in decision making such as in Departmental policies.

Proposed Change: Insure that the Revised Act has the voice of the First Nation people emphasized.

Issue: Will OUR submission be listened to?

Problems: Like the Dawson people we find it hard to believe that everything will be heard to it's full potential.

Recommendation: have the Education Act review board send us the new copy of the Education Act as it was revised and note such changes.

Thank you all for listening to our concerns.

Ta'an Kwach'an Council Education Act Review

Preamble

The Act recognizes that the Yukon curriculum “must include the cultural and linguistic heritage of Yukon aboriginal people and the multicultural heritage of Canada; “

Add “historical heritage” as in Section 51 under Yukon heritage and environment, which reads: “the cultural, linguistic, and historical heritage of the Yukon and its aboriginal people”. This will strengthen the preamble to reflect First Nations’ desire to have their history acknowledged in school curriculum and textbooks.

Section 15 (2)

Students who have an Individualized Education Plan shall have the program delivered “in the least restrictive and most enabling environment”. How is this achieved? Often students learning differently from other classmates are singled out and face criticism from other students.

Section 16 (f)

The section reads “a parent”, and “where appropriate”, the students “shall be consulted prior to the determination of and during the implementation of an Individualized Education Plan” ... in which case (s) would it be inappropriate to consult the student?

Sections 17 (f) and 43 (5)

References and appeals to the Education Appeal Tribunal. Comments follow.

Section 48

What regulated fees are paid for accommodation of a student who is required to live away from home to attend school?

Section 129

“a School Board is not an agent of the Government.” How does this relate to resolutions of human rights issues, such as discrimination, should they occur? Other than the Education Appeal Tribunal, what mechanism is there for resolution? If the School Board was an agent of the Government, persons could go to the Yukon Human Rights Commission for complaints and resolution.

Section 156 (5)

With regards to appeals to the

Education Appeal Tribunal, again there is the question of guaranteed representation on this very important Tribunal. The Tribunal is structured to include “a member nominated by the Central Indian Education Authority of the Council of Yukon First Nations”. (Section 157 (4))

Section 161 (b) (c) & (e)

The Education Appeal Tribunal can identify students with special educational needs, determine that an Individualized Education Plan be prepared for a student and implemented. This is to be decided with only one First Nation appointee?

Section 168 (n)

This section has scary implications for First Nations people. Under this section, a teacher has the power to “report to the principal and to the proper government official responsible for child welfare that a child is in need of protection where there are reasonable grounds to believe that the child is in need of protection as defined pursuant to the Children’s Act”. Some Yukon First Nations have their own child welfare authority. Should they not be informed? Also, what constitutes “reasonable grounds”?

Section 169 (o)

This section empowers the

principal to report “reasonable grounds” cases to child welfare officials. As above.

Section 52 (4)

Regarding Yukon First Nations teachers:

Refers back to Section 166, which requires teachers to hold a valid certificate of qualification or a letter of permission as a teacher. This was amended in 1994. The expression “certificate of qualification” is repealed and the expression “teacher certificate” is substituted.

Section 54 (2)

What types of “activities relevant to the cultural, heritage, traditions, and practices of the Yukon First Nation” is being served by the school? Is information getting to the school by the First Nation (s) about what types of activities that they want to see included in the classroom?

Section 68 (1)

While there is guaranteed representation of First Nations people on school boards and councils, there is not equal participation.

Sections 113 (d) and 116 (h)

These sections empower the school council and school board “to establish a procedure for resolving disputes between schools, parents, and teachers”. again there is minimal representation as depicted by the use of the word “consultation”.

EDUCATION ACT REVIEW

Tr'ondëk Hwëch'in First Nation

Thank you for the opportunity to address the steering committee regarding the Education Act review process. I am sure that your efforts will sponsor an atmosphere of progress and, more importantly, partnership.

Partnership is the key word here and it's the best place to start this consultation process.

The Yukon First Nations Elders laid the groundwork for the Yukon and the First Nation governments to work together towards a better education for all the Yukon's children on pages 20 and 21 of the landmark document, "Together Today For Our Children Tomorrow." In it, the Elders outlined their vision for education in the territory and stated that they did not want separate schools for First Nation children. They did attach caveats, however, by noting that if the current system could not be changed to accommodate the wishes of the First Nation, then, a separate school system would be explored.

The Elders' dream for education culminated in the special provisions written into

the Self Government Agreement (SGA) of the Tr'ondëk Hwëch'in. In Section 17 of the SGA, Education is given special and unique treatment and will be dealt with differently than other programs and services. Negotiations that will take place between the two governments' representatives to deal with this Section of the Agreement will first endeavour to devise a system where the delivery and administration of education within traditional territory will be a shared responsibility before the possibility of a separate school system is investigated. This negotiation process will undoubtedly pave the way for an altogether unique system for the delivery of education in Tr'ondëk Hwëch'in traditional territory.

The political landscape that existed ten years ago does not exist today. Ten years ago, when the current Education Act came into being, the Tr'ondëk Hwëch'in had not signed their Self-Government Agreement. Now, with the Agreement signed, the work of setting up a government has begun: negotiations are under way, programs are being transferred; jurisdiction is being recognized. With the Education Act review underway, the opportunity to begin working towards a common vision of education is upon us. Let us not miss our chance to work towards an

Education Act that reflects the spirit of the SGA and will be an example for the rest of Canada to follow.

It is, however, difficult to plan for the future when the current system that the First Nation is expected to fit into is so slanted and lop-sided. The YTG's investment in the Yukon's education system involves a huge Department of Education, regional superintendents, local administrators, teachers, Educational Assistants, all the way down to the custodial staff that cleans the floors at the schools. The Tr'ondëk Hwëch'in's involvement in the system is limited to one guaranteed representative on the School Council. It is difficult and disheartening to try and plan for positive change and increased involvement in the education system when it seems to work to exclude you at every turn. Through the Education Act Review, it is possible to level the playing field, begin working towards a shared vision for education and laying the foundation for Section 17 negotiations between the YTG and the Tr'ondëk Hwëch'in.

The following document outlines suggestions to the Education Act Steering Committee for how they can amend the Education Act to better accommodate a more equitable relationship between the Yukon Territorial Government Department of

Education and the Tr'ondëk Hwëch'in. It comes to you in the spirit of partnership and without prejudice to future education negotiations flowing from Section 17 of the Tr'ondëk Hwëch'in Self-Government Agreement.

ISSUE: The lack of preparation time afforded the First Nations governments to prepare for this review.

PROBLEM: The Self-Governing First Nation is just that; a recognized level of government not unlike the structure you find at the Yukon Territorial Government (YTG). Included in the First Nation government structure is their own version and vision of a Department of Education who have been tasked with addressing education issues. Not having sufficient time to prepare has meant that we were unable to consult the community we serve, as you are you doing with your trip to Dawson, and has made us feel that the influence and jurisdiction of the Self-Government is not fully appreciated by the Ed Act Review Steering Committee.

In the Tr'ondëk Hwëch'in Final Agreement, consultation means to provide: "a reasonable amount of time in which the party to be consulted may prepare its views on the

matter." (See Appendix A) The amount of time given to the Tr'ondëk Hwëch'in to prepare for this consultation was not sufficient and will, unfortunately, taint the legitimacy of these meetings.

PROPOSED CHANGE: In the Act, make specific reference to the First Nations role in the review process and ensure that they will be a partner in the next review process. Not just another community group to be consulted.

ISSUE: Section 3 (g): "to promote understanding of the history, language, culture, rights and values of Yukon First Nations and their changing role in contemporary society."

PROBLEM: How is this happening? Is it happening at all? What steps are the Department of Education taking to ensure this happens in the school? What instructions does the Department of Education give to their administrators to see to it that this happens? By putting it in are we only setting the Department up for failure?

The long and short of it is that the First Nations look at sections of the Act such as this and it provides them with evidence that the Department of Education is not upholding

their promises. This is how it works in Dawson City, at any rate.

Aside from that, this section of the act is too sanitary. The word understanding implies a cultural petri dish with the First Nation culture being on display in an experiment.

Make no mistake, the First Nation culture is alive and well. It is not a unit in the Social Studies curriculum. It is not the one-foot high kick in phys. Ed. It is a way of life and how to interact with others and rules. In short, it is rules that govern how you live your life. It deserves a spot in the school.

PROPOSED CHANGE: Change the act to read: "to promote Yukon First Nations history, language, culture, rights and values and their changing role in contemporary society in an environment that encourages, fosters and reflects the Yukon First Nation way of life."

ISSUE: Section 5 (a): "The minister shall (a) establish courses of study for the implementation of the goals and objectives for the Yukon education system."

PROBLEM: Not only do the First Nations have barely any say in what the goals and

objectives are for Yukon education, this line confirms that they will have no say in how these goals and objectives are reached. If education is going to be a shared responsibility then the act must reflect this.

PROPOSED CHANGE:
Change the act to read: “The minister, in conjunction with a representative from the Tr’ondëk Hwëch’in when establishing goals and objectives that affect the First Nation, shall establish courses of study for the implementation of the goals and objectives for the Yukon education system.”

ISSUE: Section 6 (g): “The minister may (g) establish and provide for the operation of student residences and boarding programs for students who reside in the Yukon and leave home in order to receive an educational program and the prescribing of fees, if any, to be charged for the accommodation.”

PROBLEM: This leaves the Department of Education open for attack from parents who have to send their children to Whitehorse to receive a quality education.

In Dawson City, it is a well-known fact that any dreams of

post-secondary education begin with upgrading at the Yukon College. The education they receive in Dawson does not prepare them for vigorous University courses. Do parents have the option to have their child’s education paid for them if they decide that the education Dawson has failed them and their children will receive a better education in Whitehorse?

As well, there are many courses that benefit children that are not available in Dawson City; for example, the experiential program. Does this line of the act give permission for parents to invoice the YTG to send their child to Whitehorse to receive a superior education not available in the rural communities?

PROPOSED CHANGE:
Clarify the act or decide if it might be cheaper to just provide a first rate education in the rural areas, or, reinforce and implement that preamble of the Act that states, “the Yukon education system will provide a right to an education appropriate to the individual learner based on equality of educational opportunity.

ISSUE: Section 10: “Persons are entitled to receive an educational program appropriate to their needs in accordance with the

provisions of the act.”

PROBLEM: In the Yukon, 20% of the First Nation students are on an Individualized Education Plan as compared to 6% Non-First Nations (See Appendix B). In Dawson City, however, we still have a long way to go in ensuring that the specific needs of the First Nations are being met.

Many First Nation parents in Dawson City as well as the Education Department of the Tr’ondëk Hwëch’in experience frustration when trying to lobby for the specific interests of the First Nation child. The classic example is a First Nation parent who needs extra help for their child who may be suffering from FAS/FAE or comes from a home with a residential school syndrome presence and as such is not succeeding academically. Nearly every time the answer is that there is no money. This is especially frustrating when a non-First Nation child is provided a one-on-one teacher because they are suffering from a traditional learning disability. For example, a Non-First Nation student with a traditional learning disability received a dedicated one-on-one teacher in their very own learning space for an entire year before the student decided to move to Whitehorse for a better education. At the same time, a First Nation student who is FAS/FAE and comes

from a home where the parents don't teach their children to learn at a young age because they were never taught proper parenting techniques by their parents because their parents went to residential school and, as a result, were ineffective parents, that student does not get a one-one-one teacher because the child's disability is not appreciated or even recognized by the school administration. It takes an understanding of the First Nation community to know what constitutes a learning disability and an administrator from Saskatchewan with little knowledge of the local First Nations cannot make that decision. (See Appendices C and D).

PROPOSED CHANGE:
Amend the act to read: "Persons are entitled to receive an educational program appropriate to their needs in accordance with the provisions of this act and provided adequate funds are available," or , "Persons are entitled to receive an educational program appropriate to their needs as identified by the local administration and, where appropriate, the Local First Nation Education Authority, in accordance with the provisions of this act."

ISSUE: Section 15.1:
"Students who, by virtue of

intellectual, communicative, behavioural, physical, or multiple exceptionalities are in need of special education programs, are entitled to receive a program outlined in an individualized Education Plan.

PROBLEM: Again, as with the previous issue, the question of money arises.

But, more importantly, who defines what exactly these problems are? There are problems in the First Nations community that are not adequately dealt with in the school. The only solution is to include First Nations representatives in defining academic problems. First Nations have very specific academic concerns that are not viewed by the established administration as necessarily problematic (see previous issue). By no means is this an intentional oversight. It only occurs because the First Nation and the non-First Nation people live in different social environments and have different needs that arise from these environments.

PROPOSED CHANGE:
Change Sections 3.1 and 3.2 to include the local First Nation Education Authority in the decision-making and priority-setting processes.

ISSUE: Section 16.2 (a):
"Before a student is determined to be a student with special educational needs and, if so, what Individualized Education Plan is appropriate, the following procedures shall be followed: (a) the student shall be referred to the department for a determination of the assessments that may be required to be performed."

PROBLEM: Who exactly does the referring? More to the point, what mechanisms are in place for the First Nation education departments to recommend that a student be assessed? As it stands now, if a First Nation education representative or parent wants an assessment done, they need to convince the school administration that it needs to be done. The administrations concerns, priorities and definitions of a learning disability are different from the First Nations and, more specifically, their understanding of First Nations concerns is limited, so it usually doesn't get done.

PROPOSED CHANGE:
Include the local First Nation Education Authority in the referral process. Don't forget, every Community has a local First Nation authority. The YTG just needs to learn to recognize it and learn how to use it. With proper cultural training and immersion, this

can happen.

ISSUE: Section 17 of the Act.

PROBLEM: There is no place in the act for the First Nations to get involved in special education. It is an implementation issue but the Ed Act review process presents an opportunity to address this oversight now.

A question that begs to be asked but requires the First Nations to ask it, is, “How does the YTG define special need and is it the same as the First Nation?”

PROPOSED CHANGE:
Recognize the legitimacy of the local First Nation education authority and begin using them to deal with special education issues rather than have them play a periphery role.

ISSUE: Section 18.1 (a): “Parents of students attending school are entitled (a) to be informed of the progress, behaviour and attendance of their children.”

PROBLEM: This takes the onus off the school to provide the parents with information unless first approached. In the past, many problems that may have been averted early on were allowed to spiral out of

control until a student was dismissed from school only because the school did not ensure that the parent was fully informed of the difficulties their children were experiencing. In the First Nation community, many parents do not read the letters sent home with the students and, therefore, never know what sort of problems their children are having.

Yes, it is the responsibility of the parent to be informed, but the school needs to make sure that it is happening, too.

PROPOSED CHANGE:
Change the act to read “will be informed”.

ISSUE: Section 20.1: “Every school administration shall establish and maintain a student record for each student enrolled in its school in accordance with the guidelines established by the minister.”

PROBLEM: This line disregards the priorities of the First Nation who have an interest in very specific academic statistics (See Appendix E) for their own long-range planning and implementation processes.

PROPOSED CHANGE:
Change the section to include: “guidelines established by the

Minister and the local First Nations Education Authority.”

ISSUE: Section 20.3: “Subject to subsection (2), a student’s record is privileged for the information and use of school and departmental officials as required for the improvement of instruction of the student and is not available to any other person without the written permission of the parent or, where the student is 16 years of age or older, the student.”

PROBLEM: This does not allow access the First Nations access to information that is necessary for implementation purposes.

PROPOSED CHANGE:
Change the section to include: “a student’s record is privileged for the information and use of school, departmental officials and the local First Nations Education Authority.”

ISSUE: Section 22.2 (c): “A student is excused from attendance at the school if (c) the student is a participant in Yukon aboriginal cultural activities or in aboriginal harvesting activities.”

PROBLEM: Who defines what an aboriginal activity is? Issues arose this year, as they have in the past, about what

exactly an aboriginal harvesting activity is. Never during these conversations was an elder or a local First Nation resource consulted for their opinion. The administration takes it upon themselves to decide what passes and what does not for a harvesting activity. This is wrong and comes very close to cultural colonialism. The First Nations must have absolute control over what is a legitimate harvesting activity or cultural event and what isn't. Period. What they say goes.

PROPOSED CHANGE:
Clarify the section by including: "... as designated by the Local First Nation Education Authority" to the end of Section 22.2 (c).

ISSUE: Section 25 of the act that reads: "The deputy minister or a School Board may designate school attendance counselors to assist in the enforcement of the compulsory attendance provision of this Act."

PROBLEM: This is a Whitehorse rule and is not well implemented in the rural communities. Case in point, in Whitehorse 38.1 days for First Nations students as compared to 16.5 for Non-First Nations, are affected by either lates or absences. In the rural

communities, those numbers jump to 21.4 for Non-First Nations and a staggering 55.2 days for First Nations students. (See Appendix F) In Dawson City, for the past two years, a trio of chronically truant local students have been allowed to skip school for so long that their parent was taken to court for negligence. Of course, the charges against the parent were dropped and the students went back to their truant ways. The situation is ongoing and has lasted for as long as I have been employed by this organization. If this situation didn't warrant an attendance counselor then there will never be one.

PROPOSED CHANGE:
Identify it in the Act as a Whitehorse only rule and that the rural communities have been excluded due to fiscal constraints, or, reinforce and implement the preamble in the Act that states "the Yukon education system will provide a right to an education appropriate to the individual learner based on equality of educational opportunity."

ISSUE: Section 26: "School Boards, Councils, and, where a school committee exists, the superintendent, shall establish an attendance policy for their students."

PROBLEM: There is no First Nation involvement. The one guaranteed representative on the School Council on behalf of the First Nation is not enough to ensure First Nation concerns will be taken seriously.

PROPOSED CHANGE:
Guarantee First Nation involvement in ALL policy decisions by equalizing the number of First Nations on local School Boards or Councils and have the local First Nation Education Authority participate alongside the superintendent in policy decisions.

ISSUE: Section 27 which outlines neglect issues and legal proceedings in regard to attendance.

PROBLEM: It is never put into practice. When putting together a document such as the Education Act, one needs to be very careful in ensuring they will only include things that the YTG feels prepared to enforce.

This does not happen in this community. Rather than sully the Act by including toothless sections, take it out altogether until the department is ready to go to the mat.

PROPOSED CHANGE: Have

the department decide how committed they are to enforcing the section and then decide to include it or not.

ISSUE: Section 31 which deals with home schooling.

PROBLEM: Again, it doesn't look like this part of the Act is being enforced all that well. The example of the local truant boys is a perfect example.

A question that needs to be addressed is what legal action can be taken if the home-schooling is happening? The guise of home-schooling had been used by the parent of the local truant boys to get off the hook after being unable to get her children to school. After years of negligence and not getting the kids to school, the parents stymied the efforts of the school by saying that the kids will be home-schooled. It is, of course, not happening and there is nowhere to turn for help in the matter.

PROPOSED CHANGE: Outline, with the Local First Nation Education Authority, what can be done for negligent home-schoolers.

ISSUE: Section 34 (b): "In accordance with this Act, students attending school are entitled to (b) receive an educational program

outlined in an Individualized Education Plan when the student is in need of a special education program."

PROBLEM: As before, who defines the need?

PROPOSED CHANGE: Clearly define who is involved in defining special education needs and ensure that the Local First Nation Education Authority is involved.

ISSUE: Section 34 (d): "In accordance with this Act, students attending school are entitled to (d) be provided with accommodation where they are required to live away from home to receive an educational program.

PROBLEM: Again, does this mean that kids that go to Whitehorse for a better education can invoice the YTG for costs incurred?

PROPOSED CHANGE: Clarification would be nice.

ISSUE: Section 34 (f): "In accordance with this Act, students attending school are entitled to (f) appeal, either individually or with their parents, decisions that

significantly affect their education, health, or safety."

PROBLEM: Who do they appeal to?

PROPOSED CHANGE: Change the Act to include the local First Nation education authority as a member of the appeal committee and, of course, define who the appeal committee is.

ISSUE: Section 39.1: "A School Board or Council and, where no School Board or Council has been established, the superintendent shall review, modify if necessary, and approve rules for the school and procedures for the enforcement of the rules as developed by the school administration in consultation with school employees and after having requested input from students."

PROBLEM: Aside from the guaranteed representative on School Council, there is no First Nation input into the rules that govern the school. At the same time, one rep is not enough to ensure that the aspirations, hopes, and goals of the First Nation are reflected in the school rules.

PROPOSED CHANGE: Change the act so that

guaranteed representation amounts to at least half of the School Council and that the Local First Nation Education Authority is part of the modification, review and approval process.

ISSUE: Section 39.4:
“Discipline of students shall be administered in accordance with this Act and the rules and procedures established by the School Board, Council, or superintendent.”

PROBLEM: Again, there is not enough First Nation involvement in the rule-making process.

PROPOSED CHANGE: To go along with the idea of half representation on School Council, amend this line of the act to read the following: “Discipline of students shall be administered in accordance with this Act and the rules and procedures established by the School Board, Council, or superintendent and the local First Nation education authority.”

ISSUE: Section 41 of the Act that pertains to the suspension of students.

PROBLEM: Mostly First

Nation kids get suspended in Dawson City but never is the First Nation involved in determining what an appropriate punishment is. By leaving the First Nation out of the decision-making process, the administration is missing out on an opportunity to determine reasons for the student’s negative behaviour.

PROPOSED CHANGE: Change the Act so that the local First Nation education authority is involved in the suspension process.

ISSUE: Section 41.1: “A locally developed course of study may be used in an educational program if the course has been approved by a School Board or Council and the Minister.”

PROBLEM: One guaranteed representative on the School Council is not enough to ensure that the First Nation’s will is adequately voiced in deciding what courses are taught. Case in point, the school proposed to bring in a First Nation program this year (in fact, it sounded like a fait du compli) from BC to teach to the grade 11 students (I realize that this is not locally developed but it’s a concern. You tell me where it goes in the Act). At no time was the First Nation consulted on this.

What if the local First Nation had a concern that the material to be covered in the course would be misleading to First Nation students who were not receiving academic material about their own First Nation?

PROPOSED CHANGE: Change the Act to read: “A locally developed course of study may be used in an educational program if the course has been approved by a School Board or Council, the Minister and the local First Nation Education Authority.”

ISSUE: Section 43.2:
“Locally developed courses may constitute up to 20% of the educational program offered to any student in a semester or a school year.”

PROBLEM: Does this allot for enough locally developed programming? If the First Nation wants to develop curriculum for their own students, does their developed program have to compete with, for example, a locally developed welding course?

PROPOSED CHANGE: Clarify and implement Tr’ondëk Hwëch’in suggestions to increase First Nation participation in the administration of education within traditional territory.

ISSUE: Section 48: “If a student who is a resident of the

Yukon is required to live away from home to receive an educational program under section 11, the minister shall provide accommodation and may prescribe, by regulations, fees to be charged for the accommodation or may provide an allowance for the accommodation.”

PROBLEM: Again, does this include a person wanting an “on par” education in Whitehorse?

PROPOSED CHANGE:
Clarification

ISSUE: Section 50.1: “The Minister may authorize an educational program or part of an educational program to be provided in an aboriginal language after receiving a request to do so from a School Board, Council, school committee, Local Indian Education Authority or, where there is no Local Indian Education Authority, from a Yukon First Nation.”

PROBLEM: Again, it’s the “ask and we’ll think about it” approach to education. We need to get away from this model and move towards equity. Why can’t the First Nation be involved from the start in the decision-making process to decide if a language program is feasible and much time is required to achieve the goals of a language program? Who knows more than the First

Nation?

The second part of this problem, is that there is only 25 minutes of language instruction allotted to each class. This is not enough to achieve fluency in the language. The YTG needs to commit to working with the First Nation to develop a language program that works and is relevant to the Tr’ondëk Hwëch’in citizens.

PROPOSED CHANGE:
Change the Act to include the First Nation in the decision-making process.

ISSUE: Section 51: “The Minister shall include in courses of study prescribed for use in the schools studies respecting the cultural, linguistic, and historical heritage of the Yukon and its aboriginal people, and the Yukon environment.”

PROBLEM: How this is this being accomplished? More importantly, if it isn’t, then delete it from the Act. There is no sense documenting broken promises. And besides, what kind of authority on First Nation education is the Minister anyway?

PROPOSED CHANGE:
Delete this section of the Act or decide if YTG commitment to First Nation education warrants its continued inclusion. If it does, then the YTG should

provide funds to the First Nation for the development of cultural programs and funds to the Local First Nation Education Authority to administer the programs once complete.

ISSUE: Section 52: “The Minister shall provide for the development of instructional materials for the teaching of aboriginal languages and the training of aboriginal language teachers.”

PROBLEM: This isn’t happening. In fact, in Dawson City, they only way instructional materials get developed for the aboriginal language class is if the First Nation does it themselves.

Although the Minister does provide money to the Yukon Native Language Centre, we require funds at a local level to inject the language program with very specific cultural and language components through curriculum development projects that start and end at the community level.

PROPOSED CHANGE: The YTG should analyze their commitment to the aboriginal language program and determine if they are able to accomplish this part of the Act alone or do they need help from the local First Nation education authority. If they

decide that it really is a priority, then they should change the section to read: “The Minister and the Local First Nation Education Authority shall provide for the development of instructional materials for the teaching of aboriginal languages and the training of aboriginal language teachers.”

ISSUE: Section 52.3: “An aboriginal language teacher shall be under the supervision of the principal of the school where the aboriginal teacher is providing instruction.”

PROBLEM: This is true enough, but it isn’t happening. There is still a stand-offish approach to the aboriginal language class. The class, because it falls outside of the traditional definition of a classroom, makes it difficult for the administration to deal with. How can we expect them to administer a class that utilizes traditional teaching techniques? It has caused confusion to be sure.

This hands-off approach to administration is very endemic of First Nation/School relations. Look, no one will be upset if frank talk occurs over the class.

PROPOSED CHANGE: Make

the aboriginal class a shared responsibility between the administration and the Local First Nation Education Authority.

ISSUE: Section 51.5: “The Minister shall establish policies and guidelines on the amount of instruction and the timetabling for the instruction of aboriginal languages in consultation with appropriate Local Indian Education Authorities, School Boards, and Councils.”

PROBLEM: This is not happening. The Tr’ondëk Hwëch’in, however, were given some say in how the hiring in the class would take place, but it did not involve the setting of goals, priorities or agendas. It involved the Tr’ondëk Hwëch’in being asked to choose between firing a local language instructor and hiring a teacher, or seeing one language instructor position cut. This is not reflective of an equitable partnership should do.

Aboriginal language instructors are also not treated on par with their colleagues in regards to pay. In order to make the aboriginal instructor position an attractive one to up and coming teachers, the position

needs to be assigned a higher wage scale.

PROPOSED CHANGE: Have the minister produce the established policies and guidelines and put them into practice or scrap this line of Act altogether. It’s insulting.

ISSUE: Section 52.6: “The Minister shall meet on an annual basis with the Central Indian Education Authority to review the status of aboriginal language instruction in Yukon schools and shall make appropriate modifications where necessary.”

PROBLEM: Is it happening? If it does, we sure haven’t heard about it.

PROPOSED CHANGE: Include a reporting component to this section of the Act to ensure that local First Nations are kept abreast of what the Minister has found and modified each year in regards to the aboriginal language classes.

ISSUE: Section 53.1 (b): “A School Board or Council may (b) after having received a request from a Yukon First

Nation or a Local Indian Education Authority enter into an agreement with the Yukon First Nation for the provision of educational services by the Yukon First Nation on behalf of the School Board or Council.”

PROBLEM: No problem. It looks like a possible potential for partnership; a chance to get things working for Dawson.

PROPOSED CHANGE:
None.

ISSUE: Section 53.2: “The Minister may settle any disputes that arise under subsection (1) and the Minister’s decision is final.”

PROBLEM: It cannot only be his decision. He represents the European model of Education. First Nation education is different. How can the Minister pigeonhole First Nation concerns into a European model? How can he speak objectively to First Nation concerns when he represents the education system that the First Nation seeks to modify?

PROPOSED CHANGE:
Change the Act to read: “The Minister and local First Nation Education Authority or First Nation Councilor with portfolio may settle any disputes that arise under subsection (1) and their

decision is final.

ISSUE: Section 55: “Every school administration in consultation with the Local Indian Education Authority or, where there is no Local Indian Education Authority, the Yukon First Nation, shall include in the school program, activities relevant to the cultural, heritage, traditions, and practices of the Yukon First Nation served by the school.”

PROBLEM: It is not happening. This is endemic of the whole Act. The YTG has taken on responsibilities that they cannot uphold because they are not employed by or serving the First Nation community. The First Nation community is serviced by the First Nation government so why wouldn’t the YTG share this responsibility with the First Nation to ensure it takes place? Does the YTG actually think that they can provide First Nation programming on their own?

PROPOSED CHANGE: Fix it or take it out. It is insulting since it’s not happening.

ISSUE: Section 62.2: “A

designation of residency may be made based on geographic, language, or religious criteria.”

PROBLEM: Should this also include cultural as a factor?

PROPOSED CHANGE:
Discussion and clarification.

ISSUE: Section 72 of the Act that govern how a School Council changes to a School Board.

PROBLEM: How does it affect Self-Government Agreements?

PROPOSED CHANGE:
Clarification in the Act of how the change to a School Board will affect the implementation of the Self-Government agreements.

ISSUE: Section 79.2: “Members of a council shall hold office for a term of two years.”

PROBLEM: Two years might not be long enough and doesn’t encourage consistency.

PROPOSED CHANGE:
Change the Act so that it allows for terms of three years. Ideally, it would be nice to

have the terms staggered for consistency but this becomes a financial issue when you take into consideration the process behind election of a Council member.

ISSUE: Section 113 of the Act pertaining to School Councils.

PROBLEM: The Council is not at all representative. There is not enough First Nation involvement.

We have to remember, that the Self-Government agreements that the First Nation adheres to also has provisions regarding what the YTG must do, too. Most important, the agreement states that the delivery and administration of education within traditional territory will be a shared responsibility. The Tr'ondëk Hwëch'in have bought in to the agreements they have signed; now the YTG needs to do the same.

At present the shared responsibility begins and ends with the School Council. One First Nation rep, however, is not enough of a voice to ensure an equitable sharing of the delivery and administration of education within traditional territory. The First Nation has priorities for education but with 5 other people at the table, there is no saying that they will

be able to convince them of the First Nation's concerns or to warn them against decisions that threaten First Nation culture. Let us anticipate negotiations and make the changes now.

The following are examples in the Act that illuminate the inequity between the two governments that the Act enforces.

Section 113.1 (a) "A Council shall (a) review modify if necessary, and approve the school objectives, educational priorities, and courses of study by grades, as prepared by the school administration, and other matters required for the effective functioning of the school." How can one rep get the First Nation's school objectives, educational priorities and the like across at a table with 5 Non-First Nations?

Section 113.1 (b) "A Council shall (b) make recommendations to the superintendent for the allocation of resources within the budget approved for the school." If the aboriginal language class requires more financial resources is it up to 1 against 5 to prove this?

Section 133.1 (c) "A council shall (c) participate in the selection procedures for persons to be interviewed for the position of principal and select for appointment a

principal." Is 1 rep enough to make sure that the person selected for the job will be able to listen, appreciate and respond to First Nation priorities? Is 1 even enough to accomplish this at a table with 5 non-First Nation priorities?

Section 113.1 (d) "A council in consultation with the superintendent, school administration, and teachers, establish a procedure for resolving disputes between schools, parents and teachers." Why isn't the Local First Nation Education Authority involved in this? They should be included as one of the parties consulted.

Section 113.2 (a) "A council may (a) propose and offer locally developed courses of study and locally approved instructional materials subject to Ministerial approval and this Act." This is dangerous to First nations when only one person is there to determine what course needs to be included in the school. What if it comes between a choice of Welding and a course the First Nation is developing (for example, the one we're developing right now). Given the current make up of the school council, should the First Nation be concerned that their program will not be accepted in favour of another?

Section 113.2 (c) This section describes what the council can advise the Minister on. Again,

one First Nation rep is not enough to have the First Nation perspective carry any weight. There must be more First Nation say.

Section 113.2 (f) “A Council may (f) approve the allocation and expenditure of those discretionary funds allocated to the school within its budget.” Why doesn’t the First Nation have a greater say in how these moneys are spent? With only 1 rep on the Council will we ever see this money spent on First Nation cultural programming?

Sections 113.2 (G-I) which details how the council can have a teacher evaluated. Where can the First Nation get involved with a teacher not functioning well with First Nation students? Can the local Indian Education Authority call for a review of a teacher or recommend their dismissal? Or, is it up to the one Council rep to see to it that an evaluation takes place. What if the teacher has problems only with First Nation students and not Non-First Nation students? Is it up to the one First Nation rep to convince the other Council members that there is a problem? If they went by the experiences of the Non-First Nation students, they would have no choice but to decide that there is no problem and not call for an evaluation.

Sections 113.2 (j) “A council may (j) approve curricular and extra-curricular field trips of

more than one day’s duration.” Does only having one First Nation rep on Council put too much onus on one person to prove that First Nation activities are valid?

The long and the short of it is that we need to move towards equity and away from the current “ask and we’ll think about it” when it comes to First Nation concerns. The First Nation has valid and altogether different concerns about education. They must be equally represented on the council to ensure that these concerns are taken seriously. Yes, it is an implementation issue but this isn’t about the financial transfer agreements that have dominated past negotiations. It is about sharing the responsibility of delivery of education. We both need to work together towards this or else this will become a financial issue and the First Nation will just pull the money for education down via a PSTA.

PROPOSED CHANGE: Make the Council representative of the community by making it half First Nation and half Non-First Nation.

ISSUE: Section 116 pertaining to School Boards.

PROBLEM: None. Just an

observation that this would be a logical step towards implementation for First Nations.

PROPOSED CHANGE: None

ISSUE: Section 157.4 pertaining to an Education Appeal Tribunal: “The Minister shall include in the appointments made pursuant to this section a member nominated by the Central Indian Education Authority or, if the Central Indian Education Authority has not been established, by the Council for Yukon Indians.”

PROBLEM: One person is not enough or representative.

PROPOSED CHANGE: Include an equal amount of First Nation representatives on the tribunal and change the name to Council of Yukon First Nations. CYFN has also been designated as the Central Indian Education Authority. It would be fine to change it. ISSUE: Section 169 (b): “A principal of a school shall (b) promote satisfactory relationships with parents and the community served by the school.”

PROBLEM: Who defines what satisfactory relationships are? Lots of First Nations people find it difficult to approach the principal and the school because of their past experiences with residential

school or because they do not have the skills required to do so. After a life-time of being put in their place, it is easy to understand why. So, what determines that the principal has done enough of a job to reach out to the First Nation community?

PROPOSED CHANGE:
Change the Act to, “A principal of a school shall promote satisfactory relationships, as defined by the School Council and the Local First Nation Education Authority, with parents and the community served by the school.”

ISSUE: Section 169 (c): “A principal of a school shall (c) develop and implement procedures for parental and community involvement in the school and promote co-operation between the school and the community it serves.”

PROBLEM: Has it happened? And who ever asks the First Nations if it has happened?

PROPOSED CHANGE:
Change the Act to read: “A principal shall develop and implement procedures for parental and community involvement in the school and promote co-operation between the school, the community and the First Nation it serves.”

ISSUE: Section 169 (t): “A principal shall (t) include in the activities of the school, cultural heritage traditions and practices of members of the community served by the school if the number of members who possess the cultural heritage so warrant.”

PROBLEM: Undoubtedly, the numbers of First Nation students warrant it, so why isn't it happening? Furthermore, how can the principal, without a First Nation connection, guarantee it will happen?

PROPOSED CHANGE: Make the vice-principal position to be held by a First Nations representative and delegate the authority of this section to them.

ISSUE: Section 177 of the Act that deals with the evaluation of principals and teachers.

PROBLEM: There is no First Nation involvement. How can the superintendent or principal, without a First Nation connection, ensure that the First Nation perspective is taken into account? They do service the entire community but without them having direct First Nation contact (which I never see happening) they cannot properly represent First Nation concerns.

PROPOSED CHANGE: Do evaluations along with the local First Nation Education Authority or with the vice-principal if turned into a First Nation position.

ISSUE: Section 303 of the Act dealing with capital grants.

PROBLEM: Capital projects need to be undertaken before money will be transferred.

PROPOSED CHANGE: Have the money be directly budgeted to the schools whether there is a capital project in place or not. That money can be used for lots more than just projects in any given year. That money is already budgeted somewhere. Just transfer it directly to the school.

ISSUE: Section 317 (d): “The Commissioner in Executive Council shall appoint a Teacher Certification Board for such a term as specified composed of (d) one person nominated by the Central Indian Education Authority.”

PROBLEM: Is this only included as a favour to the First Nations? A seven person board

with only one First Nation rep is not enough. Again, the YTG needs to work towards equity and design a board with equal representation.

PROPOSED CHANGE:
Increase First Nation involvement on the Teacher Certification Board to an equitable level.

ISSUE: Section 320 of the Act that pertains to the Minister's ability to set into motion an investigation.

PROBLEM: It is not clearly defined who has the authority to request an investigation. What if the First Nations wanted an investigation? Can the Minister guarantee it will happen?

PROPOSED CHANGE:
Clarification.

ISSUE: Will these concerns be taken seriously?

PROBLEM: Too often, First Nations concerns fall on deaf ears. We hope that this is not the case this time.

PROPOSED CHANGE: As

per the Tr'ondëk Hwëch'in Final Agreement, consultation means to provide: "full and fair consideration by the party obliged to consult of any views presented." Given this, the Tr'ondëk Hwëch'in would like to hear back from the Steering Committee, writing, how full and fair consideration was given to their views.

APPENDICES

- A. Page 2 of the Tr'ondëk Hwëch'in Final Agreement among the Government of Canada, the Tr'ondëk Hwëch'in and the Government of Yukon.
- B. Findings from the Council of Yukon First Nations Yukon Public Schools Education Request, 1999/2000.
- C. Letter from Chief Darren Taylor dated September 11, 2000.
- D. Response from Minister Dale Eftoda dated September 29, 2000.
- E. Findings from the Council of Yukon First Nations Yukon Public Schools Education Request, 1999/2000.
- F. Findings from the Council of Yukon First Nations Yukon Public Schools Education Request, 1999/2000.

Review of the Education Act by Vuntut Gwich'in First Nation

Preamble:

Thank you for giving us the opportunity to participate in the review of the Education Act. The VGFN members sees this as an important process, a process that will bring reality to our hopes and dreams, and to the hopes and dreams of our children. We see this as a new beginning for our children to have a better chance of becoming a responsible, caring, healthy, self-reliant members of our community and of society. Therefore, we ask that our concerns be addressed and our recommendations be incorporated into the Revised Education Act.

Over the past several weeks many members of the Vuntut Gwich'in First Nation were interviewed to give them the opportunity to present their views, ideas and concerns regarding the delivery of education to their children. The response was overwhelming. Below, you will find an excerpt from the VGFN philosophy of education and their responses, concerns and recommendations.

The VGFN members have two major aspirations in regard to "good" education for their children:

- 1. that their children develop the academic skills expected of all students.**
- 2. that the school program fairly and adequately reflect the history and culture of**

the Vuntut Gwich'in First Nation.

The message is clear that VGFN members are dissatisfied with the delivery of education in its present state. We feel that it is not meeting the needs and aspiration of our children. We strongly feel that a change is long past due and action must be taken immediately **"to save our children"**!

We present the following points and recommendations:

- A more frequent review must be done of the Education Act involving all stakeholders. Some suggested once per year, while others suggested every two years. Most felt that a regular review of the Act will give them an opportunity to familiarize themselves with the Act and the Education system (i.e. curriculum, programs, responsibilities, rights, etc.).
- An evaluation of local school and programs must be done regularly to ensure that the curriculum is meeting the needs of the students. This is where local leadership, school council members, parents and elders can be involved in getting to know the local curriculum.
- Local stakeholders must be involved in the planning, development, implementation and evaluation of school programs. People felt that if they knew what was being taught and if they had involvement in the implementation of programs, then they would feel more at ease participating in their child's education.
- VGFN leadership and stakeholders must be involved in the planning of the school curriculum to ensure that local

content and cultural activities are accurately and adequately reflected and presented.

- Local resource people must be involved in the development of culturally relevant materials and initiatives (i.e. looking at other programs that are working in other regions and adapting them for local use).
- First Nations culture and history must be valued and respected. It must be integrated into the general curriculum. Traditional and historical components of the VGFN culture must be taught to our children. It must be an integral part of daily studies and VGFN must be involved in all aspects. To ensure this is done all stakeholders must be involved in developing suitable teaching material (i.e. legends, historical accounts and vignettes, methods of trapping, fishing and hunting, and historical technology, and archaeological findings, etc.). To reinforce the teachings outdoor pursuits, field trips and hands-on activities must be included.
- In order to teach First Nations' culture effectively it must take up equal time and equally valued as the other subjects. It should not be added onto, but integrated into the program. Many of the First Nations' activities are easily integrative. For example, many of the seasonal activities such as hunting, trapping, snowshoeing, fishing, harvesting berries, gathering wood, camping can be included in Physical Education, Science, Social Studies and Language Arts programs.
- The school environment as well as the curriculum must be reflective of the local First

Nation culture. Unless school life includes cultural studies, there is little incentive for First Nation students to stay interested. The omission of FN culture in a school sends the message: **“My culture is not valued”**.

- Students are proud of their school and learning when it has meaning to them and when their work is displayed. Class activities should be planned to generate student-made materials that reflect the culture and the lifestyle of the local community. These materials can be published for use in shared-reading and put on the internet to share with the world. For example, when elders come in to tell stories and legends, give cooking, hunting and trapping lessons the students can write up the process and have them published to include in their library or shared with other schools.
- For teachers to utilize the local First Nation’s culture in their daily programs effectively, they must be orientated. Orientation can be acquired in two ways, as suggested by many VGFN. One is to orientate school staff locally with a program developed by VGFN. The orientation can be presented before and upon arrival into the community, or two, it can be presented as an ongoing program throughout the year. If it is presented throughout the year, then it can be done at the beginning of each season, example Summer, Fall, Winter and Spring, as Vuntut Gwich’in lifestyle is basically determined by the seasons. The orientation package must be developed by VGFN leadership and representative, VGFN Elder(s), CELC and School

Council Member and/or Ministerial Appointee. There are programs available and being used successfully in other jurisdictions such as N.W.T., Alaska, British Columbia and Saskatchewan. These programs can be adapted to local needs.

- The Education Act and School Program/Initiatives/Materials must be reflective of Yukon First Nation Self-government Agreements and Yukon First Nation Final Agreement and include all stakeholders (YTG, CYFN and all other First Nations) when re-writing the Education Act..
- Many parents expressed the need to have the school begin their day with morning prayer(s), local stories, current affairs, etc. in Gwich’in either over the PA system or in an assembly where the whole school is participates.
- Native Language classes should not be isolated, but be central to the whole school especially when the majority of our students are Gwich’in. Students must be exposed to their language and apply their language skills by interacting with elders and other members of the community who speak the language. That means bringing in the elders on a regular basis to tell stories, etc. or have students visit the homes, camps, etc. of elders. Presently, only 20 minutes a day per grade is allotted for Native Language in the school curriculum. People felt that this is not adequate.
- The greatest need expressed was the need for In-School Counsellors. Students encounter negative experiences at very young age

and need a counselling program in the school. Many of our people possess natural counseling skills or have taken various forms of Life Skills training and could be utilized as well. Department of Education must take this very seriously and legislate it. It was put this way by several concerned citizens **“before the kids can begin learning what they are taught in school, they must get counseling for their problem.”** Most problems are drug and alcohol related and some stem from Mission School Syndrome. There is funding available from the Federal Government for rehabilitation and most people felt that all government agencies must come together and support such “healing” programs so the dollars are used to their fullest. Programs must be developed for individual and/or group needs. Cultural camps are best suited to deliver such programs, however, the camps must be linked to the community and school so that students and parents are being supported consistently.

- It was also expressed that the school must focus on academics to ensure the children are prepared adequately for high school, post secondary and future jobs and that teaching culture and language was a parental responsibility. Parents must make time to teach their children how to trap, hunt, fish, and speak their language. The school spends too much time teaching cultural activities rather than academics . This approach slows down the students’ progress and then students are pushed through the system without any academic skills.

- Students need a lot more “outside” exposure to prepare them for high school in the outside world. Student exchanges, visitations to other schools, career and educational planning must be included in the curriculum to prepare them for F.H. Collins.
- Many people also expressed the need for parenting skills, counseling for parents and families. It seems that many problems are deep seeded and need to be dealt with before active learning can take place. Federal funding is available for such healing and rehabilitation. The funding can be accessed by VGFN to support appropriate programs.
- The CELC is probably one of the most important link between the home and the school and because they are there to provide a bridge of understanding between school staff, parents and students they must have a good understanding of the curriculum, and possess counseling, conflict-resolution skills and good communication skills, therefore a suitable training program should be set up for them. The more the school staff can develop a team approach with the CELC and the more training the person has, the more effective the program will be.
- Parents are concerned that children who are able to succeed are held back by others who aren’t succeeding at the same rate. Students need to be evaluated to see what level they’re working at. Once students have been evaluated and graded, then appropriate educational programs must be set up for them. Individualized

Education Programs where learning activities are matched to the skill development of students regardless of their age or grade placement must be set up.

- Regular student evaluation must take place. Evaluation must incorporate the principles of mastery learning and students should have their progressed checked frequently and students need to be kept informed of their progress regularly. If students see themselves progressing then they would be encouraged to work.
- VGFN feel that Resource Based Learning (RBL), Hands-on and Relevancy is key to effective teaching and learning. Appropriate and culturally relevant materials must be developed and used. Teachers must know what level each child is at so a suitable program can be set up for them.
- Evaluation must be purposeful and made known to the student and parents. The purpose of evaluation is to make materials relevant to the goals and prescribed learning outcomes of the education programs. All stakeholders must have input into the design of the evaluation tool.
- When hiring teachers and principal for Chief Zzeh Gittlit school VGFN leadership, School Council and Elder Representation must sit on the Selection and Hiring Committee.
- VGFN leadership, Elder and School Council Members must help write the job advertisements and job descriptions to ensure suitable staff are hired.

- A Yukon-wide First Nation Task Force must be set up by the Education Minister and Council of Yukon First Nations to set up a First Nations Education Branch where First Nations materials and programs can be gathered and developed for placement in the Learning Resource Centre and to set up Teacher Orientations, First Nations Studies, and Refresher Courses for teachers and principals. We need curriculum material for Yukon public schools that are locally developed and culturally relevant.
- A move towards local control of our education was expressed by several individuals. There are many schools across the country that are locally controlled. We need to look at some of the Models to see if they would be suitable for Yukon schools, especially a school like Chief Zzeh Gittlit where all students are of native ancestry.
- Use of resident elder is crucial to success of our children acquiring traditional knowledge. One or two elders are invited to come to the school on a weekly/biweekly basis to tell stories, counsel, teach sewing, cooking, dry meat/fish, etc. Elders must feel worthy, welcome and comfortable. They must be part of the planning process for each lesson that they are involved in.
- Local artistic talents such as beaders, snowshoe makers, painters, etc. must be utilized in art lessons, integratively. Teachers, principal, resource people must collaborate and plan the program together, in advance.

- Leadership has been involved in planning of the school calendar and designing cultural activities, however, it is felt that more input is needed in all areas (i.e. hiring of staff; program planning; teaching of VGFN Land Claim Settlements and Agreements; On-the-Job-Training; Mentor Programs; Elders-in-Residence program; etc.).
- Leadership express a strong desire to be more involved by reviewing the curriculum and programs on a regular basis by meeting with principal and teachers to ensure that the goals of the programs are being met.
- Many people express the need for regular review (2-3 times per year) of the programs being delivered to ensure that VGFN students are being taught at grade level and goals and aspirations of students are being met. Many people felt that their children are not adequately prepared to go to F.H. Collins or to go on to the next grade.
- Many parents expressed strongly that their children “don’t know why they are going to school”. They are not prepared for the new system when they go to Whitehorse. It is only too late when they go to Whitehorse to realize the importance of education. They face difficulty and failure because the education program is so much different and harder. Most students are about 3 years behind when they meet the new challenge.
- Not many of our people are working at the school. Most have been let go and the non-natives have replaced them. Many local people have

expressed concern about this.. The students need local people at the school. Presently, the staff consist of 2 RCMP wives and the principal’s wife who has replaced local people this year.

- Students said they get along better with local people. They can relate to them better. They feel that when local people work in the school, it is a good role model for them.
- Some students said they did not care to go to school because they are not learning anything valuable. Some thought they would not get a job anyway so why go to school. They would “only end up hauling wood”.
- Some students felt that teachers didn’t care about them. They felt that there was no relationship.
- Several interviewees expressed concern that inexperienced teachers were being hired for Old Crow and many of them don’t last long. They seem to lose interest in their jobs quickly and that rubs off on the students. Hence, behavioral problems arise.
- At the last General Assembly a resolution was passed to include the study of FN politics and Land Claim in the curriculum so students will understand how the process is going and what’s going on with their traditional territory. This move shows that VGFN is interested in including local content in the curriculum.
- VGFN leadership felt that they should have a major role in the operation and planning of the school. They should meet every 2 months with teachers, CELC, Tutors, School Council,

YTG Education Committee and parents to discuss the school’s and student’s progress and to find solutions and alternative ways to solve problems that are facing the students and teachers.

- If Partnership in Education is to work then all stakeholders must be committed to it. People must not be afraid to speak out and express their concerns or recommendations at School Council Meetings or any other meetings set up between the school and community.
- Parents need to know that the School Council is there to represent them, however parents need to get involve and lend their support to their members by attending meetings and offering suggestions to improve the delivery of education. An in service for parents should be held with the School Council to inform them of their role and responsibilities in their child’s education.
- The school principal must inform VGFN leadership about yearly curriculum for each class, instead of just the negative happenings at the school. If leadership is to be involved in a positive and useful way then the principal and Education Department must meet us half way.
- Some parents suggested that VGFN leadership need to appoint or hire a Gwich’in teacher/educator to help set up programs, evaluation processes for the school and assist them in their involvement as leadership don’t have much time to meet regularly and develop programs so they need to hire someone to assist them in that area..

- It was expressed that bush skills, mechanics, homecare, life skills should be taught at the school to older students by way of On-the-Job Training or other means suitable to the students' needs.
- VGFN leadership has been making financial contribution to the school for years to fund local pursuits and initiatives. This has proved successful, however programs must be developed to be ongoing.
- It was suggested that a Mentorship program, On-the-Job training and Career Planning be offered to students.
- The school (principal and teachers) need to send newsletters to parents to keep them informed of what is happening in the school. There use to be a School Newsletter which provided an excellent tool for communicating to the community.
- A School Handbook needs to be developed and made available to parents so they are familiar with the School's Mission Statement, Policies, Calendar, Programs and Expectations.
- Some students in the upper grades are not focused and have severe behavioral problems. They lack structure and self-esteem. Parents voiced a feeling of despair that their children are not learning anything and should therefore be taught life skills, etc. There is lack of counselling and role modeling. It was suggested that an Elder-in-Residence or a Mentor be made available for counselling and to assist in setting up an individualized education program with hands-

on type of activities or on-the-job training for them.

- Some parents thought that discipline needs to be toughened up at the school with more reasonable consequences in place. There is too much suspension without any follow-up or consequences. Parents felt that if a suspension was warranted then homework should be sent home with the child.
- There seem to be no interest in sitting on the School Council. Past members found themselves isolated and no support was given by parents. They were expected to make all the decisions and were ostracized when decisions were made. This causes "burned out" quickly and lack the energy to run for second term.
- VGFN members would like to see Deputy Ministers, Senior Bureaucrats, YTA Executive visit communities to inform stakeholders of the Act and possibly holding meetings in the communities and at the same time have orientation sessions. This exposure may inspire people to get involved if they are exposed to other key people who are involved with the education of their children.
- VGFN leadership would like to see funding allocated to the community to research new teaching techniques and pilot programs in their school.
- VGFN leadership suggest that the Education department and other stakeholders view education as an investment, as well as to meet individual goals. We believe that if students receive good education and are successful, then less money

would be spent, in the future, on social programs and incarceration.

- VGFN leadership recommends that the Minister of Education impose a 10-year commitment of funding for education and to sustain the level of funding even there is a change in government. At present, there is a delay in obtaining funds after a change in government.
- VGFN leadership would like to see a Cultural/FN Language Immersion program in their school. This program exists in a fragmented way and needs to be culminated, implemented and piloted. Funding is required to do this.
- VGFN leadership and students are concerned that educational funding for students who leave home to attend school in Whitehorse has remained the same over the years. It is suggested that the funding be increased to reflect inflation and cost of living.
- VGFN leadership and many parents have suggested that the term "partnership" must be clearly defined so all stakeholders will be informed of their roles and responsibilities.
- It was recommended by VGFN leadership that the Minister hold an annual meeting for all heads of governments including all First Nations, CYFN, YTG, DIA, YTA to ensure all are on the same agenda. Everyone needs to maintain the same focus in order to meet the Education Act goals and objectives as well as each individual community.
- VGFN would like to see other boarding home arrangements for their students in Whitehorse.

They would like to also see support for their students at FHC (i.e. counsellor, CELC, Elder-in-Residence). Funding is required to carry this out.

Mr. Chair and Fellow Team Members, we, again, thank you for your cooperation and patience. Thank you for taking on this task. We know that with your many hours of dedication we will come to a common ground for the betterment of our children and society.

Many of the concerns were echoed throughout the interviews and each individual's concern was carefully combined with others to ensure each person's concern was captured and presented.

Taking into consideration the response from VGFN, it is strongly recommended that the Education Act be revised with full participation of First Nations of the Yukon. It is further recommended that revisions be made in the very near future and action be taken, as soon as possible, to address the immediate concerns. There is a sense of commitment by all interviewees. They felt that if they were informed about the Education Act and what their role is, there would be far more parental involvement in the education process.

The entire Act needs to be updated and many areas need revision, however, in light of the response from VGFN the following areas are of major concern. Full consultation and participation must take place with VGFN throughout the entire process to ensure the goals and objectives of the members are met.

In the preamble of the Statutes

of the Yukon, 1989-90 Chapter 25, Education Act, page 1, it states that "Recognizing that the Yukon curriculum **must** include the cultural and linguistic heritage of Yukon aboriginal people and the multicultural heritage of Canada" and provisions are made throughout Part 5, however, VGFN does not feel that this goal is not being fully met. If it is to be successful, then Yukon Territorial Government (YTG) must include First Nations in the development and implementation of appropriate programs into the school curriculum.

PART 2: TERRITORIAL ADMINISTRATION

ISSUE #1: The Minister shall establish and communicate for the Yukon education system goals and objectives, which are:

SUGGESTED REVISION: The Minister of Education has too much unilateral power, particularly when decisions are made that affect First Nations. There must be input from the local First Nation leadership and community members. It has been suggested that where statements such as "**The Minister may**" or "**shall**" must be changed to include or "in full consultation with First Nation leadership" when making decisions.

ISSUE #2: Part 2, Section 4 (a) (iv) knowledge of at least one language other than English (vii) the creative use of leisure time

SUGGESTED REVISION: Goal 4 (a) (iv) is being addressed to a certain extent, however the program remains stagnant. There

seem to be no development in the programs. It is suggested that the language go hand-in-hand with related cultural activities and linked to the home and community. Parents must be encouraged to become partners in the delivery of the Gwich'in program for it to meet its goals. One way this can happen is for students to bring homework home and work with parents. The FN language must be integrated into other subject areas where elders and local resource people are working.

Goal 4 (a) (vii) the creative use of leisure time is not being carried out. VGFN understand this to mean that YTG will provide for extra curricular activities in the community. This is definitely what VGFN parents and students would like to see in Old Crow. Members have expressed many excellent ideas for activities. There is a Youth centre in Old Crow, but lack goals and objectives and funding.

ISSUE #3: Part 2, Section 4 (b) and (d) (b) to develop self-worth through a positive educational environment

(d) to provide opportunities to reach maximum potential

SUGGESTED REVISION: It is evident that students lack self-esteem for many reasons and in order to rectify the situation, students need to have teachers they can relate to. They must have structured programs and in some cases, Individualized Education Program with meaningful goals and objectives, regular evaluation with progress report that reflect positive feedback. Many students "don't know what they are learning". Some say they only play games and compu-

ter at school. Many of the students require Counselling before any learning takes place. Extra-curricular activities set up in the Youth Centre or school can contribute to developing self-worth. It has also been stressed by VGFN that students “don’t have anything to do” after school and that students “have low self-esteem”. This section, as well as, section 4 (a) (iv) and (vii) provides for this, however VGFN students are not being accommodated. If they are, it is not working.

ISSUE #4: Part 2, Section 4 (c) to promote the importance of the family and community

SUGGESTED REVISION: Many parents have indicated that they need family counselling which is not happening in Old Crow. Various attempts have been made, but they are obviously not working. Many have stress the need for In-school Counsellor and one community Counsellor. It is apparent that there is a definite need to promote the importance of family and community. Parental and students, CELC, VGFN leadership and principal must design the programs suitable to the student and parental needs.

ISSUE #5: Part 2, Section 4 (e) to promote the recognition of equality among Yukon people consistent with the Canadian Charter of Rights and Freedoms and the Human Rights Act

SUGGESTED REVISION: There are many opportunities for Whitehorse schools to access programs, support and extra-curricular activities and VGFN find that they are lacking in these areas. One parent mentioned that “it would be nice to have a program like The Experiential Program and the Opportunities for

Youth program. These programs were developed by YTG for use in public schools, but none of these programs have ever been offered to Chief Zzeh Gittlit school. The school principal, a few years back, incorporated similar activities, but that, more or less, dissolved when he left. we need an on-going program, not an “add on”.

ISSUE #6: Part 2, Section 4 (g) to promote understanding of the history, language, culture, rights, and values of Yukon First Nations and their changing role in contemporary society

SUGGESTED REVISION: This goal, together with the goal “to promote the recognition of equality among Yukon people consistent with the Charter of Rights and Freedoms and the Human Rights Act,” encompasses the desires and aspirations of the VGFN Education Mission Statement. Therefore, during revision of the Education Act VGFN must have total involvement in all stages to ensure the wishes of VGFN are incorporated.

ISSUE #7: Part 2, Section 4 (h) to increase awareness and appreciation of the Yukon’s natural environment.

SUGGESTED REVISION: This goal suggests that local programs, lessons and teaching material must be used to promote this goal. If that is the case, then VGFN must be included. Majority of parents would like to see local development of programs to teach about their history, lifestyle and environment. There are many similar programs developed and being used in other parts of Canada and Alaska which could be easily adapted to our needs. Let’s strike a First Nations Education Branch to do this.

ISSUE #8: Part 2, Section 4 (j) to prepare for participation in a Yukon, Canadian, and global society.

SUGGESTED REVISION: This section fits in with Issue #3 We need to prepare our children to become good citizens of the Yukon, Canadian and Global societies by providing them with good education. they must become self-reliant and contribute to society in their fullest potential.

ISSUE #9: Part 2, Section 5 (b) provided lists of textbooks, apparatus, equipment and other material that are prescribed, approved or recommended for use in any school.

SUGGESTED REVISION: The Minister has included in the goals and objectives that First Nation course of studies will be included in the school curriculum, but no material has been provided for this. This section deals directly with the inclusion of study with appropriate materials being provided. VGFN would like to see this in place with their input.

ISSUE #10: Part 2, Section 5 (c) contribute to the professional development of teachers

SUGGESTED REVISION: It has been stressed by parents and students that teachers need to be orientated before coming to our community and orientation must take place during their tenure ship. The orientation can be set up as Professional Development through Yukon Teachers Association or Minister of Education in conjunction with VGFN. Again,. there has to be community involvement. The proposed First Nations Education Branch can take the project on to develop a

Yukon-wide program. In the meantime, VGFN would like to begin developing a program suitable to their needs.

ISSUE #11: Part 2, Section 5 (d) issue, suspend, and cancel teaching certificates in accordance with the requirements of the regulations,

SUGGESTED REVISION: Many VGFN members felt that unqualified teachers are being hired too often for Chief Zzeh Gittlit which leads to the demise of the delivery of education and students progress. It is suggested that VGFN have more involvement in the Hiring and Selection school staff.

ISSUE #12: Part 2, Section 5 (e) institute adult training and continuing education programs

SUGGESTED REVISION: There is adult training and continuing education programs available Old Crow, but some VGFN members believe it would be beneficial for some of the students who are older and have problems in Chief Zzeh Gittlit school that they take adult courses, on-the-job-training, etc. to get them back on stream. Students may develop the incentive to perform better in school if they see the link from public school to adult/continuing education, high school and post-secondary education.

ISSUE #13: Part 2, Section 5 (h) table an annual report on the state of education in the Yukon, including reports from each School Board, in the Legislative Assembly during the session next following the end of they year for which the report is made.

SUGGESTED REVISION: This is

a good idea, but presently is not being done. It would be a useful tool to keep abreast of the operation of schools and progress of the delivery of education and students. It would also give the general public information about whether the goals and aspirations of the Education Act are being met.

ISSUE #14: Part 2, Section 6 (b), (c) and (d) (b) designate the grades and special programs to be offered in each school

(c) operated by the Minister

(d) approve a locally developed course or courses of study for use in a school supply textbooks and other instructional materials, apparatus or equipment to students, teachers and school boards or councils

SUGGESTED REVISION: There sections must include VGFN stakeholders to ensure their goals and aspirations are met. There have been programs with local content (i.e. trapping, hunting, survival skills, beading, sewing, etc.) used in our school, however they are not developed or written. The programs have worked well and must be developed as teaching material for use in schools.

ISSUE #15: PART 3: STUDENTS AND PARENTS: Division 1, Access to Education, Section 10
Division 2, Special Education, Section 15

SUGGESTED REVISION: These sections go hand in hand, and addresses the concerns that VGFN students and parents have that they are dissatisfied with the programs and the delivery of education a Chief Zzeh Gittlit. The students have a right to

education and special education, however students are not receiving quality education. Student success rate is low and students are not adequately prepared to attend school at F.H. Collins and those that have to leave Old Crow for various reasons and are transferred to other public schools have shown that they are significantly below grade level. To help prepare students for school outside of Old Crow there has to be more student exchange and visitations. It is understood that there are funds available for similar purposes and VGFN would like to see these funds reallocated for preparing students to face new challenges. **It is crucial for the education curriculum in Old Crow to be up graded and special programs be set up to meet individual needs. It is a major concern and this has to be addressed very quickly. We don't need to revise the Education Act first. The system at Chief Zzeh Gittlit has to be reviewed, assessed and revamped to upgrade its quality. Not only the program should be looked at, but also the staff and their qualifications and performance.**

ISSUE #16: Part 3, Division 3, Parent Rights and Responsibilities, Section 18 (a) and (d) Parents of students attending school are entitled (a) to be informed of the progress, behavior and attendance of their children and (d) to be consulted in the development of any specialized education programs prepared for their children.

SUGGESTED REVISION: Definitely, parents are not satisfied that these goals are being met. Some parents indicated that they don't understand their child's report card. Others have indi-

cated that they are not sure what they children are being graded on because they are not familiar with the programs being delivered. Some parents said they have never been given an overview of their child's program even if they are on Individualized Education Program. It is no wonder parents feel isolated and detached from their child's education. We need to find ways to improve the reporting procedures and informing parents of their child's program and progress. VGFN has to be involved in the revision of this section.

ISSUE #17: Part 3, Division 4, Section 2.2 (b) and (c) the student is a participant in religious observances, celebrations, or activities recognized by a religious denomination the student is a participant in Yukon aboriginal cultural activities or in aboriginal harvesting activities

SUGGESTED REVISION: Some parents were concerned that there is a conflict with the teachers and principal when students are absent from school when there is a death in the community. According to this section, it allows for students to be absent during any religious or cultural activity. In Old Crow when there is a death in the community it has a profound affect on everyone including the children and people feel that when students have to deal with repercussions on such occasion it interferes with the cultural beliefs and values.

ISSUE #18: Part 3, Division 5, Optional Education and Division 6,

Student Rights and Responsibilities

SUGGESTED REVISION: The

sections on Optional Education and Student Rights and Responsibilities go hand-in-hand with issues #15 and 16. They must be made available to parents and students to ensure they understand the students' right and responsibilities to Education and Optional Education. Some parents express their desire to have their children take academic courses rather than culturally relevant courses.

These sections must reflect VGFN's Education Mission Statement and the goals and aspirations of the students, therefore, total involvement by VGFN leadership, School Council and Parents is a crucial. If parents choose to have culturally relevant programs excluded from their program and take academics only, this section gives them the right to choose. We must accommodate all desires and aspirations. If cultural teaching materials are developed properly they would be useful tool for all students, not just the under achievers.

ISSUE #19: Part 3, Section 40 (b) and 41, Dismissal of Students and Suspension of Students, A principal may dismiss a student for a period not exceeding two school days for any breach by the student of the duties specified in section 38, meet as soon as possible with the student and the parents of the student to review the circumstances surrounding the dismissal and to determine appropriate corrective action

SUGGESTED REVISION: Many parents were dissatisfied with the way the dismissal and/or suspension was handled. Most of them were contacted by phone, but no

meeting was set up to discuss the situation. The student was suspended and left on his/her own with no consequences. Many of the students who have been suspended were seen walking around town with nothing to do. Parents felt that homework should be given to these students. Parents were in support of suspension if warranted, however they would like to see homework provided to the student for the duration.

ISSUE #20: Part 4, Section 42.2 and 42.4, School Operation Locally developed courses may constitute up to 20% of the educational program offered to any student in a semester or a school year when the Minister approves a proposal for a locally developed course of study, the Minister may provide support for the development of the course of study

SUGGESTED REVISION: It is evident that Chief Zzeh Gittlit offers courses with local content, however parents and leadership would like to see these courses developed into a teachable program including goals and objectives, teaching method/ procedure and evaluation. These programs must be integrated into the curriculum to give them accreditation. Obviously, VGFN must be involved in this process.

ISSUE #21: Part 4, Section 45.1, Patriotic Exercises A School Board or Council may offer patriotic exercises to students in school

SUGGESTED REVISION: Some elders suggested students begin their school day with Prayers in the Gwich'in language. As the majority of the students are Gwich'in and belong to the same religious denomination it was

thought to be a good idea by other elders who were asked. Obviously, this issue must be discussed by VGFN and School Council members.

ISSUE #22: Part 4, Section 46, School Year

SUGGESTED REVISION: It is apparent that VGFN leadership is involved in setting the school year and does not seem to be an issue.

ISSUE #23: Part 5, Section 49, Yukon First Nations

SUGGESTED REVISION: It is very important that YTG, CYFN and respective First Nations look at this section closely and ensure that Yukon Land Claim Agreement and Self-Government are considered and respected. The sections dealing with Language of Instruction, Yukon Heritage and environment, Aboriginal Languages and Cultural activities have been addressed in other areas of this document.

ISSUE #24: Part 7, Division 1: SCHOOL COMMITTEES, COUNCILS, AND SCHOOL BOARDS

SUGGESTED REVISION: Sections 58, 59, 60, 61, 62 and 63 must be revised with local First Nations and Council for Yukon First Nations (CYFN) input to ensure the laws of each First Nation's jurisdiction as per Land Claim Agreement and Self-Government are considered.

Sections 69, 70, 71, 72 where changes and transfers and appointments are normally made by the Minister must include VGFN leadership, local School Council and Central School

Council.

School Council members, parents and other stakeholders must be inserviced as to their role and responsibilities. It has not always been clear that School Council members have clearly understood their role and responsibilities. This is very important so they can represent the members and play their part in the operation of Chief Zzeh Gittlit school.

ISSUE #25: Part 7, Division 2: Elections

SUGGESTED REVISION: It is well known that any elections at any level has cause problems within a community and many people have voiced concerns about this issue.

It was suggested that the elections procedure be designed to suit the community and at least two models should be made available. The procedure must be clearly defined and suited to the community. All voters of the community must be well informed of the procedures to avoid misunderstandings and "bad feelings". This section must be determined by Central Authorities (YTG, CYFN, School Council) with consultation with each First Nation, Local Government and Elections Board.

ISSUE #26: Part 9, Section 166 and 167, Teacher qualifications and Duties of Teachers

SUGGESTED REVISION: Many parents voiced concerns about teacher qualifications and have questions about the present teachers. Some are concerned that unqualified teachers are being hired for Old Crow and usually are non-Natives. Parents wonder why First Nations teach-

ers are not being hired in Old Crow. They feel that because teachers do not understand their children's background, culture and expectations is the cause of personality and cultural differences. Many parents stress the need for teachers to be orientated before coming to the community and continued throughout the school year. They've seen students, teachers and parents get along before when teachers/principals got involved with community activities. Parents have asked how can they find out if teachers are qualified. We must find a way to settle this issue. Some parents said, "when my child like his/her teacher my child likes school" while others say, "my child does not like his/her teacher and does not like school." Obviously, this section needs revision and upon doing so need parental and student involvement. No one knows about the **Teacher Certification Board**. Is there such a Board? If so, parents would like to see the Board look at teachers and principals' qualifications. Some parents would like to know what criteria the Board uses to evaluate their teachers and principals. Parents would also like to review the Probation period and criteria for teachers and principals. They are not satisfied with the present staffing procedures. Parents feel that they need a say in who they hire. This brings us to the evaluation of teachers and principals. It was suggested by many parents that VGFN must be involved in the hiring and evaluation of staff. Because Old Crow is isolated and the way of life is much different to the rest of the Yukon, the a special breed of teachers need to be hired. VGFN want their children to get a good education and they also would like teachers to have a positive experience in Old Crow. On this note, it is suggested that the

Yukon Aboriginal Language Instructors Submission/ Presentation to Education Act Review

Yukon Education Act Review Hearings
Whitehorse, Yukon
January 10, 2001

1. Introduction

We are Yukon First Nations educators who have dedicated ourselves to the Native Language Teaching Profession. We have done so because we are deeply committed to maintaining the viability of our Tlingit and Athapaskan languages. As individuals who grew up hearing and speaking our languages, we believe we can make our best personal contributions by becoming involved in actual language instruction for both children and adults.

We teach native as well as non-native students. We do so because we believe that learning a native language is a positive experience, and that it should be shared by students of varied backgrounds. Our aboriginal languages are rich and expressive, and they embody many of the most fundamental aspects of our traditional cultures. We think that the sharing of cultures through language is an important aspect of Yukon

education: it leads to mutual respect which is so essential to growth, maturity, and self-awareness.

We work in nearly every community of the Yukon, and we represent all Yukon aboriginal languages and cultural groups. We are submitting a current list of school programs which summarizes the languages taught, the grades covered, and the instructional staff in each school. Currently, more than 1100 Yukon students are enrolled in aboriginal language programs.

Some of our programs have been in existence for many years. Others are new this year. Some of us in this room have spent over 20 years working to teach and preserve our languages. Some of us are just beginning. All of us are concerned about the future of our profession, our programs, and our status within the Yukon school system.

The Yukon Education Act provides the legal authority and framework for the operation, staffing, and maintenance of all school-based aboriginal language programs. For this reason, we believe it is important for us to speak with one clear voice on the issue of Yukon native languages in the school system. For this reason, we have come to share our concerns with you today.

2. Recent History of School-based Aboriginal Language Instruction

The Yukon Education Act of 1990 devotes its entire Chapter 5 to Yukon First Nations. A number of individual sections address the topic of aboriginal language instruction. We will review these shortly.

However, we wish to call attention to one short sentence in the 1990 Act: “An aboriginal language teacher when providing aboriginal language instruction shall be deemed to be a teacher for the purposes of section 166 of this Act.” (Section 53, paragraph 4, page 19).

It is very important to note that with this one sentence, the 1990 Act made history because, for the first time ever, the Government of Yukon officially recognized the status of aboriginal language instruction, and aboriginal language teachers, in the public school system.

The history up to 1990 – and on to 2001 – is a long and fascinating one. Here we shall summarize only the highlights:

(i) Late 1960’s to mid 1970’s: A few language and culture programs were carried out in individual schools by dedicated classroom teachers working in conjunction with local speakers and resource specialists, usually Elders. We

remember with gratitude some of the pioneer language teachers such as Mr. Charlie Peter Charlie in Old Crow, the late Virginia Smarch in Teslin, the late Sam Peter in Mayo, and the late Angela Sidney in Carcross. Their efforts laid the groundwork for all subsequent aboriginal language and cultural programming in their communities. They provided an inspiration, and a model of sharing, that we remember to this day.

(ii) 1977: The Council of Yukon Indians establishes the Yukon Native Languages Project, which sets out to document Yukon languages on a systematic basis and to develop language teaching curriculum and teacher training.

(iii) 1979: The YNLP produces a draft document, "Teaching Yukon Native Languages", which provides the basis for oral language instruction in all Yukon languages. This curriculum guide was subsequently refined and used as a foundational document for workshops and training sessions devoted to Tlingit and Athapaskan second language teaching.

(iv) 1983: Yukon College approves a 3-year Certificate Course for Native Language Instructors, with the first class attracting students from throughout the Yukon as well as the NWT and BC.

Components of the Course include: language structure, native language literacy, second language teaching methods, child development, professionalism, and a practicum. The Certificate Course is developed, taught, and monitored by YNLP staff.

(v) 1985: CYI renames the YNLP the "Yukon Native Language Centre" in recognition of its growing stature and role in promoting all Yukon aboriginal languages.

(vi) 1986: First group of 13 instructors complete the 3-year Certificate Course. Among the graduates are individuals from the Northwest Territories and British Columbia, reflecting YNLC's continuing role in promoting cross-border training efforts.

(vii) 1988: YNLC staff develop framework for high-school language instruction, with specific curriculum written for Southern Tutchone at the Grade 11 level. First classes offered at FH Collins in September, 1989. Courses continue to the present.

(viii) 1989-90: Groundwork laid for Diploma Course for Native Language Instructors at Yukon College, extending training opportunities for Certificate graduates.

(ix) 1990: Following the passage of the Yukon

Education Act, the Yukon aboriginal language instructors in November gain status as teachers in the system. This provides them with membership in YTA, gives them their own pay grid, and provides them with the usual employee benefits including superannuation and job security.

(x) 1993: First graduates complete Diploma Course at Yukon College.

(xi) 1994: First 23 Cultural Teaching Certificates awarded to Yukon aboriginal language teachers by Minister of Education. These certificates were developed as a result of the work by the Teacher Certification Board and formally recognized the roles and qualifications of aboriginal language teachers in the system.

(xii) 1996: First two Yukon aboriginal language instructors complete the Associate of Applied Science Degree in Native Language Education at the University of Alaska Fairbanks. This program was established by YNLC to facilitate the sharing of training opportunities by Alaskan and Yukon Territory native language teachers. Five Yukoners have now completed this degree.

(xiii) 2000. Long-service (10 year) awards presented for the first time to

Yukon Aboriginal Language Teachers. (Some of them had been working for as long as 17 years, but did not become “official” teachers until 1990).

(xiv) 2000. YNLC Publications catalog released, illustrating the variety of teaching and learning materials available for all dialects of all Yukon languages. Virtually all materials listed in it were developed by Yukon aboriginal language teachers.

As we enter the new millennium, then, we have much to be proud of, much to show for our efforts over the years:

a. We have a stable and effective aboriginal language teacher training program at YNLC. As part of our submission we are including a summary list of graduates of the Certificate, Diploma, and AAS degree programs.

b. We have solid teaching curriculum for all Yukon languages and are utilizing new technology to expand into such exciting areas as CD ROMs, “talking books”, and the Internet. We invite you to visit our Website at: www.yukoncollege.yk.ca/ynlc. There you will find profiles of all our teachers and programs and curriculum.

c. We have permanent jobs with benefits, security, and union membership.

3. Concerns, Issues, and Recommendations to this Review

We have a number of very serious concerns as well about the future of our profession – our jobs, our training, our programs and students. These concerns have arisen since the Education Act of 1990 and develop out of our common experiences as classroom teachers over the past decade. Our comments will address these concerns in the same order as they relate to specific provisions of the 1990 Act.

Education Act (1990): Aboriginal languages, Section 52

52.(1) The Minister shall provide for the development of instructional materials for the teaching of aboriginal languages and the training of aboriginal language teachers.

We recommend that this provision be maintained because it provides for the continuation and expansion of the training developed by YNLC for aboriginal language teachers.

The new Act must also address the critical issue of resources (staffing and budget) required to implement section 52(1). The YNLC currently requires additional technical capacity to meet the needs of all

languages, programs, and trainees. This matter should be dealt with by the Minister in the annual review discussed below.

We also propose that 52(1) be supplemented with the following: The Minister shall consult with aboriginal language teachers on an annual basis, prior to the development of Departmental workplans and budgets, to ensure that adequate levels of support are provided to implement section 52(1).

52.(2) The Minister shall employ aboriginal language teachers to provide aboriginal language instruction in schools in the Yukon.

This provision is critical and must be strengthened in two interrelated ways:

(i) The new Education Act must guarantee the integrity of the current aboriginal language instructor positions by ensuring that only aboriginal language instructors and trainees be recruited to fill any vacancies that arise.

Language teaching requires specific professional skills and knowledge, including fluency (or near-fluency) in a local language. The Certificate Course at Yukon College taught by YNLC and supported by experienced Mentors (including fluent Elders) provides the appropriate

training required for successful classroom practice.

A proper legal definition of “aboriginal language teacher” must be developed and adhered to. We propose the following: An aboriginal language teacher shall be defined as anyone completing the Yukon College Certificate Course for Native Language Instructors, or equivalent training which is recognized by YNLC; and who possesses, or is eligible to possess, a Yukon Cultural Teaching Certificate.

(ii) The new Education Act must provide for the expansion of the pool of aboriginal language teachers by encouraging the Minister to pro-actively create new traineeships to staff new programs as well as replace those teachers who are approaching retirement. This requires the Government of Yukon to consult with First Nations in order to review each language program to determine staffing requirements for both the short and longer terms.

The future of our profession and our languages will be determined by the availability of trained instructors. Many of them will also require training in language fundamentals in order to develop their own spoken competence. It is extremely urgent that we identify a new group of instructor-trainees, and the new Education Act can facilitate

this process by providing explicitly for the review and consultations we are advocating here.

52.(3) An aboriginal language teacher shall be under the supervision of the principal of the school where the aboriginal language teacher is providing instruction.

We recommend that this provision be maintained because, as professional teachers, we recognize our roles as team-members within our individual schools.

52. (4) An aboriginal language teacher when providing aboriginal language instruction shall be deemed to be a teacher for the purposes of section 166 of this Act.

We recommend that this provision be maintained, as it defines the professional requirements for teaching in Yukon schools.

52. (5) The Minister shall establish policies and guidelines on the amount of instruction and the timetabling for the instruction of aboriginal languages in consultation with appropriate Local Indian Education Authorities, School Boards, and Councils.

This provision must be strengthened to provide specific guidelines, as we are unaware that any currently exist. Current practice varies

widely from program to program, school to school. We continue to have scheduling and timetabling problems with aboriginal language programs.

52. (6) the Minister shall meet on an annual basis with the Central Indian Education Authority to review the status of aboriginal language instruction in Yukon schools and shall make appropriate modifications where necessary.

This clause should be supplemented by a provision that the Minister shall meet with representatives of the Yukon aboriginal language instructors on an annual basis to review these matters.

Our experiences in our classrooms and in our communities give us broad and informed perspectives to bring to an annual overview of aboriginal language instruction in Yukon schools. Our professional roles “on the front lines” must be respected and recognized formally in the new Act.

In 1989-1990, before we became “teachers under the Act”, we formed our own Association of Yukon Native Language Teachers. We are prepared to re-form this group if necessary to be recognized as a professional group by the revised Education Act.

Education Act (1990): Central Indian Education Authority, Section 54

54. (2) The Minister and the Central Indian Education Authority may participate in joint evaluations of specific education programs, services, and activities for aboriginal people, the terms of reference for which shall be approved by the Minister and the Central Indian Education Authority.

This clause should be supplemented by a provision that we, the Yukon aboriginal language instructors, be consulted before any evaluation of our programs is approved or undertaken. As professionals, we are concerned that our rights as may be compromised or ignored if any future evaluation does not involve us from the very beginning.

Education Act (1990): Cultural activities, Section 55

55. Every school administration, in consultation with the Local Indian Education Authority or, where there is no Local Indian Education Authority, the Yukon First Nation, shall include in the school program, activities relevant to the cultural, heritage, traditions, and practices of the Yukon First Nation served by the school.

This provision should be

maintained in the new Act. However, it must be strengthened by a requirement for the Minister – in consultation with First Nations – to develop specific guidelines to deal with (1) funding and resources for cultural programs, (2) time allocations, (3) curriculum standards, and (4) local cultural expectations.

Conclusion

The development of a new Education Act for the Yukon provides a timely and critical opportunity to strengthen the position of First Nation languages and culture in the Yukon school system.

We have offered our views on a range of topics relating to these issues. We hope you will consider them in the spirit with which we offer them to you. Thank you for your time.

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Association of Yukon School Administrators

Introduction

Since the inaugural meeting of March 23, 1999, a committee of the Association of Yukon School Administrators (AYSA) has existed for the purpose of facilitating a review of the Education Act, 1990. From the outset members of this committee, Sr. Edith Elder, Glenna Howard, Margot Simonot, Pat Berrel, Kerry Huff, Thomas Jirousek, and Ken Nash, sought input from all AYSA members. The responses exceeded expectations as written submissions, responses to surveys, verbal presentations as well as the exchange of views at committee meetings came forward over the past 20 months. Early in the committee's deliberations a decision was made to focus on the areas of the Act which pertained most directly to a school administrator's role. The ultimate goal of the committee was to produce a position paper, which presented a consensus of the views of AYSA's members regarding the Education Act. What follows is the product of the committee's work.

Before addressing specific areas of concern two factors currently influencing Yukon school administrators deserve comment. First, for years now research has shown that principals are the key to effective schools. At the same time a shortage of qualified school administrators is a nation-wide phenomena. If Yukon schools are going to attract highly qualified school administrators in the future, the reasons for the current shortage (stress, accountability, lack of tenure, inadequate compensation, etc.) will have to be addressed. Second, the policies, procedures and regulations which should be in place to support the current Education Act are sorely

inadequate. As school administrators, this fact is a significant concern. The few statements which currently exist in the Public Schools Branch Manual have been developed and, in a number of cases, changed with little or no consultation with school administrators. Furthermore, it is AYSA's view that several sections in the current Act have subsections which are in fact statements of policy. As such these matters should be addressed in terms of regulations, policies and guidelines. One prime example of this situation occurs in Part 4, School Operation, Section 46(1), School Year. For the most part, the current wording in this section speaks mainly to matters which should be stated as a policy and regulations. It is our recommendation that careful attention should be given to what should be treated as statements of law during the development of a revised Education Act.

Issues of Concern

1) Division 1, Access to Education:

Two matters in Division 1, Access to Education of the Act received considerable attention by AYSA members:

In Section 10, Right to Education, the consensus is that subsection (a) should be changed to read in part "... **and younger than 19 years of age.**" It is felt that by far the majority of Yukon students over 18 years old would be much better served in post-secondary or community-based educational programs. Section 13 is supported with the change again to "... **19 years of age or older.**" The collective experience of Yukon school administrators points to 19 and 20 year olds currently having the right to enroll, leads to concerns for the security and safety of the much younger students in our schools.

Under Section 12, Free Education, the reference to "**no tuition fees**" needs to be clarified. Most schools, especially at the secondary level, do charge a variety of "activity" fees, as well as special materials fees. More and more Yukon schools are faced with problems collecting these fees. Students and parents are taking the position that the "activity" fees are contrary to this section of the Act. It is our recommendation that a revision be made and clear supporting policy statements be developed to put this confusion to rest.

2) Division 2, Special Education

In general terms, the current Act takes a non-categorical approach to providing services for students with special needs. However, currently there is significant support among AYSA members to a categorical system in this very important educational program area. The view is that matters such as funding and equality of services provided would be much better served if based on levels of need.

In reference to specific sections in Division 2 of the Act the following concerns were raised:

Section 15: Regulations are needed to define "**in consultation with**" taken from the statements with "**IEPs delivered in the least restrictive environment ... in consultation with professional staff and parents.**"

Section 16: It is felt that this section needs to include the rights of parents regarding written consent and provision of assessment results, however everything else should be in regulations. Furthermore, in subsection (4) "**parents shall be invited to be members of a school based team...**" should read "**of a school based IEP team**".

Section 17: Referring to Special Needs Appeals, it is felt that the list of who can appeal doesn't make sense. What would the Deputy Minister appeal?

During our discussions of Special Education Yukon school administrators came up with two recommendations:

- 1) Yukon Education needs to develop a vision of special education.
- 2) The special education superintendent/coordinator needs to have a high degree of special education training and experience.

Division 3, Parents Rights and Responsibilities

In Section 18 of the Act, the consensus among Yukon school administrators is that the rights appear to be well covered, however the statement of responsibilities is weak. In situations where lack of parental responsibility is detrimental to a child's schooling, AYSA members believe that an interagency approach should be sought to assist the child.

One of the areas not addressed in the current Act, but seen as a necessary addition, is the rights and responsibilities of parent volunteers. Yukon schools have a high degree of involvement by volunteers in such activities as accompanying students on field trips. A clear statement regarding the expectation placed on these individuals should be added in Division 3, followed by the development of accompanying regulations.

Division 4, Compulsory Education

Yukon school administrators are

requesting help with the enforcement of the attendance law set out in the current Act. The existing wording in Section 22 is clear, but the fact of the matter is the compulsory attendance provisions are not enforced.

In Section 25, we would like to see the 'may' replaced with 'shall' designate school attendance counsellors.

Division 5, Optional Education

In this part of the Act, Section 31, Home Education came under considerable discussion. Recommendations such as education plans should be prepared every year (not every 3 years), and testing should take place every year, were forthcoming. As well, it is felt that the Department of Education needs to monitor all students on home schooling. However, the greatest concern occurs in relations to situations where students "blend" school attendance with home schooling (see Section 31, Subsection 5). At the least it is recommended that the statement "**students on home schooling may enroll in courses offered...**" should have added "**depending on room at the school**". Again, the request for clear directions through regulations is seen as necessary to deal with the many problems a "blended" program can present.

In Section 32, Subsection 4, a change is needed to reflect current programs where children are attending more than one session of kindergarten per day.

Division 6, Students Rights and Responsibilities

In this area of the Act two main concerns were heard. Loud and clear, Yukon School Administrators are

saying that when a student breaks a school rule, an appropriate consequence must be supported by all the partners in Education. All too often sight is lost of what the duties of a student are, and a tremendous amount of time and energy is spent dealing with why the consequence is or is not appropriate. The other concern can be summed up with the question; "Can the school administrator be responsible for discipline on school buses?" All too often we are placed in the position of being caught between the school bus driver and the student along with the parents. There has to be a better way!

In Section 41, Suspension of Students, a large number of concerns have been expressed by AYSA members with the current Act. Subsection 4, which allows parents of a suspended student to make representations to the school council, is seen as the most problematic provision in this area. Yukon School Administrators take the position that most school councils are not prepared or qualified to rule on suspension of students. As the very least AYSA requests that the regulations supporting this "appeal process" need to be clearly developed, and then school members need to be trained to deal with this matter. In addition, the role of the Education Appeal Tribunal needs to be clarified. Is it the intent of the Education Appeal Tribunal to deal with student suspensions or placement of students? Finally, a concern has been voiced regarding the issue of who is liable for a suspended student's behaviour. AYSA would like to see this issue clarified in the "revised" Act.

Part 4, School Operation

Yukon School Administrators are somewhat divided on the matter of the school year addressed in Section 26. In practice, it is felt that only school council input is sought. As well, the present school calendars in

many respects seem to contravene provisions of Section 46 and related regulations. A prime example is the vastly different winter vacation periods for Whitehorse elementary schools and Whitehorse secondary schools this school year.

While there is AYSA support for community input in setting the school year, the problems created by significantly different school openings and closing dates need to be given consideration. Furthermore, questions about extension of the school year, professional development days, and administrative days should be addressed in the revised Education Act.

Part 7, School Committees, Councils and School Boards

Yukon School Administrators, while carrying out their roles, are required to work very closely with school councils under provisions set out in the current Education Act. It should then come as no surprise that response of AYSA members reflected this fact. It is our position that a number of changes are needed to improve these working relations, in order to ensure quality educational services for Yukon students.

In Division 2, which deals with elections of school councils, a number of issues of concern are noted. In the area of eligibility to serve on councils, it is wondered if school staff members and/or their spouses should be eligible. As well, what exactly constitutes a conflict of interest needs to be clarified. In relation to the timing of elections, our position is that October is not the best time. Spring seems to be a much more reasonable time, allowing the incoming council to be involved in developing the school plan for the next school year.

Do all terms for council members

need to end in the same year? Our concern is for continuity, so the suggestion advanced is to consider staggered terms. While the present term is two years, a three-year term would take better advantage of the training and experience a member gains. In the end the greatest concern voiced by AYSA members, concerning school council elections, is the fact that most are acclaimed or appointed at present. School council members should be elected representatives of a school community!

Division 3, Powers and Duties of School Councils (Section 113) also attracted a lot of attention from School Administrators. For example, it is suggested that reviewing, modifying if necessary, and approving the school plan should be the superintendent's job. Where it states "**make recommendations to the superintendent for allocation of resources within the budget**", AYSA feels that the principal should receive these recommendation. This aside, a number of school administrators take the position that councils are often not knowledgeable enough about the management of the school to make budgetary recommendations.

AYSA believes the selection of the principal is a key responsibility. This responsibility appears to be placed solely with the school council in the present Act. We ask: Are councils prepared to undertake such a process? Are they qualified to select the principal? We believe that most council members have no experience in human relations and selecting the principal is a tremendous responsibility for a volunteer group. Councils should have input into the selection of the principal, but not the total responsibility.

Who is the council accountable to? While we believe the answer is the school community, if most members are not elected this accountability

breaks down.

A number of areas where school councils have involvement in personnel matters are viewed as problematic. Some identified concerns include:

1. Councils should not be provided with the actual evaluation report of an individual teacher, principal or other staff member.
2. The principal should not be required to give an evaluation report to the council.
3. Councils should not be recommending to the superintendent the dismissal, transfer, discipline or demotion of a teacher, principal, or other employee.
4. Council input into the evaluation of the principal is a questionable practice if one asks what qualifications and/or training do the members have to fulfill this mandate.

In recent years the Department of Education has stated it will take a major role in the training of school councils. With the exception of this fall there has virtually been no training. AYSA believes council members need to be trained to represent all parents and to equally view all issues, not just represent personal agendas. As well, councils need training regarding the extent of the Oath of Non-Disclosure. AYSA takes the position that principals should be present and take part in these training sessions.

Section 114(2), requires the evaluation of schools at least once every 5 years, should itself be re-evaluated. Our experience is that the current process ends up being a huge task for school staffs and there are few concrete results.

Part 9, Teachers

Only those sections of this part of the present Act pertaining to principals came under the scrutiny of the AYSA Education Act Review Committee. For the most part the section on duties of the principal (Section 169) present few concerns to our members. However, Probation for Principal, Section 172 is another matter. The following three questions about the intent of the act in this section express the concerns of school administrators:

1. Is there a formal contract?
2. Why would anyone want to move from an indeterminate contract to a three year one?
3. If your future is in the hands of school councils, who change every two years, wouldn't you be less apt to stay in the role?

AYSA members feel strongly that there is little job security for principals, especially those who come new to the territory. Job security for principals should be the same as the job security for teachers.

The stipulation requiring yearly evaluation of principals, Section 177(1), is seen as an unrealistic expectation. As well, there is a need to ensure due process for principals in the evaluation process.

Two other matters that were brought forward during our review process were professional development for school administrators and administrative allowances. While these matters are more issues of contract rather than of the Education Act, both have a significant bearing on the job satisfaction of AYSA members. The common message is that the pay versus workload and pressure is being put to the question: Is it worth it? The time commitment is seen as too great, compounded by the fact that Yukon administrative salaries are no longer competitive

with those in the south. The concern regarding training or professional development opportunities for AYSA members boils down to there simply not being enough.

Another important issue that received considerable examination over the past 20 months is whether the Yukon Teachers' Association should represent school administrators in contractual matters. Clearly, AYSA members take the position that since principals are foremostly educational leaders and are, with few exceptions, classroom teachers, we belong to YTA.

Commenting on areas not addressed in the current Act, AYSA takes the following positions:

1. The role of the vice-principal needs to be defined. Is a vice-principalship a training opportunity (e.g. mentorship) or is it a specified job? The view of an administrative team should take precedence.
2. The role of the superintendent should be defined. It is felt that this job description should be directed more towards educational leadership (the guardian of the vision). At present the superintendent's role is too tied to the political realm. Ideally, AYSA feels the superintendent's appointment should be dealt with under the Education Act rather than the Public Service Commission.

Final Comments

This position paper has mostly addressed areas of concern with the current Act. A much wider discussion has occurred and continues to this day. The Association of Yukon School

Administrators, during our review, spent considerable time examining our vision of education.

Throughout our discussions, the vision for Yukon students in the years to come included a need to provide a learning environment that truly puts every student in touch with the best. To attain this goal AYSA takes the position that the Education Act must not place barriers on our ability to respond to a changing world. We understand that land claims, the new technology, the Yukon's changing demographics and the needs of tomorrow's students will greatly impact Yukon schools.

Yukon school Administrators would go on record as reaffirming the current preamble from the Education Act. Our position is that these basic principles and philosophies provide an effective framework for the Act.

Yukon Teacher's Association Submission to the Education Act Review

Preamble “to develop the whole child including the intellectual (add spiritual)

Definitions

New: committee -

Board -

Change:

CYI to CYFN or should it be FNEC

educational program could include post secondary

IEP “as determined by the school based IEP team “(remove all other details)

Local Indian Authority, change to FNEC

school age “and younger than 19 years of age”

school plan

substitute teacher

5 **move** 6(1) (d) to Article 5

6 (1) (g) **change** “establish and provide (solely or in conjunction with other partners)”

7 **change** update and add YTA

8 (1) **change** “a deputy minister of education and assistant deputy minister as required for the conduct of business

10 (a) **change** “younger than 19 years”

12 change “tuition fees do not include materials fee,

special course fees, damage deposits or damage charges”

13 **change** “...who is 19 years of age”

15 (2) **delete** “deputy minister or by a school board in consultation”

16 (3) **add** “for their children a **timely** determination”

(4) **add** “school based **IEP** team”

18 **new and change** - need to include Parent Responsibilities and there should be some parallelism across Parents/Teachers/Students (Note Catholic proposal)

19(3) A parent or legal guardian should not have to have student permission to see records

25 **change** may to shall

26 **change** should require the creation of a territory-wide attendance policy or regs

27 **remove**

30 **new** regulations governing YTA members and delivery of distance education need to be worked out with YTA

31 **new** The department shall provide support either from the department or through specific, identified additional staff allocation at each affected school.

new Classroom teachers shall not be asked to provide resources or assessment.

new Classroom teacher has final say on hybrid home schooling

new Home schoolers must participate in territorial assessments SAIP, B.C and department.

32 **New** Every school currently offering Kindergarten shall have the option for full day everyday Kindergarten upon request of the school council in consultation with the administration of the school.

New Every school currently offering Kindergarten shall have the option for publicly funded Junior Kindergarten available for all upon request of the school council in consultation with the administration of the school.

New Children are not eligible for a Junior Kindergarten program unless they have attained the age of 3 years and 8 months by September 1.

33(c) **delete**

(f) **change** “appeal, either individually **if older than 16 years,** or with

39 **Change** There shall be core set of territorial rules eg attendance, alcohol and drug use, bus policy etc that shall be the basis for school rules as developed by each Board or Council.

41 **Change** need for territory-wide policy on suspension to provide a starting point for individual school councils eg. in-house vs. out-of – school.

48. **change** “The Minister may provide solely (**or through partnerships**)..”

55 Need to strengthen (especially \$) through the development of a partners implementation team. This article would be in addition to Article 43 but may borrow some structure from 43.

Part 7

New There needs to be specific

reference to the existence of an Association of School Councils and Boards.

New There needs to be specific reference to the ability of councils to merge.

67 & 68 **change** should merge to recognize that guaranteed representation come out of the total.

67 (2) & (3) **move** into regs along with 68 (1) (a)

change Set attainable numbers for council size.

New If, at election time, there is not a full slate of candidates, or there are insufficient voters, then a school council will operate for that school year as a school committee.

77 **New** There needs to be a cap on administrative costs and a minimum number of schools to form a board.

78 through 111 **Move** to regs

113 (1) (a) this may contradict the definition of school plan (Part I) at least in practice

(Partnership)

(b) **change** make recommendation to the school administration

(c) **change** participate, along with the department and the school staff, in the posting and final interviews.

(d) **delete** and replace with a territorial policy

(i) **delete** and replace with a territorial policy

113 (2) (c) **change** “provide, **along with the school staff**”

(g) **change** “and to provide a report **of the outcome.**” delete what follows

(h) **change** “and to provide a report **of the outcome.**” delete what follows

(i) delete

116 (1) (h) **change** “...school administration, and the YTA.” (delete teachers)

116 (2) (d) & (e) **change** “...and provide a report of the outcome.”

119 change Again, need to cap administration expenses.

126 New Job description for superintendents

New Superintendents to be hired under the Education Act

132 155 **move** to regs

168 change Look at 168 in context of Catholic proposal

169 (u) **New** job description of Vice-Principal

171 (1) (a) * Note Minister appoints

(c) **change** “shall employ superintendents, teachers, paraprofessionals NLI and Education support volunteers”

172 (8) **delete** “...who was employed....as principal”

(9) **change** ...shall confirm the principal to an indeterminate term, subject to the rules in place re: termination.

Move 172 through 291 to a Companion Act

172 (2) **change** Probationary II termination requires an unsatisfactory evaluation

(3) **change** the decision to a Grievance Resolution Person and not

172 (3) **new** Summer holidays shall not be deemed to be a break in service.

177 (1) **delete**

(2) **Move** to 113 (2) with wording change to read “shall consider input from the Council or Board”

(3) **delete**

(4) **delete**

177 (1) **change** “A director or superintendent shall review the professional growth of every teacher for which the director or superintendent is responsible at least once every 2 years.” (This could be done in conjunction with preparations for the following year ie assignment of duties.

179 (1) (e) **add** “prior to the transfer”

(2) (d) **add** “prior to the transfer”

(3) **add** “within 30 days”

186 (2) **replace** with “The criteria and procedure for lay-off shall be determined by the existing Collective Agreement negotiated pursuant to this Act.”

187 (d) **new** will have length of service determine priority subject to qualifications

195 (1) -“employee” **delete** a, b, c, d

-“person employed in a managerial capacity” **new** (e) does not include superintendents, principals, teachers, paraprofessionals, NLI or Education Support Workers.

195 (g) **new** subject to any existing Collective Agreement negotiated under this Act

217(1) **delete** everything after employment

221 (3) **new** All timelines in this Part of the Act shall be subject to amendments to respond to the closure of schools for planned breaks

234 (c) **delete**

235 delete (a) & (b) **replace** with “Any terms and conditions of employment”

Division and Prohibited Practices
Article 274 -281
Division 9 General

- 306 (e) **move** to 307
(g) **delete** (found under
316)
(h) **move** to 307
(i) **move** to 307
(o) **delete** (found under
317)
(q) **delete** (found under
172)
(r) **move** to 307

307 **add** The Minister, **only after consultation with the Partners in Education**, may issue

- 326 (1) **change** Review of Act every 3 years
(2) **replace**
“...involvement of **Department of Education, CYFN, YTA and YASCB.**

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Education Act Review

Submission from the
Child Development Centre

December 2000

There are two (2) general areas where the Child Development Centre and Department of Education work closely; a protocol exists for the transition of children from the Child Development Centre to kindergarten or grade 1 and, CDC provides early intervention services for preschoolers with special needs attending K4 classes. A third link is that the Child Development Centre bases its Christmas and spring breaks on the Whitehorse elementary school calendar.

1. Transition of Children:

When children graduate from the Child Development Centre to the school system, we describe them as transitioning to school. There is a protocol between us to facilitate the process for parents and preschoolers. (A copy of the protocol is attached.) The protocol is a dynamic process, which is continually revised to better meet the needs of families moving from one system to the next. Transition is

also complex, involving teachers, administrators, families, CDC and Special Programs. In the past few years, we have appreciated the commitment and support shown by Micki Deuling-Kenyon and Special Programs, to make transition smooth and workable for everyone. The relationship that exists between our programs is very positive.

Despite our aims to improve the process, parents consistently express a number of concerns about transition from CDC to school. While working on the CDC's strategic plan this fall, a recurring theme with parents was the need for better bridging between the CDC and the school, and for more clinical resources in special programs.

Parents tell us that the first problem they experience happens when their child is not automatically referred to Special Programs for follow-up. Even after the reports are sent to the Department of Education, parents must wait for school to start in the fall, to request follow through. Parents believe this should happen automatically upon referral from the CDC, in order not

to lose precious time waiting for service.

Many parents become frustrated trying to access therapy services upon entering the school system. They are overwhelmed by the complexity of using the school-based team approach, which is perceived as a stumbling block to obtaining services, rather than helpful. After the process is completed, the required services may not be available.

The transition process, on the other hand, does not adequately prepare parents for these big changes. As a result they often feel discounted, not a true partner in the education process.

Finally, it is very difficult for some children, who require extra support, to get it when they are not deemed to be exceptional. This is especially true in the area of speech and language therapy. These children often fall between the cracks.

We recommend the following:

- Automatic referral to special programs when a child, who requires services, is transitioned from CDC to school;
- More visits from teachers for children entering their

- classes in the fall;
- Improved services for children who need them and, who are not exceptional;
- Increased involvement of school administrators in the transition process;
- An appeal process for parents who are unable to get the services they require.

2. Early Intervention

Because our mandate is to work with young children requiring supports, it was natural to develop a relationship with the K4 classes situated in rural communities. CDC provides assessment and follow-up in the K4 class. We also hire program assistants to work in the K4 with individual or groups of children to promote their development.

Today early childhood development is getting a great deal of attention. It is not surprising considering recent research indicating the importance of providing the right types of circumstances which enhance brain development in young children. It is becoming clearer that learning in pre-school years is of critical importance and

can affect the child for life. By the time the child enters school, some of the most formative years of brain development have already happened. *These findings make it is essential that the Education Act be concerned with those early years.*

Yukon statistics indicate there are more working parents per capita than in other jurisdictions. This means there is a greater percentage of young children in child-care programs than ever before. While Yukon is highly successful in licensing most child-care programs, the licensing criteria sets forth *minimal* standards that must be complied with. Although programming in child-care settings varies greatly from one setting to another, most child-care programs do not provide a high quality of care. Only the exceptional ones do. This should not be surprising because overall conditions are not conducive to promoting high quality childcare. Low wages, minimal educational requirements, long hours, high staff turnover and the poor status attributed to the child care field, conspire to

make this an unattractive field.

Young children need well-educated, capable adults who can provide for their educational, physical, emotional, social and spiritual needs. Because so many children are in child-care programs, they need contact with healthy and experienced child-care workers who can assist them in meeting these needs. We can no longer neglect young children. Not only is this a crucial period of brain development, the research is also demonstrating that the effects of early intervention are life-long. Studies indicate that the benefits of high quality child-care, and early intervention, especially for children considered at risk, can set the child on a life-long course of positive opportunities.

The Education Act has a role in supporting young children in maximizing their educational opportunities. The question is – what is the best approach? Here are some of our suggestions and rationale:

Establish K4 classes
The K4 classes, especially in rural communities where a preschool or child-care program is not available, present an excellent early intervention opportunity for children. As the population of the Yukon declines, many schools are experiencing smaller Kindergarten classes. This is an ideal time to introduce 4-year olds into the school system. Where the child is experiencing a delay or is at risk of developing delays, the CDC is usually involved. We have a model established. The communities of Pelly Crossing and Old Crow are excellent examples of a early intervention partnership that is working for the benefit of young children.

Support to child-care programs

For most preschools or daycares, providing quality programs, recruiting and retaining knowledgeable staff is very difficult. Child-care programs need more support than they presently get. Building relationships and bridging services with child-care providers enhances the educational prospects for a child. Some of our suggestions are:

- Support educational opportunities for child-care providers; excellent training programs exist to increase the skill level of people working

with children i.e., the Hanen Program for early childhood educators. Can the department find a way to support this and similar programs?

- Work together with child care providers to share strategies and goals for children who attend both school and daycare;
- Advocate for child-care workers by recognizing the importance of child care programs.

Advocate for better learning conditions for young children

Although early childhood is a time of great learning, the educational qualifications of the staff who work with these children are low. We need a movement in child-care, similar to the one that happened in education, that raises the educational requirements of child-care workers, simultaneously raising their pay scales and the prestige of those jobs. This is probably the most important role that the Education Act can play in the lives of Yukon children.

It is important the Education Act does not legislate taking over this field by creating separate or different programs but that it enhances and builds

upon existing ones.

Support and link to Aboriginal Headstart Programs (AHS)
 AHS can be used as a model for Kindergarten classes. There are 3 AHS programs in Yukon, operating with varying degrees of success. The AHS programs are run by the First Nations and are funded by the Federal Government (Health Canada). They have an articulated set of principles that promote education, nutrition and cultural values. They are holistic in their approach to teaching children. While departmental kindergarten goals are similar, they may lack the First Nation and parental components of the AHS. The Education Act should be supporting the delivery of culturally relevant early intervention programs that involve parents and communities.

3. School calendar

The Child Development Centre provides spring and Christmas breaks, that are the same as those set by the Whitehorse elementary school councils. While this arrangement has worked well in the past, it has become increasingly problematic for us when the breaks are different in the rural communities and in Whitehorse. It is compounded by the fact that the breaks can occur on different dates in each community, as well as being of different duration.

The Child Development Centre tries to provide as much consistency in service as possible. (Research points to consistency in

programming as one of the cornerstones of a successful program.) We travel to communities every 4-8 weeks, trying to minimize the lengthy time between visits. The present scheduling of breaks makes it difficult to plan travel in the months of December, March and April. Christmas breaks vary from 2 to 3 weeks. Spring breaks vary from 1-2 weeks and are sometimes combined with days off for Easter. Staff finds scheduling the needed visits difficult, because families are away from their communities. Combined with the 2-month summer break, it is hard for rural children to get consistent early intervention services.

The final problem with the school calendar manifested itself this year. The Christmas break for elementary school in Whitehorse starts and ends in the middle of a week. The scheduling could not have been worse. Although the break itself is less than 2 weeks, many children will be missing from programs for 3 weeks. This is a long time for young children to miss out on needed therapy and services.

We realize that the setting of the school calendar is seen as a right of the school councils. However, there is a need for consistency among schools across the Yukon for setting

dates, and that is not the responsibility of individual school councils. This is more likely, a role for the Department and should be revised under the Education Act.

We recommend the following:

- Ensure consistency in the Christmas and spring breaks throughout the Yukon by establishing guidelines, and some rationale that could assist individual school councils in setting dates;
- Allow the Department of Education veto powers when guidelines are not taken into account.

This ends our presentation. Thank you for considering our thoughts suggestions and recommendations. We hope that you find them useful as you review the material presented to you.

APPENDIX 1 Education Act Review

**Submission from the
Child Development Centre**

December 2000

Background on the Child Development Centre

The Child Development Centre provides early intervention services for young children (between

birth and school age) throughout the Yukon. In 1992, in addition to the Whitehorse programs, outreach into 10 rural communities was established. Over the ensuing 7 years, the number of children referred for our services has increased dramatically. Today we travel to all Yukon communities.

There are approximately 500 children a year referred by parents, nurses, social workers, child-care providers, doctors and others for our services. A little more than $\frac{1}{3}$ of these children reside in Whitehorse. We work with approximately 30% of the preschoolers in rural communities and 18% of Whitehorse youngsters. There are many different reasons why children are sent to the Child Development Centre. Some have a medical diagnosis (i.e. Down's Syndrome, Fragile X, neuro-fibromatosis, cerebral palsy, Fetal Alcohol Syndrome). Others may be experiencing one or more delays in their development from undetermined causes (stuttering, speech and language delays, difficult to manage behaviours, global delays). Still other children may be considered at risk of developing delays because of their environmental

conditions (limited parenting abilities, family violence, poverty).

Generally, the child is seen in the home, at the Child Development Centre or in a child-care setting. Program plans are developed for each child and follow-up is carried out through a variety of programs. These could include the preschool, home-visiting, language group, positive guidance group, and programming in the child-care setting. The Dawson City sub-office also has a toy-lending library. Two other offices are located in Watson Lake and Kwanlin Dun. Over the past 4 years, the CDC has been providing support to K4 classes located in rural Yukon communities.

Clinical staff consists of speech language pathologists, physical, occupational and developmental therapists, education/program assistants and a teacher. Therapists carry a Whitehorse caseload and travel to assigned communities. Program assistants are hired in almost every community to work one-on-one with individual children in homes, child-care programs and in K4 classes.

Independent Schools

Presentation to the Education Act Review Steering Committee December 14, 2000

Handout 1: Myths and Facts about Independent Schools and Independent Schools – Background

These are included as an introduction to the independent school concept we are referencing.

Handout 2: References to Private Schools in the Yukon Education Act

Recommendation One: The label “private school (s)” be dropped from the act and replaced with the widely used and accepted label of “independent school(s)”. Examples that illustrate current use include the *Federation of Independent Schools in Canada*, BC’s *Independent School Act*.

Recommendation Two: That sections 29-2 be rewritten so a distinction is made between the requirements for an independent school to be registered and the requirements for an independent school to be accredited. This could provide a basis for funded vs. non-funded schools. Both of these sections need to be fleshed out and should probably reference accompanying regulations or policies detailing the

requirements for each process.

Recommendation Three: That sections 29-7 be rewritten to allow for grants to be made to accredited independent schools on a per student basis. – and – The Yukon Education Act also recognize the limited choices parents have in the Yukon and include a provision for grants to be made to accredited independent schools in other Canadian jurisdictions where Yukon students attend.

Handout 3: Provincial Funding of Independent Schools

BC, Alberta, Saskatchewan, Manitoba, Quebec and Northwest Territories all have provisions to provide direct grants to Independent schools on a per student basis. Grants are in the range of \$2000 to \$3000 per student.

It is important to note that all jurisdictions have strict criteria that must be met before an independent school is eligible for the funding grant and we are only suggesting that those schools that meet the requirements be eligible.

Handout 4: BC Independent School Act, Schedule: Classification of Independent schools and Independent School Regulation.

We would like to point you to section 12 of the Act and to the classification system and the grant calculation system outlined in the regulation as an example of how this issue is handled in BC. (Of the legislation researched BC’s is by far the most comprehensive and complicated – Yukon could develop a simple regulation to accomplish the desired result

Other arguments for providing grants to accredited independent schools

The Yukon Public Schools Branch has a tuition sharing agreement so when students from northern BC attend one of our Yukon Schools, the BC jurisdiction pays a fee to the Yukon school system. Why not provide a grant when a Yukon student attends a school in another jurisdiction.

The Student Financial Assistance Act recognizes the limited choice regarding post-secondary studies and provides for a very generous grant for Yukon students to attend institutions all over the world. Why not extend the choice down to students wanting to pursue special education choices at the secondary and possible the elementary levels.

**Submission to:
Education Act Review
December 11, 2000
From: Parents of Yukon
Autism Spectrum Children**

Dear Commissioners,

Thirty years ago we would not have been here before you. Our children were thought of as unteachable, fit only for an institution. Twenty years ago it was much the same. Even ten years ago, there was little hope seen for children with autism.

But there was signs of progress... and today, new techniques, theories and practices have proven our children are eminently teachable, and with the proper early support, many who were previously seen as marginal citizens can lead useful, productive, full lives.

Science and research has done its part. Now it is time for the school systems to pick up the ball, and realize the potential of these breakthroughs. And it is not only the duty of government and the school system to do so: it is the right of these children to expect these services from society.

We intend to offer ideas for you to incorporate into the new Education Act that will meet the needs of these children, and help it conform to higher legislation like the Charter of Rights and Freedoms.

First, a bit of background. Autism, or Autism-Spectrum disorder (ASD) is a neurological difference in a person's central nervous system which leads to a developmental disorder.

The Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (DSM-IV) identifies three general categories of behavioural impairment associated with ASD:

- a) qualitative impairment in social interaction;
- b) qualitative impairment in communication;
- c) restricted, repetitive and stereotyped patterns of behaviour, interests and activities.

Unless the individuals affected by autism are successfully treated, almost all are doomed to a life of physical, emotional, social and intellectual isolation and eventual institutionalization – a tragic and expensive prognosis for our children, our families and our society.

It is this lack of a 'best practice' approach to the education of these children that leads to a life of isolation and dependence on the social safety net. Conversely, it is the adoption of 'best practice' that leads to a life of fulfillment and dramatically decreases the need for dependency on the state and social organizations. (In BC, 90% of untreated children end up in group homes or other

residential facilities).

Current research has established children who have benefited from 'best practice' interventions have achieved significant social and educational gains. The new Education Act should incorporate the concept of 'best practices' directly in its language.

There are common elements that define 'best practice' for children with autism:

1. The child's curriculum should include:
 - attending
 - imitating
 - comprehending/using language
 - playing with toys
 - social interaction
2. Children with autism need a highly supportive teaching environment and generalization strategies.
3. Children with autism need predictability and routine to function actively and independently.
4. Functional approach to managing challenging behaviours should be used and integrated with communication programming.
5. Family involvement and friends are essential components of an educational program.
6. The individual level of emotional regulation

and its effect on communication and social interaction needs to be considered.

To the Best Practice framework, an extensive personal profile is needed, including:

- cognitive profile (Speech and Language Pathology, developmental psychologist, Early Childhood Education)
- Sensory Profiles (Occupational Therapy)
- Motor Planning Profile (OT)
- Child's interaction patterns with family members
- Play preferences, abilities, difficulties (family, E.C.E., S.L.P., OT-PT)

The personal profile indicates and directs needs, goals and programming. It is child-directed, services delivered that are appropriate to the needs of the child.

The new Act should ensure that the cornerstones of service include access to intensive behaviour support, usually a discrete trial format; appropriate levels of S.L.P., O.T., support that includes hands-on treatment; peer and social planning that is intensive and follows the previously-described curriculum guidelines. Support for the family, including primary caregivers and

siblings in the form of education and counselling are key features of 'best practice'.

It must be recognized by the drafters of the new Act that Autism is a neurological disability that is best treated through educational means. They must provide the Department of Education with the tools to be an integral part in the assessment, planning and treatment of these children.

However, the Ministry of Education is only a piece of the picture. Education must work with other ministries to develop a system that ensures that children with special needs have a continuum of service that begins in infancy, continues through pre-school, and school years, and then addresses transitions to the work force and post-secondary education.

For the autistic individual to gain independence from their disability they require dawn-to-dusk intensive treatment. Families are unable to provide all that is needed. Albeit, some try at great emotional, physical and financial hardship to provide these services to their children.

Keeping in mind the mounting evidence that children with autism can have functioning and productive lives if they are beneficiaries of the "best practice" format. We, the parents of children with au-

tism, want our Education Act to reflect and support these practices. "Best practice" is supportable, and reflects the rights and freedoms outlined in the Canadian Charter.

Enclosed are some working changes that we feel better reflect both:

- a) best practices for children with autism spectrum disorders.
- b) Our children's rights outlined in the Canadian Charter of Rights and Freedoms.

We appreciate this opportunity to speak with you and look forward to further discussion regarding how best our children can be supported to ensure they have productive, less restrictive and independent lives.

Changes for consideration:

15(1)
Add definition of an IEP including: an IEP must be a usable document that is collaboratively created using 'best practices framework'. It must be measurable, with quality assurance built in.

15(2)
We recommend the sentence end after the word "environment". The subsequent words, including "practicable" allows the system to choose when something is "practicable". It has been my experience many

times that access to meaningful and appropriate education is often deemed not “practicable”. The term is often used interchangeably with “convenient”. It is never convenient to give an IEP to a student. This wording, in my opinion, may be in contravention of the Canadian Charter of Rights and Freedoms.

15(3)

We recommend omitting this. The wording affords veto power to the Minister of Education to virtually eliminate any of the above guarantees.

16(1)(b)

Change to “development and implementation of an IEP”. Define IEP (see appendix 1).

16(2)(a)

Change to “if suitable 3rd party assessment is not available the department is responsible for assessment using “Best Practices Format”.

(b) add “and prior consent by parent/guardian must be done”.

(c) change to “the assessment must use best practice framework”, including student-based assessment and school/system based assessment. The present system of classroom assessment does not provide sufficient information to determine how students with special needs are faring relative to their non-disabled peers. Assurance measures must be in place.

Division (3)(18(c)) Parents Rights and Responsibilities: Appeals: parents/guardians should be able to appeal the lack of a decision, as well as any decisions affecting the child.

Additional section:

Training of staff with respect to particular treatments and strategies per best practice format.

T.A. and teacher qualification and training.

PARTNERS IN ARTS EDUCATION

Submission to the
Education Act Review
Committee
October, 2000

INTRODUCTION

Partners in Arts Education formed in April 2000 following a “Conversation” on arts education hosted by Yukon Arts Centre and Yukon College. The group represents over 50 organizations and individuals delivering arts education activities and programs in Yukon.

The group is interested in three main areas:

1. Arts Education K-12
2. Post Secondary Studies and professional development
3. Arts Education as a Cultural Tourism Industry

Since April, Partners has conducted extensive research in the area of arts education K-12, completed a feasibility study on the cultural tourism potential of the Yukon, and attended the National Symposium on Arts Education. In addition, we are consulting with Yukon Teachers Association, initiating a Learning through the Arts Program,

offered by the Royal Conservatory of Music, and we are in the process of organizing professional development workshops for integrating the arts into curriculum.

We have prepared our submission using the materials gathered through our research and will make a presentation to School Councils on November 18 following which we will ask parents to demonstrate support.

RATIONALE

The value of arts education is now firmly grounded in theory and research. Although the hard-nosed, scientific language used in studies is often lacking in literary eloquence, the evidence accumulated is eloquent testimony to the remarkable relationship between learning, knowing and the arts.

This document will clearly demonstrate that pursuing an arts based curriculum should become the number one priority of Yukon’s Department of Education. When asked by the department why hiring an arts consultant should take precedence over a math or reading consultant, we reply that the arts consultant’s work will result in heightened math and reading skills, but reading and math consultants will not heighten learning in and through the arts.

Although, arts remains

undervalued in many schools, there is now a changing attitude across North America as the connection between the arts and learning becomes clear and evident. The groundbreaking theory of multiple intelligences, developed by Howard Gardner of Harvard University, broadens our view of how humans learn and realize their potentials. It shows that the arts can play a crucial role in improving students’ ability to learn because they draw on a range of intelligences and learning styles, not just the linguistic and logical-mathematical intelligences upon which most schools are based.

For example, students of the arts continue to outperform their non-arts peers on the Scholastic Assessment Test, according to The College Entrance Examination Board. In 1995, SAT scores for students who studied the arts more than four years were 59 points higher on the verbal and 44 points higher in the math portion than students with no coursework or experience in the arts.

Studying the arts nurtures attributes that are important in a modern business environment, the ability to communicate, adapt, diagnose problems and find creative solutions. According to the Conference Board of Canada, the arts provide the

combination of academic skills, teamwork skills and personal management skills that employers want.

The US Education Commission says, “Out of a classroom of 30 children, maybe 10 will be employed in an arts-related occupation someday.” This factor alone show the necessity of arts education in each and every one of our Yukon schools.

It is important to note that access to the arts is inequitably distributed in our society. Students from poor and less educated families are much more likely to record lower levels of participation in the arts during middle and high school; affluent youngsters are much more likely to show high engagement in the arts. The arts *do* matter –not only as worthwhile experiences in their own right, but also as instruments of cognitive growth and development and as agents of motivation for school success.

(From Ernest Boyer, president of the Carnegie Foundation for the Advancement of Teaching.)

“During the past quarter century, literally thousands of school-based programs have demonstrated beyond question that the arts can not only bring coherence to our fragmented academic world, but through the arts students’ performance in other academic disciplines

can be enhanced as well.”

(From the Arts Education Validation Draft prepared by the Foundation of Atlantic Canada Arts Education Curriculum)

“Education in the arts is fundamental to the aesthetic, physical, emotional, intellectual, and social growth of the individual. It provides students with unique ways of knowing, doing, living, and belonging in the global community. It also has a key role in the development of creativity in students.

Through arts education, students have come to understand the learning values and attitudes held by individuals and communities. Learning in the arts contributes to an empathetic world view and an appreciation and understanding of the global relationship among people, and their environments.”

(From The National Endowments for the Arts)

“As part of the heritage of our cultures, the arts are forms of understanding that are fundamental to what it means to be an educated person. They are the richest and most far-reaching expressions of human creativity, achievement, and communication from people to people, culture to culture, and age to age. To lack an education in the arts is to be profoundly

disconnected from our history, from beauty, from other cultures, and from other forms of expression. The arts are basic, as well, to securing a humane future for our children.”

VISION

High quality arts education in the schools involves two related and mutually supportive approaches. **Learning in the arts** engages students in creative art-making processes. Students gain a firm foundation in the vocabularies, skills, and practices of various arts disciplines; dance, drama, music, the visual arts, creative writing, and perhaps film and video. Students learn to observe, analyze, respond sensitively to, and intelligently evaluate their own work and that of others. By making art, they learn the value and place of art in the daily life of all humans, and its importance in shaping cultural identities.

Learning through the arts strengthens understanding in all curricular areas such as math, science, language arts, social studies, health, foreign language, physical education, etc. Students learn to think holistically, develop higher level thinking skills, and come to realize that true learning means much more than just memorizing right answers. Through arts integration into

the school curriculum, students become personally involved and invested in their learning as they look at and communicate knowledge in creative ways. Long-term memory is enhanced, as knowledge is anchored in the body and mind through action. Opportunities for developing teamwork abilities, socialization skills, and self-esteem abound within the arts integration lessons.

Laying a foundation

All students must have a strong foundation in learning in and through the arts so that children's potential can be recognized and encouraged; so that every child is able to utilize and strengthen all of the multiple intelligences; so that high levels of proficiency in the arts may be reached as a child's educational process proceeds; and to that quality arts educational programming at the elementary level can make exemplary programming at the secondary level possible.

SUPPORTING FACTS AND RESEARCH

Problem

In its 1995 study of Canadian students, the Council of Ministers of Education Canada found that students generally know the basics of math and writing but have difficulty applying these concepts. For example, 60 % of the students could answer basic math

questions competently, but only 24% could do problem-solving exercises that applied basic math procedures.

Preschool

In a study at the University of California, Irvine, preschoolers who received daily music lessons for eight months scored 80% higher in spatial intelligence than children who did not have the lessons. According to the researchers, children with strong spatial intelligence – the ability to visualize the world accurately – find it easier to develop complex math and engineering skills.

Elementary School

In Ohio, 615 elementary school students who received one hour of arts instruction per day showed gains in self-esteem, math and reading abilities, higher order thinking skills, socialization skills, and report card grades.

First Nations

In Sudbury, four schools with a high percentage of aboriginal students devoted ninety minutes per week to native arts and crafts. Respect has replaced racism within the student body, and the aboriginal students are doing better in school.

At-Risk Students

920 high-risk elementary students in Los Angeles were involved in a three-year

program that integrated visual and performing arts into the curriculum. After one year, test scores were significantly higher, the students had higher report card scores in core subjects than other students not involved in the arts integration program.

Problem

According to a three-year survey of Canadian University students, there is a short supply of young people with the creative, visioning, and leadership abilities identified by industry as being essential attributes of effective employees.

University

The business school at the University of Western Ontario has worked with the Second City Theatre Company for a number of years to provide improvisation workshops for their students. The goal is to help students think quickly, to adapt, and to make high-quality choices.

The job scene

CEOs from top corporations in the U.S. and Canada have spoken up about the value of arts education in developing future employees who can think creatively, make decisions, reason, and learn well. Ian Scott, chief hiring officer at William Mercer notes, "An education in the arts provides people with a competitive advantage when it comes to getting a job." The

U.S. Education Commission says, “Out of a classroom of 30 children, maybe 10 will be employed in arts-related occupations someday.” In Canada, over 750,000 people are employed in the cultural industries sector, more than fishing, agriculture, and forestry combined, contributing over \$30 Billion to the GDP each year. The cultural labour force in Canada is growing twice as fast as any other sector.

(From: Arts at the Core of Learning)

The arts can transform the classroom environment, making learning a lively, invigorating experience. With their emphasis on creative discovery and their ability to stimulate a variety of learning styles, the arts engender enthusiasm and motivation for learning. The arts also teach discipline, the value of sustained effort to achieve excellence, and the concrete rewards of hard work. All these factors can encourage higher attendance and decrease drop-out rates.”

LEARNING OUTCOMES

Active Learning

The arts get kids “doing”. The learning is first-hand, immediate, and personal. It crosses curricular boundaries and is holistic. It feeds all of the multiple intelligences.

Observation Skills

The arts invite and require students to truly look at and perceive their world, the gross forms and the subtle details.

Hypothesizing

The arts require students to formulate intelligent guesses, just as sciences do.

Planning

The arts require that students learn to think ahead and work in an organized fashion.

Researching

The arts require that students become good researchers in order to make their art projects respond to and reflect the world around them. The validity of an artwork depends upon its ability to transcend the personal and speak to the universal.

Problem-solving

The arts require that students analyze and develop many possible solutions to the problems and challenges that inevitably arise in any creative endeavour.

Constructing meaning

The arts require that students integrate their own feelings, perceptions, and knowings with new information as they proceed toward creating a conscientious statement through their work.

Communicating

The arts require several kinds of communication, using a

variety of “languages” verbal, physical, spatial, abstract, etc. The whole point of the arts is communication among peoples, cultures, and ages.

Team-work

The arts require people to work together in a respectful way.

Self-knowledge and Understanding

The arts require that the student look within to test the value and truth of what is being expressed.

Multi-cultural, Historical, and Cross-gender Understanding

The arts require the student to look beyond the familiar to the possibilities and visions communicated by other people and to do so with openness.

Hands-on Production Skills

The arts require that students learn to “do” and “do” well, with awareness of good technique and technological possibilities.

Critical and Creative Thinking Skills

The arts require students to think hard about what is working and what is not, and why; and then to think of a variety of possible solutions.

Having Excellence as the Goal

The arts require students that students go for their best,

rather than just going for a passing grade.

Assessment and Evaluation Skills

The arts require that students gain objectively and sensitivity in order to respond intelligently to their own work and that of others.

Technological Competence

The arts require that students use appropriate technology with a degree of mastery, and that they are creative in adapting or developing technologies to match their needs.

Strengthening Memory

The arts anchor knowledge in the brain.

AN OPPORTUNITY FOR YUKON SCHOOLS

The pursuit of excellence in programming for Yukon Schools can only be realized if a balanced curriculum is made available for students, a curriculum that legitimates other ways of knowing and expressing, a curriculum that enables students to learn **in** and **through** the arts. By building an arts based curriculum, Yukon Schools will have more motivated students with better attendance, better grades, and higher test scores. There will be greater motivation among teachers as they discover exciting ways to reach all of their students more effectively,

and as they discover opportunities to work in partnership with other teachers and with artists from the community. Teachers will value getting the arts training necessary to make the learning experience personal, meaningful, and holistic. Principals and administrators will take pride in the positive atmosphere within their buildings and in the improved performance of students and staff. Parents will be delighted with the creative and thoughtful work their children are involved with, and that makes their kids happy to go to school each morning.

The Yukon has the potential to be a leader among Canadian educational systems. We have many excellent teachers, a community full of artists, elders and business leaders who can act as mentors and resource people for our students, and a beautiful natural environment that invites observation, exploration, and interpretation through the arts.

A LINK TO THE ARTS ACT

- Bill No.23, the Arts Act, now before the legislature, recognizes “that our young people must have opportunities to learn from and participate in all the arts **through our educational system** and from the recognition and

role of the arts with our community.” (Other Legislation)

EDUCATION ACT (wording changes)

- **Preamble:** Add – Recognizing that a quality education actively involves students in constructing meaning, in solving problems, and in working together in activities that utilize all of the multiple intelligences, and recognizing that arts education is well-suited to address these goals as well as most of the goals states elsewhere in this document;
- **Preamble:** Change (in first sentence) “aesthetic” to “artistic,” since meaning of “aesthetic potential” is unclear; and add after “to the extent of their abilities,” “and with excellence as a stated goal.”
- **Part 2. Number 4; Goals and Objectives:** i) add “observation, evaluation, and working together” to the list of skill. v) change “appreciation and understanding of creative arts” to knowledge of vocabularies, processes, techniques, applications, appreciation, and multi-cultural and historical viewpoints of various

creative arts disciplines.” g) add “arts” to the list of aspects of First Nations culture to be studied. (Territorial Administration)

- **Number 5; Duties of the Minister;** Add “consult regularly with Partners and/or other recognized arts education advocates to discuss implementation of educational objectives through the arts.” Add “ensure that arts programs are delivered consistently school to school and year to year across the territory. (Territorial Administration)
- **Number 166; Teacher Qualifications;** Require course work in arts education as part of their training. (Teachers)

RECOMMENDATIONS FOR ACTION BY DEPARTMENT OF EDUCATION

The following recommendations, necessary for successful Yukon implementation of arts education, are based on a report by the US President’s Committee on the Arts and the Humanities and Arts Education Partnership. The complete report can be down loaded from the internet at www.pcah.gov/gaa. The purpose of the study was to identify the conditions and practices that create and sustain

community-wide commitment to arts education for all students.

Some of the noted critical success factors already exist in Yukon. The following recommendations are based on those that do not and are suggested here for immediate action:

- **Develop a supportive policy framework and environment for the arts by:** (a) Adopting written policies that value the arts as equal to other school subjects; (b) Support the development of plans to strengthen arts education, then apportion resources in accordance with the plan; (c) Treat arts education equally with other subject areas when budget cuts are required; (d) Consider the artistic qualities of buildings and the needs of arts education programs during facility renovations and development. (School Operations)
- **Superintendents should take such actions as:** (a) Undertake professional development in learning through and in the arts (b) Regularly articulate in writing, memos, and speeches the importance of the arts in achieving the goals of the Yukon’s education department (c) Appoint a highly effective Yukon wide arts coordinator (take care to

hire the right person); (d) Develop a shared understanding with the arts coordinator of the roles of arts education and provide support for implementation; (e) Commit personal time to meeting with the arts education personnel in the Yukon and to representatives from the arts and cultural organizations of the community. (Territorial Administration)

- **The Yukon Arts Coordinator for Education (ACE) will play a number of crucial roles and provide several vital services:** (a) The ACE will be instrumental in nurturing and mobilizing community support for arts education. (b) The ACE will keep the arts on the table during budget discussions (c) The ACE will advise on policy development (d) The ACE can participate with school-level leadership in the screening and hiring of teachers (e) The ACE will aid communication among schools and foster the climate of support for arts education in the community and government.

Other Immediate Actions:

- Conduct an inventory of arts education activities currently available in

school and in the community (curriculum, programs). (School Operations)

- Invest in professional development opportunities for superintendents, principals and teachers about methods for providing for learning in and through the arts. (Partners is organizing a PD day to be held at Elijah Smith School on February 3, 2001 to introduce participants to ways of integrating music, creative movement, drama, and visual art into the school curriculum.) (Teachers)
- Support the adoption of ‘Learning Through the Arts’, a program developed by the Royal Conservatory of Music, into Yukon schools. (School Operations)
- Invest in building arts curriculum and in obtaining the necessary materials for instruction. (School Operations)
- Develop a coordinated effort to team with non-profits and arts organizations to create new initiatives and partnerships within the schools.
- Ensure that arts education is offered consistently year-to-year and school-to-school (curriculum, programs). (School Operations)
- Develop a comprehensive vision and plan for arts education that shows how

resources would be apportioned overtime to reach all schools and students. (School Operations)

- Use arts assessment techniques for improving student, teacher and administrative performance. For example, use portfolio review for evaluations of principals, teachers and students.
- Support the expansion of the Artist-in-the-Schools program (currently schools receive approximately 12 hours per year)
- Explore federal, corporate, and foundation sources of funding to implement strong arts education programs in Yukon.
- Change certification standards to include a requirement of arts education coursework.
- In future planning for physical school facilities, invest in proper spaces for quality arts instruction.
- Immediately increase hours of art instruction to a minimum of 50 hours per year for every student, to gradually increase to a minimum of one hour per day.

MEASURING COMMITMENT TO ARTS EDUCATION

The commitment made to Yukon arts education can be demonstrated by the

Department of Education by:

1. Increases in the number of times that the importance of arts education is noted in writings, memos and speeches.
2. Increases in the number of arts personnel, including coordinators at the department level and specialists within the schools.
3. Increases in the number of professional development opportunities in arts education for teachers and administrators.
4. Increases in the development of facilities for arts instruction.
5. Increases in the support given to students and staff to engage with the arts and cultural resources outside of the classroom.
6. Increases in communications between the department of education and arts organizations in the community.
7. The equitable distribution of budget cuts across the curriculum.

APPENDICES

- Letter of support - Yukon Teachers Association
- *Why Music* - Yukon Music Teachers Association
- Two recent Arts Education articles – Yukon News
- Arts and Education in Canada – brochure about

- upcoming conference
- Learning through the Arts - Royal Conservatory of Music
 - Making a Case for Arts Education – Ontario Arts Council
 - Arts Education – Foundation for the Atlantic Canada Arts Education Curriculum
 - Children and Computers: A call for Action – Alliance for Childhood
 - The Heart of Learning – Yukon Learn Millennium book, Up from the Permafrost

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Présentation du Partenariat communautaire en éducation de la communauté franco-yukonnaise :

La Commission scolaire francophone du Yukon n° 23

L'école Émilie-Tremblay

La garderie du petit cheval blanc

L'Association des partenaires de l'école française

Espoir Jeunesse

Les EssentiElles

Le Service d'orientation et de formation des adultes

L'Association franco-yukonnaise

Dans le cadre de la consultation

relative à la

Révision de la *Loi sur l'éducation* du Yukon

Le lundi 30 octobre
2000
19 h, à l'hôtel
Riverview
à Whitehorse (Yukon)

Contenu de la présentation

1. Introduction
2. Les membres du Partenariat communautaire en éducation
3. Transmettre la langue et la culture
4. L'éducation en français au Yukon
5. Recommandations sur les changements à la *Loi sur l'éducation*

Annexe 1. Description du processus de consultation

1. Introduction

Depuis plus d'un an maintenant que nous entendons parler de cette révision de la *Loi sur l'éducation*, nous nous réjouissons ce soir de pouvoir vous acheminer nos commentaires et nos recommandations dans le but de la bonifier.

La communauté franco-yukonnaise est fière de ses acquis dans le domaine de l'éducation. En 16 ans, elle a développé les outils essentiels

à sa pérennité : notamment la garderie du petit cheval, l'école Émilie-Tremblay et la Commission scolaire francophone du Yukon n° 23 qui influencent considérablement la vitalité de la communauté franco-yukonnaise. Ces institutions ont contribué à renverser les vapeurs de l'assimilation. Je vous invite à prendre connaissance du « Profil de la communauté francophone du Yukon » qui vous permettra de mieux saisir l'évolution qu'a connue la communauté francophone au cours des ans. Le Ministère de l'éducation du Yukon a certes joué un rôle important dans le développement de la communauté franco-yukonnaise au cours des quinze dernières années et nous lui en sommes reconnaissants.

En prévision des consultations du ministère de l'éducation sur la révision de la *Loi sur l'éducation*, les membres du Partenariat communautaire en éducation ont jugé opportun de mener eux-mêmes des consultations communautaires afin de favoriser les discussions et d'approfondir la réflexion sur la situation idéale souhaitée par la communauté franco-yukonnaise dans le secteur de l'éducation en français au Yukon.

Sous le thème « L'éducation en français a-t-elle un avenir au Yukon », les membres du Partenariat communautaire en éducation ont organisé un

Forum auquel ont pris part tout près de 50 personnes : parents, éducateurs et intervenants communautaires. Des représentants et représentantes de Conseils scolaires francophones d'autres juridictions de l'Ouest canadien ont partagé leur expérience avec la communauté franco-yukonnaise lors du Forum.

Des consultations ciblées ont aussi précédé le Forum. Vous trouverez en annexe 1 du présent document la description du processus de consultation initié par les membres du PCE. Par le biais de ces consultations, le PCE désirait inciter la communauté franco-yukonnaise à faire des propositions éclairées dans le cadre de la révision de la *Loi sur l'éducation*.

Il est important également de mentionner qu'en 1999, l'Association des partenaires de l'école française a commandé une analyse juridique de la *Loi sur l'éducation* du Yukon afin de déterminer si oui ou non, la loi respecte l'esprit de l'article no 23 de la Charte canadienne des droits et libertés. C'est l'article 23 qui confère aux communautés de langues officielles, anglophone au Québec et francophones ailleurs au pays, le droit à l'éducation dans leur langue maternelle. C'est aussi l'article 23 qui justifie le nom de la Commission scolaire

francophone n°23. Or, cette analyse juridique, financée par le Programme de contestation judiciaire du Canada, démontre clairement que la *Loi sur l'éducation* du Yukon ne respecte pas l'esprit de l'article 23.

C'est dans le but de bonifier la *Loi sur l'éducation* du Yukon et de la rendre plus conforme à l'esprit de l'article 23 de la Charte des droits et libertés que nous vous présentons les réflexions et les recommandations qui suivent.

Avant de procéder, j'aimerais vous présenter les membres du Partenariat communautaire en éducation présents ici ce soir.

2. Les membres du Partenariat communautaire en éducation :

- La Commission scolaire francophone du Yukon n° 23 : Edmond Ruest, directeur général;
- L'école Émilie-Tremblay : Hélène Saint-Onge, directrice; Josée Mathian, enseignante;
- La garderie du petit cheval blanc : Isabelle Salesse, directrice;
- L'Association des partenaires de l'école française: Louise Cashaback, coordonnatrice par

intérim;

- L'Association franco-yukonnaise : Jeanne Beaudoin, directrice générale;
- Le Service d'orientation et de formation des adultes: Sylvie Savard, coordonnatrice
- Espoir Jeunesse : Roch Nadon, coordonnateur jeunesse;
- Les EssentiElles : Angélique Bernard, agente de développement.

Les trois représentants du PCE qui prendront la parole sont :

- Luc Laferté, président de la Commission scolaire
- Edmond Ruest, personne ressource, directeur général de la CSFY
- Jeanne Beaudoin, personne ressource, directrice générale de l'AFY

3. Transmettre la langue et la culture

Pourquoi est-il si important pour les francophones du Canada de préserver la langue française et la culture francophone? La langue et la culture constituent, du moins en partie, ce qu'il y a de plus profond et de plus précieux chez l'être humain et

définissent en grande partie l'identité de l'individu. La langue et la culture nous rattachent au passé et à nos racines. Ils représentent également ce que nous voulons projeter dans l'avenir à travers et grâce à nos enfants. C'est la même réalité pour vous, membres du comité directeur. Vous êtes fiers et attachés à votre culture du nord, vos langues autochtones et votre identité canadienne. Vous désirez la continuité de ce qui vous définit. Vous n'êtes pas Américains, et vous ne désirez pas le devenir. Les francophones canadiens ne veulent pas perdre ce qui les définit.

Pour les francophones en milieu minoritaire, c'est un véritable défi que de préserver la langue et la culture. L'anglais est présent partout autour d'eux : les amis, les voisins, la télévision, l'Internet, la musique, etc. La transmission de la langue et de la culture nécessite énormément d'énergie, d'engagement et de participation. Qu'ils soient Acadiens, Franco-Ontariens, Fransaskois ou Franco-Yukonnais, les francophones des communautés minoritaires s'opposent à l'assimilation. Leur détermination est impressionnante. Souvent, la passion les anime. Ils ont comme buts non seulement la survie mais aussi l'épanouissement de leurs communautés.

L'éducation et l'école jouent un rôle absolument central dans ce processus. En milieu minoritaire, l'école française est le centre vital de la communauté. C'est l'institution la plus importante pour la survie de la minorité. L'école française répond à un double mandat : donner une excellente formation à l'élève, mais également contribuer à l'épanouissement de la communauté. L'école complète ce que la famille accomplit dans le processus de transmission de la langue et de la culture. L'école française vise le développement de l'individu et de la collectivité. À travers le Canada, les francophones en milieu minoritaire mettent en place des partenariats entre les écoles, les familles et la communauté. Cela permet de réunir les forces vives de la communauté et de mieux atteindre les objectifs visés en éducation. On adopte également la vision de l'éducation tout au long de la vie. L'accès aux services éducatifs en français doit idéalement se faire de la naissance à la vieillesse. La transmission de la langue et de la culture est un élément fondamental de la démarche éducative.

Parce que l'éducation en français est de première importance pour eux, les francophones désirent avoir la capacité de prendre les décisions qui affectent la vie de l'école, en particulier celles qui

touchent à la langue et à la culture. À travers le pays, on assiste depuis quelques années à la mise sur pied de nouveaux conseils et commissions scolaires francophones qui assument de plus en plus de pouvoirs. Cette tendance nationale va de pair avec l'interprétation de la constitution canadienne. Le récent jugement de la Cour Suprême du Canada (école de Summerside à l'Île-du-Prince-Édouard, janvier 2000) réaffirme le droit des minorités de langues officielles à la gestion scolaire et au contrôle exclusif de ce qui touche la langue et la culture. La commission scolaire représente la communauté minoritaire et il lui appartient de décider ce qui est le plus approprié d'un point de vue culturel et linguistique.

4. L'éducation en français au Yukon

La communauté franco-yukonnaise est une communauté minoritaire dynamique, forte et bien organisée qui travaille en collaboration avec une majorité reconnue pour son ouverture d'esprit. Cette majorité apprécie la contribution des francophones à la société yukonnaise et à la vie de Whitehorse. Le gouvernement du Yukon a plus d'une fois démontré son respect de la minorité de langue officielle et

son désir de collaborer avec celle-ci.

Depuis vingt ans, la communauté franco-yukonnaise a accompli beaucoup dans le dossier de l'éducation en collaboration avec le Ministère de l'éducation du Yukon. Les membres de la communauté sont fiers de l'école Émilie-Tremblay, de la garderie du petit cheval blanc et du tout récent Service d'orientation et de formation des adultes (SOFA). Ils sont fiers des groupes *Espoir Jeunesse* et *Les EssentiElles* qui n'existaient pas il y a cinq ans. Ils ont réussi à mettre en place ces services et ces organismes en étant fermes, diplomates, raisonnables et constants. Le Partenariat communautaire en éducation (PCE) reflète le partenariat entre l'école, la famille et la communauté depuis bientôt trois ans. C'est un modèle pour le reste du Canada. C'est grâce à l'existence et au bon fonctionnement du PCE que nous avons réussi à compléter notre consultation interne et à formuler cette soumission dans un court laps de temps.

Avec la création de la Commission scolaire francophone du Yukon en juillet 1996, les Franco-Yukonnais ont accédé à un plus haut niveau de gestion scolaire. L'école Émilie-Tremblay est maintenant bien établie. Des efforts sont et seront mis en œuvre pour

augmenter les effectifs au niveau secondaire. On a mis en place un nouveau programme préscolaire et on développe de nouveaux services en éducation des adultes. La réalité continue donc d'évoluer et les Franco-Yukonnais désirent maintenant jouir d'une plus grande capacité de gérer leur(s) école(s). Ils veulent accéder à un plus haut niveau de gestion scolaire. Ils désirent également d'autres changements qui touchent au préambule de la *Loi sur l'éducation*, à l'éducation préscolaire et à la maternelle.

Avant de présenter les changements désirés, nous désirons préciser le dossier de l'éducation préscolaire. L'accès aux services préscolaires revêt une importance particulière en milieu minoritaire. D'innombrables études démontrent l'impact très positif des services d'éducation préscolaire de qualité sur le développement global de l'enfant et sur les chances de succès à l'école primaire et secondaire. En milieu minoritaire, ces impacts positifs s'ajoutent à la bonne préparation linguistique et culturelle qui facilite l'entrée à l'école française. Les centres de la petite enfance et les programmes éducatifs pour les enfants de 3 et 4 ans permettent de franciser les enfants issus d'unions interculturelles (un parent francophone et un parent parlant une autre langue), de renforcer l'identité

culturelle des enfants et de constituer la nouvelle génération d'écoliers.

Ces mêmes arguments jouent en faveur de la maternelle à temps plein, une tendance que l'on note à travers le pays. Les programmes de maternelle à temps plein démontrent des gains bien supérieurs dans le développement du langage. Les petits francophones qui utilisent le français dans différents contextes se construisent une identité personnelle et culturelle positive.

En milieu minoritaire, la garderie joue un rôle de pépinière. La garderie française ne peut être considérée de la même façon que les garderies de la majorité. Les enfants doivent débiter leur vie en français à l'extérieur du foyer le plus tôt possible afin de commencer l'école primaire avec les outils linguistiques et culturels nécessaires pour réussir. Un autre point très important : les recherches démontrent clairement que les deux facteurs qui influencent le plus la qualité des services préscolaires sont le niveau de formation des éducatrices et leurs conditions de travail.

Il est possible que certains changements désirés par la communauté n'aient pas leur place dans la *Loi sur l'éducation*, mais plutôt dans des règlements ou encore des politiques. Nous ne possédons

pas l'expertise pour faire le tri des changements désirés. Nous laissons donc aux experts légaux du gouvernement le soin de placer les changements à l'endroit le plus approprié, soit dans la Loi, dans la réglementation ou dans les politiques.

La communauté francophone a été consultée sur les changements qu'elle aimerait voir à la *Loi sur l'éducation* du Yukon. Le processus de consultation de la communauté est décrit en annexe 1. Voici les changements à la *Loi sur l'éducation* désirés par la communauté. Ils sont divisés en deux blocs :

- *Changements au préambule et à l'éducation préscolaire / maternelle*
- *Changements visant une plus grande gestion scolaire*

5. Recommandations sur les changements à la *Loi sur l'éducation*

a. Changements au préambule et à l'éducation préscolaire / maternelle

5.1 Le préambule de la *Loi sur l'éducation* devrait mentionner que le Canada a deux langues officielles.

5.2 Le préambule de la *Loi sur l'éducation* devrait mentionner que le curriculum obligatoire du Yukon inclut une partie sur l'histoire et la contribution des Franco-Yukonnais à l'édification du Yukon.

5.3 Le préambule de la *Loi sur l'éducation* devrait mentionner que le gouvernement territorial doit consulter la communauté franco-yukonnaise et les parents pour connaître leurs besoins dans le domaine de l'enseignement primaire et secondaire.

5.4 La loi devrait garantir le financement nécessaire pour un programme d'études préscolaires pour tous les enfants yukonnais de 3 et 4 ans. Pour les Franco-Yukonnais, le financement doit permettre la mise sur pied de programmes de francisation et d'intégration culturelle. La mise sur pied de programmes préscolaires doit comprendre l'amélioration des conditions de travail des éducatrices.

5.5 La loi devrait mettre sur pied la maternelle à temps plein.

b. Changements visant

une plus grande gestion scolaire

5.6 La loi attribue des pouvoirs additionnels à la CSFY qui correspondent aux besoins particuliers des francophones en milieu minoritaire. Le transfert se fait de façon progressive et au moment où la CSFY est prête à assumer ces pouvoirs additionnels. La CSFY peut mettre en œuvre des stratégies et des initiatives dans divers champs d'intervention qui auront un impact positif sur la transmission de la langue et de la culture. La CSFY décide quand et de quelle façon elle désire mettre en œuvre ces stratégies et ces initiatives. Voici des exemples de champs d'intervention. Cette liste n'est ni exhaustive ni limitative.

- La définition du curriculum;
- Les programmes préscolaires;
- Les programmes de francisation, d'animation culturelle et d'accueil;
- Le nombre d'enseignants et les classes à niveaux multiples;
- La mise en œuvre des stratégies visant la rétention des élèves au secondaire.

5.7 La loi reconnaît la spécificité des besoins

financiers de la CSFY, par exemple le loyer et autres dépenses associées au fonctionnement de base, des budgets pour le développement de curriculum, les programmes préscolaires, la francisation, l'animation culturelle, l'accueil, l'embauche d'enseignants et la mise en œuvre de stratégies pour assurer la rétention des élèves au secondaire.

5.8 La loi reconnaît les besoins spécifiques pour la formation professionnelle des enseignants et des autres professionnels en éducation; les budgets nécessaires sont alloués.

5.9 La loi spécifie que le pouvoir de créer ou de fermer des écoles est accordé à la CSFY.

5.10 La loi indique que les réunions de la CSFY se déroulent en français.

5.11 Le poste de directeur général de la CSFY est établi en permanence dans la loi. Le directeur général de la CSFY est choisi par la CSFY et est l'employé de la CSFY. On assure au directeur l'accès à toutes les informations pertinentes pour son travail : participation aux réunions au Ministère de l'Éducation, information sur les

changements au curriculum, etc.

5.12 La CSFY pourra jouir, dans les années à venir et si elle le désire, d'un plus grand pouvoir de gestion en ce qui concerne l'embauche du personnel de l'école : direction d'école, enseignants, adjoints, personnel de soutien.

5.13 La loi doit établir la Commission scolaire francophone du Yukon, district scolaire n° 23. En ce moment, la CSFY n'existe que par règlement.

5.14 La durée du mandat des commissaires est de deux ans. Les mandats devraient se chevaucher par souci de continuité dans les dossiers. Ex. : trois commissaires élus les années paires, deux autres élus les années impaires.

1. Conclusion

La forte majorité des participants du Forum ont appuyé les recommandations qui précèdent. Cependant plusieurs autres suggestions sont ressorties du Forum et nous espérons que les participants à cette consultation vous proposeront d'autres idées novatrices pour enrichir la Loi sur l'éducation et renforcer les

fondements de la communauté franco-yukonnaise.

Les membres du Partenariat communautaire en éducation vous seront reconnaissants de leur présenter votre premier jet de la version modifiée de la *Loi sur l'éducation*. Nous souhaitons fermement que le processus de révision laisse une place adéquate à la négociation et qu'ils respectent les droits .

Nous vous remercions de votre attention

Annexe #1 Description du processus de consultation

Entre le 18 et le 29 septembre 2000, une consultante embauchée par le Partenariat communautaire en éducation a effectué des consultations auprès de la communauté franco-yukonnaise sur trois dossiers dont ceux de la révision de la *Loi sur l'éducation* du Yukon et la gestion scolaire. La consultante a rencontré les individus suivants sur une base individuelle ou en petits groupes. De plus, une consultation collective a eu lieu lors du Forum sur l'éducation le 30 septembre 2000.

Rencontres individuelles et en petits groupes

Membres du Partenariat

communautaire en éducation (PCE)

l'APÉF: Ève Camolli,
coordonnatrice;
l'AFY : Jeanne Beaudoin, directrice
générale;
le SOFA : Sylvie Savard,
coordonnatrice et Caroline Boucher,
conseillère;
Espoir Jeunesse : Roch Nadon,
coordonnateur jeunesse;
Commission scolaire francophone :
Edmond Ruest, directeur général;
l'école Émilie-Tremblay : Hélène
Saint-Onge, directrice;
les EssentiElles : Angélique Bernard,
agente de développement;
La garderie du petit cheval blanc :
Isabelle Salesse, directrice;

Commissaires de la Commission scolaire francophone :

Luc Laferté, président
Fernand Laforge, commissaire
Chris Bookless, commissaire
Nicolas D. Andreiu, commissaire
Chantal Pruneau, commissaire

Représentants du Ministère de l'Éducation du Yukon

Madeleine Lanctôt, conseillère
pédagogique
Mavis Fisher, conseillère
pédagogique
Gilbert Lamarche, coordonnateur,
Division des programmes français
Chris Gonnnet, surintendant

Représentants du Gouvernement du Yukon

Ron Janusaitis, Directeur, Bureau des
services en français
Ken Taylor, coordonnateur du
processus de révision de la *Loi sur
l'éducation*

Enseignants

Jean-François Blouin, enseignant au
secondaire, École Émilie-Tremblay
Sandra Henderson, enseignante en
immersion à l'école secondaire F.H.
Collins

Tous les enseignantes et enseignants
à l'école Émilie-Tremblay ont reçu
un questionnaire à remplir sur les
trois dossiers. J'ai reçu les question-
naires remplis par les enseignants
suivants :
Marc Champagne, Lise Ouimet

Parents :

Édith Babin, vice-présidente de
l'APEF
Karen Walker, mère de deux enfants
en immersion à l'école secondaire
F.H. Collins

Association franco-yukonnaise

Yann Herry, président
Pierre Bourbeau, ex-directeur général

Autres :

Nadine Landry, animatrice culturelle,
école Émilie-Tremblay
Carole Genest, agente de programme,
Patrimoine Canadien

Liste des participants au Forum sur l'éducation (30 septembre 2000)

Nom	Prénom
Babin	Edith
Baril	Sylvie
Beaudoin	Jeanne
Bélanger	Karine
Bernard	Angélique
Blouin	Jean-François
Bookless	Chris
Boucher	Caroline
Champagne	Marc
Dubé	Marcelle
Duquette	Tina
Fergusson	Steve
Geoffroy	Sylvie
Girard	Cécile
Herry	Yann
Laferté	Luc
Laforge	Fernand
Lamarche	Gilbert
Lanctôt	Madeleine
Landry	Nadine
Langlais	Odette
Léonard	Sylvie
Martel	Nathalie
Mathian	Josée

Nadon	Roch
Ouimet	Lise
Paquette	Diane
Pellicano	Annie
Picard	Pierre
Pruneau	Chantal
Roy	Clémence
Ruest	Edmond
Saint-Onge	Hélène
Savard	Sylvie
Savoie	Anne
Sirieux	André
St-Hilaire	Abbé François
St-Laurent	Sandra
Vivas	Aura
ADÉON	
Buret	Nicole
Desrochers	Pierre
Dupuis	Yolande
Ferré	Denis
Lemire	Henri
Michaud	Donald
Poirier	Claudia
Robert	Léo
Slevinsky	Richard

Presentation of the Yukon Francophone Community Partnership in Education

Yukon Francophone School Board # 23
Émilie Tremblay School
La garderie du petit cheval blanc (Daycare)
Association des partenaires de l'école française
Espoir Jeunesse
Les EssentiElles
SOFA (Adult Orientation and Training Service)
Association franco-yukonnaise

Within the framework of the consultations on the:

Yukon *Education Act* review

Monday, October 30, 2000
7:00 p.m., Riverview Hotel
in Whitehorse, Yukon

Contents

1. Introduction
2. Members of the Community Partnership in Education (CPE)
3. Language and culture transmission
4. Education in French in the Yukon
5. Recommendations regarding legislative changes to the *Education Act*

Appendix 1. Description of the consultation process

1. Introduction

For more than a year now, we have been hearing about the *Education Act* review, and we are delighted tonight to share our comments and recommendations for improving the legislation.

The Yukon francophone community takes pride in the rights acquired in the field of education. In sixteen years, the community has developed the means necessary to ensure its sustainability, such as La garderie du petit cheval blanc, Émilie Tremblay School and the Yukon Francophone School

Board # 23 (YFSB), all of which have a considerable impact upon the vitality of the Yukon francophone community. These institutions have contributed to the reversal of the assimilation process. I invite you to read the document *Francophone Community Profile of the Yukon*, which will help you to better understand the francophone community evolution throughout the years. The Yukon department of Education has admittedly played an important role in the development of the Yukon francophone community during the last fifteen years, for which we are grateful.

In anticipation of the department of Education's consultations on the *Education Act* review, CPE members have deemed appropriate to hold their own community consultations in order to stimulate discussions and reflect on the ideal situation the francophone community would wish for in the field of education in French in the Yukon.

Under the theme "Does education in French have a future in the Yukon?", CPE members organised a forum in which participated close to 50 persons, including parents, teachers and active community members. Representatives from francophone school councils in other Western Canada jurisdictions shared

their experiences with the Yukon francophone community during the forum.

Targeted consultations have also preceded the forum. You will find in Appendix 1 a description of the consultation process initiated by CPE members. Through these consultations, CPE wanted to invite francophone community members to present enlightened propositions to the *Education Act* review steering committee.

It is essential to mention that in 1999, the Association des partenaires de l'école française commissioned a legal analysis of the *Education Act* to determine whether the Act respect or not the intent of Section 23 of the *Canadian Charter of Rights and Freedoms*. It is Section 23 that vests to official language communities, anglophone in Quebec and francophone in the rest of the country, the right to receive education in their mother tongue. It is also this very Section 23 that has inspired the name of the Yukon Francophone School Board # 23. As it stands, this legal analysis, funded by the Court Challenges Program of Canada, clearly demonstrates that the Yukon *Education Act* does not respect the intent of Section 23.

It is with the aim to improve the Yukon *Education Act* and to bring it in conformity with

the intent of Section 23 of the *Canadian Charter of Rights and Freedoms* that we are presenting the following comments and recommendations.

Before going any further, I would like to introduce the members of the Community Partnership in Education attending the meeting tonight.

2. Members of the Community Partnership in Education:

- Yukon Francophone School Board # 23: Edmond Ruest, general director;
- Émilie Tremblay School: Hélène Saint-Onge, principal; Josée Mathian, teacher;
- La garderie du petit cheval blanc : Isabelle Salesse, director;
- Association des partenaires de l'école française: Louise Cashaback, acting coordinator;
- Association franco-yukonnaise: Jeanne Beaudoin, general director;
- Service d'orientation et de formation des adultes: Sylvie Savard, coordinator;
- Espoir Jeunesse: Roch Nadon, youth coordinator;
- Les EssentiElles:

Angélique Bernard, development officer.

The three CPE representatives who will address the meeting tonight are:

- Luc Laferté, school board president;
- Edmond Ruest, contact person, YFSB's general director
- Jeanne Beaudoin, contact person, AFY's general director

3. Language and culture transmission

Why is it so important for Francophones in Canada to preserve French language and culture? Language and culture constitute, at least in part, the core and essence of a human being and they define in a large measure the identity of the individual. Language and culture are a link to our past and our roots. They also represent what we want to project into the future through our children. These are the same realities that you, members of the steering committee, know in your lives. You are proud of your Northern culture, your aboriginal languages and your Canadian identity, and you want to preserve these values. You wish for continuity in what defines your very selves. You are not Americans, and you do not want to become Americans. Nor do French-

speaking Canadians want to lose what defines them.

It is a formidable challenge for Francophones living in a minority situation to preserve their language and culture. The English language is omnipresent, among friends and neighbours, on TV, on Internet, in music, etc. The transmission of language and culture requires a great deal of energy, commitment and participation. Whether they are Acadians or Francophones from Ontario, Saskatchewan or Yukon, Francophones living in minority situation refuse to be assimilated. Their sense of determination is impressive. Often, they are driven by passion. Their goals are not limited to the survival but include also the development of their communities.

Education and schooling play a key role in this process. In a minority situation, the French school is the community's vital centre. It is the most important institution for the minority's survival. The French school carries out a double mandate: to dispense an excellent education to students and to contribute to the development of the community. The school complements the family's actions in the language and culture transmission process. The French school is involved in the development of both the individual and the community. Throughout Canada, Francophones living in a

minority situation are setting up partnerships between schools, families and the community. This enables them to regroup the dynamic forces in the community and to better reach the objectives in education. We also adopt the vision that education continues throughout life. Access to education services in French must ideally be present from birth to old age. Language and culture transmission is a fundamental component of the education process.

Because education in French is of prime importance to them, Francophones want to be able to take the decisions that affect life in the school, in particular those concerning language and culture. Recently, we are witnessing throughout the country the creation of new school councils and boards who take over more and more power and authority. This national trend goes hand-in-hand with the interpretation of the Canadian constitution. The recent ruling of the Supreme Court of Canada (Prince Edward Island's Summerside School, January 2000) reaffirm the official languages minority groups' right to school governance and to exclusive control in regard to language and culture matters. The school board represents the minority community and it is up to the board to decide what is most appropriate from a cultural and linguistic standpoint.

4. Education in French in the Yukon

The Yukon francophone community is a dynamic, strong and well-organized minority community who works in cooperation with a majority well known for its open-mindedness. This majority recognizes the Francophones' contribution to Yukon society and to the social dynamics of Whitehorse. More than once, the Yukon government has demonstrated its respect for the official language minority and its willingness to collaborate with it.

In the last twenty years, the Yukon francophone community, in cooperation with the Yukon department of Education, has achieved a great deal. Community members take pride in Émilie Tremblay School, La garderie du petit cheval blanc and SOFA, the new adult orientation and training service. They are proud of the groups Espoir Jeunesse and Les EssentiElles, created less than five years ago. Francophones have been able to establish these services and organizations by being resolute, diplomatic, sensible and persistent. For almost three years, CPE has been a reflection of this partnership between school, family and community. It is an example to the rest of Canada. We owe to CPE's presence and good

operating practices the possibility to hold our internal consultation and submit this presentation so quickly.

With the Yukon Francophone School Board's creation in July 1996, Yukon Francophones gained greater power in school governance. Émilie Tremblay School is now well established. We work and we'll keep working hard at increasing the numbers at the high school level. A new preschool program has been set up and new adult education services are being developed. The situation keeps evolving and Yukon Francophones now want to have a greater say in the management of their school(s). They want a higher level of school governance. They also want other changes in the *Education Act* preamble in regard to preschool and kindergarten education.

Before presenting the desired changes, we wish to clarify the question of preschool education. Access to preschool services takes on a particular importance in a minority situation. Countless studies demonstrate the extremely positive impact of quality preschool education services on total child development and opportunities for success at primary and secondary levels. In a minority situation, these positive impacts add further to a good linguistic and cultural preparation, which facilitates entry in the French school.

Early childhood centres and education programs for 3- and 4-year-old children enable the francization of children coming from intercultural families (one francophone parent and the other speaking another language), the reinforcement of cultural identity and the constitution of the new generation of students.

The same arguments apply to full-time kindergarten classes, a trend we witness throughout the country. Full-time kindergarten programs bring about much greater benefits in language development. Young francophone children using French in different contexts establish for themselves a positive personal and cultural identity.

In a minority situation, the daycare is a breeding ground for children development. The francophone daycare cannot be regarded the same way than anglophone daycares. Children must start their life in French outside the home as early as possible so that they can enter primary school with all the linguistic and cultural tools necessary for success. Another very important point: studies clearly show that the two factors that have the greatest influence on the quality of preschool services are the educators' level of training and working conditions.

It is possible that certain changes proposed by the

community belong under regulations or policies rather than the *Education Act* itself. We do not pretend to have the expertise to sort out the desired changes. Therefore, we will let the government's legal experts fit in the changes in the most appropriate places, either in the *Act*, the regulations or the policies.

The francophone community was asked what changes it would like to see made to the Yukon *Education Act*. The community consultation process is described in Appendix 1. The following changes proposed by the community are divided in two sections:

- *Changes to the preamble and to preschool and kindergarten education*
- *Changes targeting greater school governance*

5. Recommendations regarding legislative changes to the *Education Act*

a. Changes to the preamble and to preschool and kindergarten education

5.1 The Education Act

preamble should mention that Canada has two official languages.

5.2 The *Education Act* preamble should mention that the mandatory curriculum in the Yukon includes a section on the history and contribution of Yukon Francophones to the development of the Yukon.

5.3 The *Education Act* preamble should mention that the territorial government must consult the Yukon francophone community and the parents to hear their needs in regard to primary and secondary education.

5.4 The *Act* should guarantee the necessary funds for a preschool study program for all Yukon children aged 3 and 4. For Yukon francophones, the funding must enable the creation of francization and cultural integration programs. The creation of preschool programs must include provisions to improve the preschool educators' working conditions.

5.5 The *Act* should implement full-time kindergarten.

b. Changes targeting greater school governance

5.6 The *Act* should confer to

YFSB additional powers that reflect Francophones' specific needs in a minority situation. The transfer should be done progressively and when YFSB is ready to take over these additional powers. YFSB should implement strategies and initiatives in various fields that would have positive impact on language and culture transmission. YFSB should decide when and how it would implement these strategies and initiatives. Here is a partial list of examples:

- Curriculum definition;
- Preschool programs;
- Francization, cultural animation and introduction programs;
- Number of teachers and multi-grade classes;
- Implementation of strategies to retain students at the secondary level.

5.7 The *Act* should recognize YFSB's specific financial needs, such as rent and other expenses related to the operation, budgets for curriculum development, preschool programs, francization, cultural animation, introduction programs, teacher recruitment and implementation of strategies to retain students at the secondary level.

5.8 The *Act* should recognize the specific needs related to the

continuing education of teachers and other education professionals and should allocate the necessary budgets.

5.9 The *Act* should state that YFSB has the power to open or close down schools.

5.10 The *Act* should indicate that YFSB's meetings take place in French.

5.11 YFSB's general director position should be defined as a permanent position in the *Act*. YFSB's general director is chosen by the YFSB's trustees and is their employee. The general director is guaranteed access to all pertinent information to carry out his/her mandate: participation to the Education department's meetings, information regarding curriculum changes, etc.

5.12 YFSB should be allowed to assume, in the future and if it wishes so, a greater management authority in regard to hiring the school personnel: direction, teachers, assistants, support personnel.

5.13 The *Act* should establish the existence of the Yukon Francophone School Board, school district # 23. Presently, YFSB exists only in the

regulations.

- 5.14 The trustees' term of office is two years. For the sake of continuity, terms should overlap. Ex.: three trustees elected on even years, two other trustees elected on odd years.

List of participants to the forum on Education (September 30, 2000)

Surname	First name
Babin	Edith
Baril	Sylvie
Beaudoin	Jeanne
Bélanger	Karine
Bernard	Angélique
Blouin	Jean-François
Bookless	Chris
Boucher	Caroline
Champagne	Marc
Dubé	Marcelle
Duquette	Tina
Fergusson	Steve
Geoffroy	Sylvie
Girard	Cécile
Herry	Yann
Laferté	Luc
Laforge	Fernand
Lamarche	Gilbert
Lancôt	Madeleine
Landry	Nadine
Langlais	Odette
Léonard	Sylvie
Martel	Nathalie
Mathian	Josée
Nadon	Roch
Ouimet	Lise
Paquette	Diane
Pellicano	Annie
Picard	Pierre
Pruneau	Chantal
Roy	Clémence
Ruest	Edmond
Saint-Onge	Hélène
Savard	Sylvie
Savoie	Anne

Submission to the Yukon Education Act Review Steering Committee

by

School Councils'
Working Group

for the

Yukon Education
Act Review

January 2001

This submission to the Education Act Review Steering Committee (EAR SC) was prepared and delivered by the School Council Working Group for the Education Act Review (SCWG) January 2001

Background

The SCWG is composed of current and past, urban and rural, school council, board and Committee members. When the EAR was initiated, a model to be used for the review was presented to each partner group for consideration. The model consisted of steering Committee representation for each partner group: School Councils, Boards and Committees, First Nations, teachers and the Department of Education¹. The next level of the model was the EAR working groups that provided direction and support for their respective representatives. Several meetings were held with and by School Councils to consult on the model and to begin discussions on how to select steering Committee representatives. Throughout this process, School Councils consistently raised the need for two-way communication throughout the review process.

The SCWG took the two-way communication model one step further. We acknowledged from the onset the difficult task we had, given that we were the only partner group without an established organization to provide support throughout this process. We are grateful that the department provided the SCWG with funding to support the participation of rural School Councils and the Activities of the group. Our process for receiving and providing feedback included:

- Determining from the beginning of the process that the SCWG would be fluid. Past

and current school council members were welcome at anytime.

- Asking all School Councils to put the EAR on their regular monthly meeting agendas as a standing item.
- Establishing an e-mail contact list for as many School Councils, Boards and Committees as possible to provide updates on our progress and to provide an avenue for School Councils to bring forward issues.
- Making the EAR a priority item for discussion at the School Council conferences.

There were no mechanisms in place such as the ones in place at the department, Yukon Teachers Association and First Nation Education Commission, for School Councils to select their representatives for the EAR SC. Individual school council members took the initiative and addressed this issue by facilitating an election at the Spring 1999 School Council's Conference. All School Councils, the board and Committee were contacted to inform them of the nomination and election process that would take place. An election was held with a rural and urban representative selected for the EAR SC.

The SCWG agreed that we were not a censoring body. We agreed to Act as a conduit – bringing forward all issues, concerns and recommendations raised by School Councils, the board and Committee. Our submission reflects this approach. Information was gathered in a variety of ways; through discussions at school council conferences, feedback from individual councils and through information gathered through the EAR process.

Introduction

Besides the Department of Education, school administration and teachers, the school community is

composed of parents and their children who are the beneficiaries and the reason for the Act in the first place. School Boards Councils and Committees represent, Act and advocate on behalf of these beneficiaries who, apart from being Yukoners, may also be First Nation, Francophone, Catholic or members of other groups. The SCWG recognizes and supports the views of these other groups who have submitted material for this review, as well as those who have commented individually.

This submission contains the concerns and recommendations expressed by the school community we represent. While we have attempted to be comprehensive, we acknowledge that our submission may not be all-inclusive as the primary focus is on the education elements either common to all or relayed to us.

Fundamental Recommendations (The Big Picture)

The Education Act, rather than aiming for excellence, actually sets the bar which allows for the minimum level of educational achievement in the Yukon. The current level is not good enough.

Throughout this review process common issues and themes have emerged. These persistent and fundamental issues that require change centre on the need for accountability and meaningful partnerships in Yukon's education system. These core issues must be addressed before we can begin to build trust, improve communications and begin a journey of a shared vision for a high quality Yukon education system. None of the four

partner groups have the energy and/or the resources to continue to operate as we are now. There is ample evidence to show that these issues have been around for a number of years. The Council of Ministers of Education of Canada expressed it in the following way:

***'The trend toward public accountability is pervasive. Accountability means clarifying the roles of all the players in the system, with mechanisms to assess whether these roles are fulfilled. It also means letting parents and community members have a greater say through school or parent councils, a development seen across Canada. Assessment also serves accountability. It implies a more open approach to sharing information with parents and the general public, about the good and bad news.'** (The Development of Education Report of Canada, Council of Ministers of Education, Canada, September 1996).*

This government made two important commitments to all Yukoners. A commitment to change and a commitment to restore confidence in government. The time for change and to restore confidence in

the education system is now. One way to ensure this happens is through mandated reviews. As School Councils, Boards and Committees are accountable to the parents and students of their school(s) and the department, so should the department be accountable to all Yukoners. We recommend that the department's Public Schools Branch (and any other related branches) be regularly reviewed and assessed on its performance. A third party performance review such as the type performed by the Auditor General would contribute to accountability and build parental and community trust and confidence in the system.

The other fundamental issue is the matter of meaningful partnerships in education. The Education Act currently 'speaks of' the importance of meaningful partnerships. This recognition must be taken one step further, beyond "encouraging" greater parental and public participation to recognizing parental and public participation is necessary for a "...high quality Yukon education system." (Yukon Education Act Preamble, 1990). Meaningful partnerships begin with putting School Councils, Boards and Committees on a level playing field. This requires a major shift in the way the department currently does business and a redistribution of power. We believe that the intent of the Act was to move from a centralized control (the department) of education to a community controlled and community based school system. This shift and sharing of power has not, however occurred. Once this shift occurs, the problems arising from the lack of accountability and meaningful partnerships will be able to be resolved.

It is recommended that education related Regulations, Policies, Procedures and practices be changed to not only reflect the changes to the Act but also to align themselves

with the fundamental, core issues of accountability and meaningful partnerships herein. This means that non-Act related recommendations put forward must be addressed through consultation with the partner groups. In addition, it should be noted that there are sections of the Act about which the Steering Committee and the SCWG is receiving feedback which may seem inconsistent given the actual wording in that section. This, in some cases, is an attempt to fix something that isn't broken. Specifically, this is an indication that some provisions of the Act are not being followed and speaks to the inconsistencies that exist between department policies and actions and the intent of the Act.

Another area of concern is the need for accountability of individual schools, based on their own merits and based on comparative performance. There are numerous measurables that can be documented and openly displayed to provide solid indication of school performance, and in fact, many of these measurables are currently gathered and tabulated by the Department. These do (or could) include information about: graduation and school completion rates; extracurricular Activities; student, teacher, and parent satisfaction in a number of areas; post-school activities (pursuit of post-secondary studies/training, employment); attendance and drop-out numbers with 'exit interview' information and the like. Areas needing improvement and enhancement will be brought to the surface and can be dealt with. Areas of success and strength will be recognized and can be used in a 'mentoring' /expository way so that other schools can benefit from their example. We recommend that this be required as a responsibility of the Ministry and individual schools.

It is also recommended that an up-

to-date, consolidated, user friendly, understandable, plain language version of not only the Education Act but the associated Regulations, Policies and Procedures be produced, maintained and distributed to school council, board and Committee members. We also recommend sections of the Act be cross-referenced with the other sections that apply as it is sometimes not intuitively obvious.

Ways to Implement Core Recommendations or
"Where there's a Will there's a Way"

The shift to a community controlled and community based school system doesn't need to be an "all or nothing approach." We recommend that alternative models of governance for education in the Yukon be considered in order to be flexible to accommodate different realities across the territory and to be more inclusive of stakeholders. As well, consideration for the opportunity for School Councils and other entities to take on additional levels of authority and responsibility without having to commit to levels beyond their capacity must be provided for (other options to becoming a full fledged board).

Association of Yukon School Councils, Boards and Committees

Before the role of an Association of Yukon School Councils, Boards and Committees could be determined, School Councils felt that their roles and responsibilities needed to be more clearly defined. As a result, *The Yukon Education System Roles and Responsibilities of School Councils and School Boards* document was prepared in June 2000 by School Councils. The following guiding principles were established:

1. Education must focus on what is best for student learning.

2. The Yukon education system belongs to and is accountable to all members of the community.

Parents and community members have a right to know how well their school is doing and what Actions will be taken to improve student performance, to contribute to the school's development and improvement, and to be consulted about and receive feedback on decisions that affect their children and their school.

3. Parents are a valuable resource.

Parents know their children best. They are their children's first and most important teachers. They are also excellent sources of information about the local community, its resources, priorities, and needs.

4. Education in the Yukon is the joint responsibility of governments, educators, School Councils / Boards, parents, students and communities.

This relationship is essential given the need for consistent territory-wide standards and the

diversity of Yukon's communities.

5. First Nation, Catholic and Francophone Yukon people have additional constitutional, legislated and Charter rights that must be honoured.

WE RECOMMEND THAT THESE PRINCIPLES BE REFLECTED IN THE ACT.

Education in the Yukon is a partnership between government, educators, School Councils/Boards, parents, students and community. Each partner has an important role to play – to be effective, the partners must collaborate. And while collaboration is a vital component for a high quality education system, autonomy of each partner group is also important.

One component of building meaningful partnerships is to recognize that each partner group must have a mandated area of authority and responsibility. The dependency on the department for information, training and other supports has negatively affected School Councils' ability to be well informed and able to advocate on behalf of our children. For many years, School Councils have consistently raised issues around advocacy, training and professional development, communication, autonomy and equality as a partner. The purpose of the Association is to assist and provide support to School Councils, Boards and Committees.

The objectives² of the Association include:

- To undertake and / or coordinate project initiatives identified as being of a common priority by its membership and disseminate any resulting in-

formation.

- To ensure access to training programs on behalf of its members.
- To ensure effective communication between the Association, its members and external contacts.
- To provide expert advice to its members.

Meeting the Challenge

Key areas the Association of Yukon School Councils, Boards and Committees will address include:

Advocacy:

- Represent membership on matters affecting public education in the Yukon.
- Track issues of concern for all councils so there is a "corporate history" and councils do not burn out by constantly reinventing the wheel.
- Have a strong voice to lobby Yukon Teachers Association, Dept of Education or others on any educational issue on behalf of our children.
- Have a policy-setting process allowing members from across the Yukon to present a united collective voice on territorial educational issues. This means support for councils to pursue and respond to common issues of concern.
- Hire expertise in areas needed to strengthen our position and/or to educate councils on trends and policies in education.

Training and Professional Development:

- An association would play an Active role in training and professional development for School Councils so that we are effective and informed.

Effective Communication:

- Communicate with the other partners (Department, Yukon Teachers Association, and First Nations) and other groups. An association can provide guidance and coordination on issues of common concern that the department and other organizations require input on.
- Build a repository of information and resources relevant to councils' roles and responsibilities and ensure this information is accessible, understandable, accurate and meaningful.
- Support networking between councils. This means staying connected with each other for information sharing, decision making and support.
- Be creative in ensuring councils have access to information. E.g. development of a web-site, newsletter and other information resources tailored to school council needs.
- Affiliation with other school council/board associations for information and resource sharing.

Autonomy and equality as a partner:

- Be a self governing organization without competing demands/responsibilities from other programs, departments, initiatives, etc. This helps councils focus their work by being proactive and not reactive to the demands of others.
- Yukon Teacher's Association and First Nation Education Commission receive or have received funding from the Department of Education - a school council/board association

- should also be funded.
- The managing body (or board) of an association will be compensated for their work. Compensation for the work that school council members contribute to our children's education system shows that the work is valued and respected, but also levels the playing field to that of the other partners.
- The decision of who would sit on departmental Committees would be that of School Councils. An association would provide a mechanism for the department and other organizations to solicit representation from School Councils.
- The Association would also provide support to school council members sitting on departmental or other Committees.
- Support School Councils in the hiring of administrators.
- An association could assist with Councils taking on additional powers that they may be unable to do individually without support. It can assist in accessing funding from other sources that councils may not be able to currently access on their own (many funding programs and agencies provide funding to umbrella non-governmental organizations).

Credibility:

- An association will ensure School Councils are better informed, focused and effective. This contributes to the efficiency and credibility of councils.
- An Association can set standards for their members such as a Code of Conduct. To be credible we

must be accountable.

Conferences/Meetings

- Coordination of conferences/gatherings would be easier as the lines of communication would be clearer and more direct.
- Conferences/meetings will be more focused and tailored to the needs of School Councils. Issues can be discussed, debated and voted on. At present councils do not have a mechanism to collectively vote on issues; the Education Act only provides for decisions to be made by individual councils (Section 142).

We strongly recommend that Section 121 of the Education be amended to provide for the mandatory establishment of an Association of School Councils, Boards and Committees. Further, that funding be provided to the Association to meet its mandate as established by its membership.

And finally,

*"Two recurrent themes in the feedback from the surveys and meetings were issues relating to **accountability**, (often termed responsibility) and **consistency**. It was determined that accountability means different things to different people—to the public it relates to school effectiveness, to students and parents the relation is to individual progress, and to staff it pertains to the planning, processes and policies determined at the various administrative and ministerial levels."*

It is interesting to note that the words cited above were written in 1994 in the document 'Curriculum and Special Needs Programming in Yukon Public Schools-Report of the Yukon Education Review Committee' and now, in the year 2001, a lack of proper 'accountability' continues

to be a major concern in education.

Along with what is contained in this submission, we would request that the Department of Education revisit the above document and take action on those recommendations that are still outstanding. A response was prepared and circulated in December 1994, however it would seem that an updated response would be in order, especially as dealing with issues in education is clearly on the territorial government's agenda with this current review.

While some positive changes have been made in education over the years, there is a long way yet to go in order for the Yukon education system to provide the necessary 'environment', in the broadest sense of that word, for students to be able to strive for and achieve excellence.

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
PREAMBLE		<p>We believe in the following guiding principles:</p> <ol style="list-style-type: none"> <li data-bbox="904 275 1479 327">1. Education must focus on what is best for student learning. <li data-bbox="904 350 1479 552">2. The Yukon education system belongs to and is accountable to all members of the community. Parents and community members have a right to know how well their school is doing and what actions will be taken to improve student performance, to contribute to the school's development and improvement, and to be consulted about and receive feedback on decisions that affect their children and their school. <li data-bbox="904 575 1479 701">3. Parents are a valuable resource. Parents know their children best. They are their children's first and most important teachers. They are also excellent sources of information about the local community, its resources, priorities, and needs. <li data-bbox="904 724 1479 877">4. Education in the Yukon is the joint responsibility of governments, educators, school councils / boards, parents, students and communities. This relationship is essential given the need for consistent territory-wide standards and the diversity of Yukon's communities. <li data-bbox="904 900 1479 972">5. First Nation, Catholic and Francophone Yukon people have additional constitutional, legislated and Charter rights that must be honoured.

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
PREAMBLE		<p>While the intent of the Preamble is good, it needs to empower <u>students</u>. We want to see excellence in education become an actuality.</p> <p>We recommend the following wording changes:</p> <p>In the first phrase:</p> <ul style="list-style-type: none"> <li data-bbox="888 1346 1341 1371">-insert 'students' before parents in first phrase <li data-bbox="888 1377 1224 1402">-include 'spiritual' after 'cultural' <li data-bbox="888 1409 1279 1434">-change the word 'aesthetic' to 'artistic' <li data-bbox="888 1440 1427 1497">-add 'and with excellence as a stated goal' after 'to the extent of their abilities' <p>In the 2nd phrase in 2nd paragraph:</p> <ul style="list-style-type: none"> <li data-bbox="888 1570 1068 1596">-delete 'and work' <li data-bbox="888 1602 1386 1627">-insert 'self' after 'instill respect for..' in 3rd phrase <p>In the third paragraph:</p> <ul style="list-style-type: none"> <li data-bbox="888 1701 1341 1726">-replace 'are encouraged' with 'are necessary' <p>In the fourth paragraph:</p> <ul style="list-style-type: none"> <li data-bbox="888 1799 1190 1824">-delete 'cultural and linguistic'

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p>Part 1, Interpretation Definitions</p>	<p>‘Accountability’</p> <p>‘Council’</p> <p>‘educational program’</p> <p>‘exceptionalities’</p>	<p>Needs to be included and defined. We support the following: <i>“ Accountability is a means by which individuals or organizations take responsibility for their actions so that those who depend on them can be assured that there are some safeguards in place to encourage good practices and to prevent bad practices or abuses, to have some course of redress for problems that arise, and to have some assurance of equitable and fair treatment. ”</i></p> <p>taken from ‘Developing a Professional Model of Accountability for our Schools’-Linda Darling-Hammond (BCTF AGM 1999)</p> <p>this should be ‘<i>School Council</i>’</p> <p>Concerns have been raised about there being no inclusion or recognition of education beyond grade 12 in this Act. The issue here is the missing transition from secondary education to further learning. What legislation guides post-secondary education? Our concern for students does not end as they leave the public education system.</p> <p>Needs to be defined. Must be worded to include ALL exceptionalities, it needs to specifically include ‘gifted students’ (i.e., the current one on page A6 of ‘Special Programs Services-A Handbook of Procedures and Guidelines’ as worded may not include ‘gifted’ students).</p>
Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p>Part 1 Interpretation Definitions</p>	<p>‘Partnership’</p> <p>‘School Committee’</p> <p>‘School Plan’</p> <p>‘School Age’</p>	<p>Needs to be included in ‘definitions’</p> <p>To assert that there is a partnership and each partner is to have an equal working relationship. As it is, School Councils are not equal partners. Education in the Yukon must be a partnership between government, educators, school councils / boards, parents, students and communities. Each partner has an important role to play - to be effective, the partners must collaborate. To understand the role of school councils / boards, it is necessary to understand the responsibilities of each partner.</p> <p>Needs to be defined and included</p> <p>Needs to be defined and included</p> <p>Needs to be opened up, the upper and lower limit is problematic. We support that they should ‘guide’ but not limit access to education. Should be changed to include younger children (~ 4 years old).</p>
<p>Part 1 Interpretation</p>	<p>Limitations 2</p>	<p>2 (1) what does this mean? As worded now, this appears to totally negate the Act. If a right is discretionary, it is not a right.</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p>Part 2 Territorial Administration</p>	<p>Goals & Objectives 4</p>	<p>4. insert words to read <i>“The Minister shall establish, communicate <u>and support</u> the Yukon educational system goals and objectives, which are:...”</i> By support, this means ‘action’ We want the Minister to be accountable for ensuring that the goals and objectives are met.</p> <p>(b) should be changed to <i>‘to encourage the development of self worth through a positive education environment’</i></p> <p>(f) change ‘equality’ to ‘equity’ here and throughout the Act. Suggested change <i>‘To develop an understanding of the principle and practice of gender equity’</i></p> <p>under 4, Insert ‘to provide experiential programs in many subject areas including outdoor education, fine arts, etc. which are accessible at the elementary and secondary level’ We feel there are not enough resources and staff support to do this in Whitehorse and even more so in communities.</p> <p>Also insert under 4 <i>‘to ensure that the Yukon education system is accountable to students, parents and the Yukon community in general.’</i></p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 2 Territorial Administration	Duties of the Minister 5	<p>151 Insert '<i>The Minister in consultation with partners groups shall ...</i>'</p> <p>-include wording about the Minister's duty to provide a healthy environment for learning (i.e., safe and healthy building, addressing any public health concerns/ comments, etc.)</p> <p>Some of this responsibility is clearly set out in 116 (f) for School Boards and there is nothing to this effect for the Minister. Needs to be reworded to parallel School Boards regarding 'safe schools'</p> <p>(h) Re: the Annual Report, the Minister has to be accountable to report in meaningful terms on achieving the Goals & Objectives as outlined in the Act.</p>
Part 2 Territorial Administration	Powers of the Minister 6	<p>Add (i) work in collaboration with other community supports and service providers to meet the requirements of the Act</p> <p>6. Insert '<i>The Minister in consultation with partners groups may...</i>'</p>
Part 2 Territorial Administration	Agreements 7	<p>Insert '<i>The Minister in consultation with partners may make agreements...</i>'</p>
Part 2 Territorial Administration	Appointments 8	<p>8 (1) Reword to read '<i>In accordance with the Public Service Act there shall be appointed a deputy minister of education and, in consultation with other partners, any other employees for the conduct of business...</i>'</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p>Part 3 Students & Parents Division 1-10 (a) Access to Education</p>	<p>Right to Education</p>	<p>-There is a high need for early intervention As it is there are age restrictions for accessing early education. These need to change.</p> <p style="text-align: center;">Also see Division 5 sections 32 and 33 below</p> <p>While there is legitimate concern surrounding having older and young students in the same environment, age should not be used as an artificial and unreasonable barrier to accessing the public education system. Appropriate behaviour and responsibility should be the determining factors. If the intent is to ensure that all Yukon children receive a basic education then ways must be found to allow this to happen.</p>
<p>Part 3 Students & Parents Access to Education</p>	<p>Free education (11-14)</p>	<p>12. Affordability must NOT be a barrier to participation in educational programs.</p>
<p>Part 3 Students & Parents Division 2 Special Education</p>	<p>Special Education 15</p>	<p>(2)-There are issues relating to mainstreaming and the actual provision of education “in the least restrictive and most enabling environment that is considered practicable...” The ‘best’ environment is not always in the school or classroom where the student is placed.</p>
<p>Part 3 Students & Parents Division 2 Special Education</p>	<p>Determination of special educational needs 16</p>	<p>(4) wording addition “<i>and the importance of their role and input shall be explained and respected.</i>”</p> <p>(5) wording addition to include, ‘<i>unless both parents request consultation and involvement</i>’ The school and Dept should always desire the involvement of parents. The request for notification by parents should be respected.</p>
<p>Part 3 Students & Parents Division 2 Special Education</p>	<p>Special needs appeals 17</p>	<p>17 1 (f) delete the 14 days restriction</p>

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p><u>Special Ed handbook</u> <u>Procedures & Guidelines</u></p> <p>(All these refer to the above binder)</p>	<p>Definition</p>	<p>Page A6 definition of ‘Student with exceptional educational needs’ as is may not apply to ‘gifted’ students -In general, there is concern that the bright and ‘gifted’ students are not being challenged adequately in the classroom, need more support for these students (in many forms:--programming, teaching practices, opportunities to expand learning) Otherwise the risk is that they are bored and lose focus and motivation, behavioural problems can arise.</p> <p>Also students don’t have ‘handicaps’, they may have ‘disabilities’. Wording change needed.</p> <p>J19 same concern as in Div 3 20 re: Student Records</p> <p>Ongoing PD and updated knowledge must be available and utilized by staff in order to best know how to meet the needs of students with special needs. Involve parents.</p>
<p>PART 3 STUDENTS AND PARENTS</p>	<p>STUDENTS Rights & Responsibilities</p>	<p>We believe that students R & R should come first in this part of the Act as they are the ‘heart of the matter’. see further comments below in section 34</p>
<p>Part 3 Students and Parents Division 3 Parents Rights & Responsibilities</p>	<p>Rights and responsibilities of parents</p> <p style="text-align: right;">18</p>	<p>While this section is titled ‘Rights and Responsibilities’ there are no responsibilities written there. It is important that the tone and direction of responsibilities of parents is TO THEIR CHILDREN, NOT the school or the government.</p> <p>18 (1) (c) add wording ‘<i>as outlined in Part 8 Appeals of the Act.</i>’</p> <p>Add 18 (1) (e) to be provided with evidence of school accountability measures being taken, the results of same and improvement plans in areas needing addressing.</p>

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 3 Division 3 Parents Rights & Responsibilities 19 and Part 3 Division 5 (31) And Regulations 1991/074	Choice of education 19 and Home education 31	(see Home Ed submission) Home educated students should be counted in enrolment when a school provides services.
Division 3 20 POLICY 99/0	Student records 20	(2) This should be under Div 6 too (Students' Rights) -Concern about what is included in records, how & to whom accessible. Was input from Council incorporated? Refer to letter of April 1/97 (Cabott) and policy. (appendix A)
Part 3 Division 4 Compulsory Education	Excusing from attendance 23	Replace with a more collaborative and reasonable 'tone' in combination with recognizing that absences from course instruction can compromise a student's learning program. "Superintendent" should be changed to "Administrator".
Division 4 Compulsory Education	Legal proceedings 27 (1)	Is this enforceable? This issue needs further review and a process for dealing with the concern could be developed in consultation with the partner groups.
Division 5 Optional Education	Private schools 29 7	Delete item 29 (7)
Division 5 Optional Education POLICY 1995/09/01	Distance Education 30	Delete 30 (2)

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 3 Division 5 Parents Rights & Responsibilities (32)	Kindergarten 32	<p>There needs to be a definition of what full day and half day kindergarten is.</p> <p>Parents should have the option of having their child attending full-day every day program</p> <p>Issue about what is best for learning--full-day program on alternate days vs. half day every day programs and discrepancy in # of hours</p> <p>Many feel that support should be given for K-4 or junior kindergarten in more schools as it can assist those children who need more support with learning/early intervention.</p> <p>Delete (4)</p>
Division 5 (33) (2)	Pre-school education programs	<p>(1) Replace 'may' with 'shall'</p> <p>Delete (2) and (3) The Ministry should NOT be able to charge fees for preschool programs.</p>

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 3 Division 6 Students' Rights & Responsibilities	Rights of students 34	<p>WE BELIEVE THIS SECTION SHOULD COME FIRST IN PART 3 AS STATED ABOVE.</p> <p>Insert to become the new (b)-'Students have the right to be intellectually, physically, artistically challenged'</p> <p>(e)-contrast this with 167 ('Rights of teachers'). It is not as broad and it should be. Students need to be safe</p> <p>-include wording of students' right to be educated in a healthy environment (i.e., facility, 'school climate', public health issues, etc)</p> <p>It is felt that clarification is needed on when the school becomes responsible for the students—when the students are either walking to and from school and bus students and when the school's responsibility ends for the students.</p>
Division 6	Dismissal of students 40	<p>(1)-need definition of 'dismiss'" and 'suspend' There is no appeal action on a dismissal.</p> <p>2 (a)-"make every possible effort" should be changed to "must"</p> <p>After (a) and (b) insert '<i>and may not implement the dismissal until parents are notified and the care and attention of the student has been transferred. Exceptions to the transfer of care requirement would be made when an older student is not residing with a parent</i>'.</p>

ISSUES LIST

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p>Part 3 Division 6 Students' Rights & Responsibilities</p>	<p>Suspension of students 41</p>	<p>(1)-(6)-There are limited options available when being asked to deal with a suspension. Transportation Regulations give Councils more options in dealing with bus suspensions. Should be similar options in section 41.</p> <p>A policy, regulations and regulations for hearing suspensions must be developed in consultation with educational partners. Councils need information and training in hearing appeals</p> <p>There is concern about loss of learning for students, need alternatives. (In school suspensions, 'alternative' programs, etc) Efforts must be made to allow a student to keep up with studies (provision of homework, work that will be covered while out of school, etc. This involves a shared responsibility—the school needs to provide the work, the student needs to pick up and complete the work) . Dismissals and suspensions should be treated as 'last resorts'.</p> <p>When a student is suspended repeatedly, efforts need to be made to assess why it is happening. This does occur to some degree however, this may need to involve other agencies/resources in addition to school staff and there should be a process for school staff to access them in these cases.</p>
<p>Division 6</p>	<p>Education Appeal Tribunal 41</p>	<p>(7)-Councils need information and support regarding the role and procedures of the Education Appeal Tribunal in order to inform parents/students. Note: others in the school system (administrators, teachers) must also be responsible for informing parents and students of their rights. There is concern about having the time limit (14 days) on the right to appeal.</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p>Part 4 School Operation</p>	<p>Locally developed course of study 43</p>	<p>There is concern about the limiting nature of the term 'locally developed', this should be broadened to include other innovative and credible curriculum from other jurisdictions.</p> <p>43 (b) change 'may' to 'shall provide support ...'</p>
<p>Part 4 School Operation</p>	<p>School year 46 (1)</p>	<p>As is, only 1 year to be decided on at a time, decision-making is very time consuming. Councils want more than a one year calendar set at a time. Suggest setting for 2 or more years at a time, based on Councils recommendation that member terms are changed to 3 years.</p> <p>Bussing and provincial exams determine calendar in Whitehorse area. Consideration should be given to going back to territorial final exams at the grade 12 level rather than relying on BC provincial exams. This is suggested with the provision that ANY TERRITORIAL EXAMS ARE 'ACCREDITED' AND MEET REQUIREMENTS FOR GRADUATION AND POST-SECONDARY ACCEPTANCE. One issue is the portability of school credits.</p> <p>Length of school day determines # of days school is in session (i.e., a few minutes per day accumulates into days) What is critical is what is best for student learning. More discussion and review needs to take place on this.</p> <p>(3) add 'Kindergarten' to this.</p> <p>There is concern about difficulty for families when elementary schools do not have the same holiday schedule as secondary schools. Unclear about whether it's possible to have different schedules when there are both elementary and secondary students in the same school (communities).</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 4 School Operation 46	School Operation 46	<p>(2) –We do not feel that 950 hours of instruction is adequate. Certainly other jurisdictions demand more. (We acknowledge that changes like this to the Act have ramifications for collective agreement, etc.)</p> <p>The ‘instructional time’ should be devoted to instruction, and not eroded with other matters, albeit they are important, such as student/parent/teacher interviews, etc.</p> <p>(6) states that Councils are involved in determining 15 hours non-instructional, however it is not listed in shalls’. What are the guidelines for the use of the 15 hours of non-instructional time per year? Does ‘specify’ mean ‘decides’/‘ designate’?</p> <p>This duty should also be listed under 113 (1) but currently is not.</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 4 School Operation Transportation 47 and Regulations OIC 1991/069	Student Transportation 47 Behaviour/Discipline	<p>Transportation Regulations give Councils more options in dealing with bus suspensions. Should be similar options in section 41.</p> <p>Behaviour issues can be compounded by overcrowding on buses, accepted number riders need to be lowered.</p>
Part 4 School Operation Transportation 47 and Regulations OIC 1991/069	Weather/distance/age/sp. needs	<p>Concerns/Comments/Recommendations about whether busing services should be qualified by mileage and/or temperature. The concern is that the current regulations/act/determine access to busing services using an arbitrarily imposed distance (appears that a Whitehorse standard has been imposed on communities). More qualitative measures must be used to account for extreme cold temperatures in winter, darkness/shortness of daylight in winter, remoteness of areas, children with disabilities, wildlife or other threats to safety. There needs to be flexibility in busing regulations especially for the communities</p> <p>Age restrictions should not be in place as service should be based on need, regardless of age.</p>
Part 4 School Operation Transportation 47 and Regulations OIC 1991/069	Schedules	<p>Bussing schedules and budgets determine many practices, programs, etc in schools. The priority needs to be on providing a good quality education.</p> <p>It is necessary to take a look FIRST at what is best practice for the students, and SECONDLY consider how to accommodate that with the bus system.</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 4 School Operation Transportation 47 and Regulations OIC 1991/069	Safety on buses	<p>Bus safety Concerns/Comments/Recommendations are a big issue-(overcrowding, discipline, speed of travel) Review of driver education and training (security checks, safe driving record, code of conduct, etc.) in many areas needs to take place and any areas identified as needing improvement must be addressed.</p> <p>Specific training/skills and code of conduct need to be included in the busing contract. Measures need to be put in place to monitor and evaluate adherence.</p>
Part 4 School Operation Transportation 47 and Regulations OIC 1991/069	Free bus	Without consulting with school councils and school administration, the department has determined that priority will be given to swimming lessons when using the "free bus" in Whitehorse. This is problematic for schools trying to implement program objectives set out in their school plans. We recommend that policy setting for use of the free bus be based on equitable access.
Part 4 School Operation Transportation 47 and Regulations OIC 1991/069	Use of private vehicles	<p>20 (1) and (2) Need to include requirements for drivers to have safe driving record and a security check.</p> <p>All the above Concerns/Comments/Recommendations need to be addressed and resolved. This should be done by the Bussing Committee and the Department including consultation with community members who are or will be affected.</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 5 Yukon First Nations	49 - 55	<p>From the First Nation Language Review Committee came these recommendations:</p> <ul style="list-style-type: none"> -the curriculum is outdated and a more practical use of language (is needed) -more First Nation Teachers need to be trained -a department and advisor of Native Language is needed -more oral conversation -a natural progression for K to grade 12 is necessary -a greater awareness of the different dialects is needed -there is a lack of availability of training and better instruction is needed for teachers
		<p>See comments further in submission re: Part 7 Division 1 section 68 Guaranteed Representation</p>
		<p><i>Add 'First Nation, Catholic and Francophone Yukon people have additional constitutional, legislated and Charter rights that must be honoured.'</i></p> <p>Acknowledgement is given to the fact that UFA and Self Government Agreements may have substantial impacts on the education system.</p> <p>A review is needed in order to address concerns about lower rates of school completion and success by First Nation students.</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 6 French Language and Separate School Rights		Submissions have already been compiled.
		Add ' <i>First Nation, Catholic and Francophone Yukon people have additional constitutional, legislated and Charter rights that must be honoured.</i> '
Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations

Part 7 School Committees, Councils and School Boards Division 1 Establishment and Regulations MO 1991/02	Sections 58-67	As sections 58 through 63 and 67, as well as other sections in Part 7 which assign decision-making responsibilities to the Minister, have a direct impact on school councils, boards and/or parents, it must be established that the Minister is to provide for meaningful partnership consultation with the affected party or parties prior to the decision being taken.
Division 1 Establishment and Regulations MO 1991/02	School Board 65 and 72	Forming a School Board should be an OPTION for Councils who choose to go that route. Refer to 72. Other forms of governance should be explored and provided as options.
Division 1 Establishment and Regulations MO 1991/02	Composition 67	Concern about whether current number of Council seats are adequate? Number of members needs to be based on school population and possibly other criteria established in consultation with School Councils. The current wording in Act implies that 'guaranteed reps' are not members. This needs to change. Regulations List of schools needs updating
Regulations MO 1991/001	Attendance areas	List of schools needs updating (Regulations)
Part 7 School Committees, Councils and School Boards Division 1 Establishment	Guaranteed representation 68	Currently the Act provides that the Minister has a role to play in ensuring in the appointment or voting process for filling guaranteed representatives. There is concern by First Nation citizens over how they are filled. A fair and equitable process for all First Nation citizens which takes into consideration the needs of the community (i.e., clan system) must be developed and followed for filling the seats. Concern about difficulty in finding reps to fill at times. The department must be more proactive. Need to review this.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 School Committees, Councils and School Boards Division 1 Establishment	Councils changing to School Boards 72	<p>Other forms of governance need to be examined to allow flexibility in expanding powers and duties beyond those of a School Council without forcing the decision to become a board.</p> <p>An opportunity for review with the ability for a Board to revert to a Council and the Council to become a Committee must be available to Boards and Councils.</p>
Part 7 School Committees, Councils and School Boards Division 2 Elections	General	<p>One option available is to rely on or change the content of the Elections Act to guide the specific requirements. This would legitimize the process and be consistent with those of other elections. Notwithstanding, the content of sections 78, 79, 80, 81 and 108 would need to remain.</p>
Part 7 School Committees, Councils and School Boards Division 1 Establishment Division 2 Elections	Election of Councils 79	<p>Concern over lack of interest in running due to many not feeling any 'power' in decision-making so why run</p> <p>Elections could take place in the spring to be least disruptive to school year and planning</p>
Part 7 School Committees, Councils and School Boards Division 2 Elections	Term of office 78 & 79 (2)	<p>When all members finish terms at the same time, this is disruptive to the ongoing work of Boards, Council & School operation.</p> <p>The term of office should be extended to 3 years with the added requirement of having staggered terms</p>
Division 2 Elections Vacancies 108 (1)	School Council appointments	<p>Process to fill vacant seats takes too long, need to streamline</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 School Committees, Councils and School Boards Division 3 Powers and Duties	School councils ' <i>shall</i> ' 113 (1) School Plan	(a) if this is the ' <i>school plan</i> ', it should be named as such in addition to the wording already contained therein. The development of this should also be included under 169 as principal is responsible for <u>development</u> , not just <u>implementation</u> as well.
Div 3 Powers and Duties School Councils Staffing protocol January 1996	Hiring of principals	(c) Councils should have the opportunity to be involved in the process of hiring a principal FROM THE BEGINNING OF THE PROCESS and through to completion. Policy needs to be developed (as with all policies) IN CONSULTATION WITH COUNCILS. The department's inflexibility and control over the front end of the process does not always provide School Councils with "real choices" and makes it look like School Councils are selecting the principal when often they feel they are not. The department needs to be more flexible and consider other methods of staffing, such as staffing positions at different times in the year rather than only in the spring and summer. Including a representative of the AYSCBC one trips 'outside' for staff recruitment should be examined. Advertising and recruitment from 'outside' MUST happen when there are NOT suitably qualified local candidates. This decision must be made in consultation with the partner groups.
Div 3 Powers and Duties School Councils	Evaluation of principals	While Council has a role to play in this according to 177 (2), this is not outlined in 113 (1). Needs to be written in.
Div 3 Powers and Duties School Councils	Dispute resolution procedure	(d) as worded now, there is no need for consultation with parents for establishing procedure. Need to add parents.

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 School Committees, Councils and School Boards Div 3 Powers and Duties School Councils	Attendance policy	(i) Councils need assistance to help develop if one does not exist.
Div 3 Powers and Duties School Councils	School year	46 (6) states that Councils are involved in determining 15 hours non-instructional, however it is not listed in 'shalls' of 113. It should be.
Div 3 Powers and Duties School Councils	School councils 'shall' 113 (1)	Add (l) <i>'ensure that documents including but not limited to: School plan, YSIP, all school policies and procedures, Council meeting minutes are in the school and accessible to the school community'</i>
Div 3 Powers and Duties School Councils	Clear outline of duties	All Council duties/responsibilities that are referred to in the Act need to be listed clearly under 113 (1) (i.e., suspensions, determining use of non-instructional time, evaluation of principals, etc)

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 School Committees, Councils and School Boards Division 3 Powers & Duties School Councils	School Council 'may' 113 (2) <i>'provide advice to the Minister respecting:</i>	(a) delete <i>'locally developed'</i> add (l) <i>'Councils may recommend that Councils take additional roles and responsibilities as delegated by the Minister.'</i>
Division 3 Powers & Duties School Councils	Principal evaluation	(g) Superintendent is to provide Council with principal evaluation report that is returned to Super after review. This is also outlined in Policy 6410 'Evaluation of Principals' (8) This does not usually happen. Reports are usually oral and brief. Also, this is to take place annually according to section 177 (1) but this does not always happen.
Division 3 Powers & Duties School Councils	Evaluation of teachers	Scheduled evaluation of teachers is to take place every 3 years according to section 177 (3) but this does not always happen. Must be done. While Council does not currently have a role in scheduled evaluations of teachers, many feel Council &/or parents & students should have input. Need to have a process that is in between doing nothing and doing a full-blown evaluation. Recommend that the evaluation process should be reviewed into something more meaningful. Need a process that helps move teachers into being better teachers, and also recognizes and 'utilizes' excellent teachers as models for ongoing leadership. Consider alternatives to methods of conducting evaluations

Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 School Committees, Councils and School Boards Division 3 Powers and Duties	Need for more authority	<p>Councils feel they need more ‘<i>shalls</i>’ than ‘<i>mays</i>’</p> <p>Some want some of the Board authority brought to Councils 116 (1) (a) to (d)</p> <p>There is concern about the feeling that: “This is volunteer and you would like to be listened to and be valued, you have something to offer. People just don’t want to spend their time on something where they don’t feel their input is valued. Important job.”-EAR meeting input</p> <p>“School councils were never in place to micro-manage the school”-EAR meeting input RATHER</p> <p>“The goal of a school council / board is to enhance students’ learning through the cooperative efforts of parents, students, educators, government and other members in the community.”-(School Council Roles & Responsibilities document developed June 3, 2000)</p> <p>There are places where Committees are not included and they should be. (i.e., finances)</p> <p>Councils need the ability to require and develop accountability measures, a report card of measurables for a school.</p>
Part 7 Division 3 Powers and Duties	Powers of the Minister 114 (1)	Accountability – what powers of redress exist if the Minister is not living up to the requirements of this Act?

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 Division 3 Powers and Duties Powers of the Minister	School evaluation 114 (2)	<p>(2) Change to (a) <i>'The Minister in consultation with partner groups evaluate...'</i> In addition to each school being evaluated, the responsibility of the Minister to support and assist schools to meet the identified needs for improvement must be stated.</p> <p>Add (2) (b) <i>' provide an annual report to Councils and parents (timing? - suggest August for the school year just ended) displaying performance indicators for the school, a set of measurables as well as comparables with other Yukon schools and appropriate schools from other jurisdictions, and a statement of objectives and an improvement plan promoting continuous growth and paying particular attention to program aspects seen as substandard.</i></p> <p>The connection/relationship between accreditation and the annual school plan must be clarified.</p>
Part 7 Division 3 Powers and Duties Powers of the Minister	Add 114 (3)	The Minister may delegate additional authorities and responsibilities to Boards, Councils and Committees beyond those levels stipulated in this Act, upon their request.
Part 7 Division 3 Powers and Duties Discretionary Grants Operations Grants Regulation 06/06/96	Discretionary Grants 115 Expenditure 4	<p>See 115 and 305 The issue is one of appropriate / necessary resourcing to support intended purposes.</p> <p>How do Councils meet (3)—what is the process? (“The council or the board may expend the budgetary surplus only for purposes which have been approved by the Minister.”)</p>
Part 7 Division 3 Powers and Duties School Boards		NOTE: SCHOOL BOARD HAS MADE THEIR OWN SUBMISSION REGARDING PARTICULAR ISSUES OF CONCERN
Part 7 Division 3 Powers and Duties OIC 1991/040	Remuneration 119	Add ‘Association’ to this. Need to review how honorariums are set? The guidelines for YTG Boards and Committees should be considered for use to set amounts.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7, Division 3, Powers and Duties Obligation to consider 120 (1) AND Under Part 9 Teachers Duties of Principals 169 (m)	Discrepancy in 'consulting' Obligation to consider 120 Duties of Principals 169	There is an imbalance that needs correcting 120 (1) "Each School Board and Council shall consider any advice provided to it by the school administration and staff of each school in its education area or attendance area." AND 169 (m) "-attend meetings of the School Board, Council or school committee for the school when requested by it to do so, ..."
Part 7 Division 3 Powers and Duties Association 121	Formation of an Association 121	Change to "There shall be an Association of School Councils, School Boards and Committees." Add "In consultation with the Association, the Minister shall supply property and make grants and contributions to the Association to use in the exercise of its powers and duties as stipulated in its Constitution and Bylaws as established by its member Councils, Boards and Committees'.
Part 7 Division 3 Powers and Duties Principal as Director 125	Principal as Director 125	A principal shall NOT be the Director of a School Board.
Part 7 Division 3 Powers and Duties Director 124 and Superintendent of schools 126	Superintendent duties 126	(2)-Add 'Superintendent of schools' as part of title of 124 if the duties are the same. School councils should have some involvement in evaluating superintendents. The relationship for the superintendent to the Councils should be better defined and more support and accountability must be provided to Councils.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 Division 3 Powers and Duties Records 131	Keeping of records 131	-Councils/secretary/treasurers need training in necessary handling of records. Councils need secure filing cabinets and space at the school to keep the records. This should be done in compliance with standards set by YTG Archives/Records.
Part 7 Division 3 Powers and Duties Oath of Non-disclosure 133	Non-disclosure information 133	-Councils may need training on this -not only student and personnel record info should be non-disclosed, also family names involved in disciplinary issues
Part 7 Division 3 Powers and Duties Meetings 137	Number of meetings 137	(2)-Currently the Act states that Councils are to have a minimum of 4 meetings per school year, this would seem inadequate in order to fully carry out R & R of Councils.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 7 Div 4 Meetings and Operation	Required votes 142	Need clarification re: Chair's voting rights
Part 7 Div 4 Meetings and Operation	Exercise of powers 143	Unclear if motions/resolutions must be seconded
Part 7 Div 4 Meetings and Operation	Annual Meeting 148	(1) September is a difficult time for an AGM, should be changed to allow flexibility to facilitate Superintendents being able to attend each school Council's AGM in their area. Sometimes there are conflicts in scheduling as is.
Part 7 Div 4 Meetings and Operation	Annual Meeting 148	(5) Council needs a chance to review and adopt the minutes before they are sent to the Minister. This may take more than 30 days.
Part 7 Div 4 Meetings and Operation	Disqualification and difficulty in filling seats in rural communities 151	While in principle there may be merit to these restrictions, it should be noted that (d) prohibits councilors from working at the school, in any capacity, this can be a problem in the communities Add to (e) after 'member' the phrase: ' <i>except as where the person's position is short term, casual, not involving direct service to students or where the employee is working for an employer other than the department of education, understanding that for people in this situation, the duty respecting conflict of interest should be seen as higher.</i> ' <i>As well, there should be a clause specific to conflict of interest.</i> Add (f) ' <i>is a spouse to a person on staff who is ineligible to be a trustee or member.</i> ' Add (g) ' <i>is a teacher in any school operated by the same authority (Board or Department)</i> ' 151 (2) applies only if secretary-treasurer is NOT a Council member.
Part 7 Div 4 Meetings and Operation	Voting 152	(1) further discussion needed on whether other than 'pecuniary' interests need to be included

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 8 Appeals Local Appeals 156	Appeals 156	See concerns outlined above in Part 3 Students and Parents Division 6 Students' Rights & Responsibilities, section 41 Suspension of students
Part 8 Appeals	Educational Appeal Tribunal 157	157 (1) change to ' <i>The Minister shall, in consultation with partner groups, appoint a chair....</i> '
Part 8 Appeals	Mediation 159	Needs to be fleshed out to provide clarification on the issue. The mediation process should be encouraged
Part 8 Appeals	Powers of the Education Appeal Tribunal 161 & 162	It has been proposed that the monitoring/policing of professional ethics be transferred from the Teachers' union to the Education Appeal Tribunal.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 9 Teachers Rights of Teachers 167	Rights of Teachers 167 Imbalance of wording re: teachers and students rights	These same rights need to be specified for students COMPARE <i>“Every teacher has the right to be treated in a fair and reasonable manner free from physical and other abuse.”</i> WITH 34 <i>“In accordance with this Act, students attending school are entitled to (e) be treated in a fair and consistent manner,..”</i> Add to this section: <i>‘Teachers performing as Administrators (having supervisory roles over other teachers, these being Principals, VP’s, perhaps Dept. Heads) have a right to a separate bargaining unit.’</i> <i>‘Teachers have a right (or an obligation?) to establish a Professional body as distinct from a union, this to help raise professional standards (for conduct, ethics, interest in children)and public respect.’</i> <i>‘Teachers have a right to separate bargaining units for Catholic, French and First Nation schools (otherwise the special rights associated with these schools are at risk from a single union that has no corresponding obligation to the special rights.)’</i> <i>‘Teachers have a right to a process respecting ethical conduct that is separate from the bargaining unit.’</i>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 9 Teachers Duties of teachers 168	Duties of teachers 168 and Quality of teaching Parents in the school/classroom	(a) states that teachers will <i>“teach them diligently”</i> which means ‘constant in application, not negligent’. This implies that teachers MUST be qualified to teach in assigned subject areas otherwise they and those assigning duties are negligent. This is not always the case and IS NOT ACCEPTABLE. (h) as worded now, it does not ‘welcome’ parents into the school or classroom. (In reality, there is often a more welcoming climate, however parents may be hindered by this wording and by practices in some schools by some teachers and/or administrators. Add <i>‘treat all students and parents with dignity and respect and adhere to the ethics code as articulated by the employer.’</i>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 9 Teachers Duties of principals 169	Duties of principals 169	(b) add <i>'characterized consistently by respect and dignity'</i> After (c) insert another duty: developing and maintaining a working relationship with the School Council/Board (d) add <i>'including custodians'</i> after <i>'other staff'</i> Add to 169 (m): <i>'and report to the School Board, Council or school committee for the school when requested by it to do so.'</i> ® add <i>'and of the school'</i> after <i>'of students'</i> (t) delete <i>'if the number of members....'</i> Add a new bullet 169: <i>"shall consider any advice provided by of the School Board, Council or school committee for the school when requested by it to do so.</i> (h) <i>"assign teaching duties to teachers in the school"</i> and (s) <i>ensure that instruction in the school is consistent with the courses of study prescribed pursuant to this Act."</i> Teachers CANNOT be assigned to teach in subject areas they are not qualified for. The responsibility for ensuring this must be added to the duties of principals and superintendents 124 (4) (f) For example (h) <i>assign teaching duties to teachers in the school, ensuring that they are qualified to teach in their assigned subject area(s) and at the necessary grade levels"</i> ALSO see 171 (1) (c) below
	Quality of teaching and teaching assignments	

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 9 Teachers Employment of staff 171	Employment of staff 171 Incomplete wording Needs to be inclusive of all teaching/educational support staff	(1) <i>“The Minister (c) shall employ teachers, teaching assistants, and other technical support staff necessary for the proper functioning of the school”</i> Expand on this, i.e., <i>‘for the proper functioning and high quality learning environment of the school.’</i> EAs, RTs, CELCs—They should be included with other staff. We recognize separate agreements in place for these positions. Mechanisms must be in place for the school community to address concerns and ensure accountability.
Staffing/Hiring Protocol	Suitability Counseling staff Orientation	-Personal/professional suitability must be considered when hiring and/or placing staff. (See Code of Conduct 5.6.1) This must be incorporated into staffing protocol. In filling vacancies, especially in the communities, does the willingness to go there outweigh the quality of the teacher? -May need to increase # of skilled Counselors in order to better meet needs for personal and educational support. (See ‘other’ issues below) -Need for better orientation of new staff to community, to enhance more involvement of community members with staff and vice versa. In the communities particularly, this may involve ‘going out on the land’.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
<p>Part 9 Teachers Regulations OIC 1991/185</p>	<p>Substitute Teacher Regulations</p> <p>Definition</p>	<p>In Regulations, #5 sanctions use of Subs without Certificate of Qualification over more than 10 days in same position. This is unacceptable esp. with specialized courses or at secondary school level.</p> <p>Need regulations regarding qualifications (able to teach what is required) (Note: rural implications)</p> <p>As with all staff, personal/professional suitability must be considered when hiring and/or placing substitutes.</p> <p>Dept must be more proactive in ensuring there is a pool of qualified and screened subs.</p> <p>Security clearances/RCMP checks must be conducted as with all teaching staff.</p> <p>Look at providing training opportunities to assist skill attainment</p> <p>Alternative solutions (distance ed, etc) when unable to properly fill requirements. Must be no fee involved for this however—section 30 (2)</p> <p>Need to define ‘substitute teacher’ in the Act</p>
<p>Part 9 Teachers</p>	<p>Probation for principal 172</p>	<p>(9) Add Council to the list of those needing to agree.</p>

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 9 Teachers Evaluation of principals and teachers 177	Evaluation of principals and teachers 177	Councils, parents, students have no input regarding teacher/staff selection and evaluation. (except principal) Administrators are part of same bargaining unit, this may be problematic when they are conducting performance evaluations.
Part 9 Teachers Transfer of teachers 179	Transfer of teachers 179	There is concern that staff can be 'shuffled' from one school to another to avoid dealing with a problem with that staff member. Some interest in Councils having input into transfer of teachers, who they are, what they are doing and why they are being transferred. School Council and principal have very little to do with it.
Part 9 Teachers Political activity 183	Political activity 183	(5) needs to be amended to include " <i>during working hours OR FROM THE SCHOOL</i> "

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 10 Teachers Staff Relations	Staff Relations	Many feel this should not be in the Act. Some discussion about the fact that there should be a professional association which is separate from the union/bargaining unit as in other jurisdictions.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 11 Finance	Discretionary Grants 305	In addition to 115. Is wording okay the way it is?
Part 11 Finance	Policies and Guidelines 307	providing that the minister MAY issue policies and guidelines (e) respecting the terms and procedures for school evaluations ... should be changed to be a DUTY and that the duty include consultation with Councils.

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Where in Act/Policies/Regs	Issue	Concerns/Comments/Recommendations
Part 12 General Division 1 Regulations, Policies and Guidelines	Regulations 306	Change to: <i>'The Commission in Executive Council may, after consultation with partner groups, make regulations...'</i> (e) Delete as per 30 (2)
Part 12 General Division 1 Regulations, Policies and Guidelines	Policies and guidelines 307	Change to: <i>'The Minister may issue policies and guidelines after consultation with partner groups has taken place'</i>
Part 12 General Division 4 Teacher Certification Board	Teacher Certification Board 317	Change 317. (c) <i>'one person nominated by the Association of School Councils, School Boards and Committees established pursuant to section 121'</i>
Part 12 General Division 5 Ministerial Powers 326	Review of the Act 326	-Have a process in place for making changes to the Act that involves consultation with the partner groups for input and review of the suggested changes. Need something to the effect that: An independent performance audit will be performed every X years. (accountability measures)

‘OTHER’ ISSUES LIST

NOTE: Some of those listed below may not imply a change is needed to the Ed Act, but rather that statements, duties, etc included in the Act are not being followed and therefore may be policy or procedure related, or perhaps specific to a school(s) or individual(s). The concern is that the Act and the policies and regulations are not always adhered to and there needs to be more accountability.

Issue	Concerns/Comments/Recommendations
Lack of necessary communication Dept > Councils	<p>-There has consistently been difficulty in obtaining information that Council members have requested in a timely manner. At times, the information provided is not thorough, complete or consistent. This makes it difficult for Councils to carry out their responsibilities.</p> <p>Examples:</p> <ul style="list-style-type: none"> -acquiring policies, regulations, procedures documentation -Public information such as ‘Conversations in Education’ material and input -Div 2 82 (b) Voting age for Council members changed to 18 yrs in 1996 however there was a lack of communication about this to members. <p>No circulation of amendments to Act provided to members using original copy of Act. (Had to be requested)</p> <p>Communication needs to be improved in many ways.</p> <p>The Dept needs to share much of the information they have on results, Concerns/Comments/Recommendations, available support and information, etc. Parents and students need to know what their rights are, what information they have access to.</p> <p>They need the information in a ‘timely manner so problems can be addressed.</p> <p>-The Dept needs to encourage and practice working together with FNs for the betterment of educational opportunities for students.</p>
Clarity of Act	-Need for cross-referencing appropriately in the Act. Not consistent as is.
Education Act-‘plainspeak’ version	-it would be a great asset to have an easily understandable version of the Yukon Education Act be written once the review has been completed. Some feel the only available one is ‘intimidating’. It also needs to include an easy to follow, complete index using key words so that it can be the reference resource it should be.
CELCS	-no expectations/qualifications/duties outlined in Act
Educational Assistants/Remedial Tutors	-no expectations/qualifications/duties outlined in Act -also high need for training for these positions available in Whse AND communities. Dept of Education should be providing for this.

'OTHER' ISSUES

Issue	Concerns/Comments/Recommendations
Need for support from agencies/pgms in schools	<p>Support the mandating of interagency approach (early intervention) through changes to relevant legislation. Other departments such as Justice and Health and Social Services must formally share the responsibilities and share resources.</p> <p>Health, social, & justice services and resources need to be more involved in schools, school staff cannot do it all. More support for students' needs has to be provided (on-site, at least at times) so that teachers can teach</p>
'Social' passes	<p>-do not agree with students being passed on to next grade without achieving the necessary prerequisites to successfully do so. This just compounds the problems without helping the student to learn properly. This also highlights the need for 'early' identification of the problems/areas needing more learning and support. Parents need to know this early in the year.</p>
Transition to secondary level (comm > Whse esp)	<p>There is considerable concern that when students leave their community to attend classes in Whse at the secondary level, they often do not have the proper level of education to make the transition and are behind. Community schools must have the same standards and outcomes for courses in order to prevent this. Support must be there to ensure this is happening.</p>
Graduation	<p>-There is concern that some students, although graduated, do not have the proper skill levels. This is both a rural and Whse school related concern.</p>
Transition to post-secondary education	<p>There needs to be a closer link between Advanced Education and Public Schools Branch and stronger support and information for students as they prepare for further education.</p> <p>Counselors need to stay current with changes in post-sec education. (PD. Etc)</p> <p>Need to monitor the requirements for post-secondary education and specific occupations starting at earlier grade (10), not wait. Start early.</p>

'OTHER' ISSUES

Issue	Concerns/Comments/Recommendations
Principal's inclusion of Council's with School Plan development, etc	169(p) states that it is a duty of the principal to " <i>prepare the school's operations and maintenance budget for reviewed approval by the School Board or Council</i> " but this does not always happen, despite 113 (1) (a)
Curriculum evaluation	Lack on input in evaluating curriculum Evaluation has to be done on curriculum and should include input from students and parents as well. (Methods, materials, resources, program)
Class size/composition	Greater consideration has to be given to class size and needs (composition) when allocating staff resources. Aim has to be the best learning environment, (qualitative measures), based on students' needs, NOT solely based on a quantitative formula.
Hiring re: Gender policy	Is this being upheld and adhered to?
Security checks	Comprehensive review with consultation needed.
Volunteers	What about supervision? When transporting students, is there a <u>policy</u> outlining necessary insurance coverage, driving record check, etc.? If so, is it circulated to all schools and Councils?
Policy and regulation development	Many feel that, in partnership with Councils and/or the Association and the Dept of Education, generic policies (i.e., field trips, security checks, etc) should be developed so they form the basis of some school policies. These also need to be circulated to Councils including updated versions.
Providing K-12 in the communities	Some feel when a community wants to offer K-12 education the Department of Education should be required to provide that in the community. With the technology available could do this.
Learning from other jurisdictions	Rather than relying on BC and the other western provinces for programming and practices for education in Yukon, the Dept needs to make greater use of research findings and successes taking place in other circumpolar countries which experience many of the same issues of isolation and the need for innovation.

‘OTHER’ ISSUES

Issue	Concerns/Comments/Recommendations
Cold weather policy	-Need to develop including risk analysis
Bursary funds, sports, culture, etc	-Establish individual trusts (e.g., bursary funds, sports, culture, etc.)
Agreements with or between Municipal governments/Dept of Education	-Need to review agreements re: -recreational facilities -joint user agreements -busing -joint funding
College start dates	-Difference in exam dates in school and start dates at college for continuing education (Jan/Winter term) Students finishing courses at semester change in February cannot gain entry to college courses as they have already started.
Psychological testing of students	Need to review this further
Smoking policies	Discrepancies in these from school to school. Enforcement issues, team sports policies on same, staff smoking issues
Dealing with unfilled seats when establishing a Council membership	There is opposition to any suggestion of school councils being reduced to committees in the event that not enough names are brought forward to establish a council.

POLICY/REGULATION ISSUES

Policy/Regulation	Concerns/Comments/Recommendations
Regarding all policies that affect the learning environment.	<p>Each Council needs to have access to up-to-date policies, guidelines and procedures (written and unwritten) that have already been developed. Should be provided rather than have to be requested. This builds trust, accountability, clarification of roles and raises awareness and understanding - all necessary to foster a partnership approach to education.</p> <p>Councils need to be involved in review and future policy development. This applies to both Departmental and school-based policies. This must be done on an ongoing basis as Council members change.</p> <p>Information and support is needed by Councils in order to fulfill their roles in policy development and/or approval. Also don't know proper procedures.</p> <p>Ensure that input provided to the Dept on consultation with 'partners' is considered, feedback is provided to sender and that all suggestions for improvement be incorporated. (see Allergies' below)</p>
Independent-Directed Studies 1999/09	How do students and parents find out about it?
Student Records 1999/09 also contained in Spec Ed Guidelines	<p>ACCESS TO STUDENT RECORDS 1</p> <p>How does the Administration advise them of these rights? There is some confusion and concern about what is accessible and what is not. (letter from Council re: changes)</p>
Equivalency 1999/09	<p>APPLICATIONS 13</p> <p><i>"The procedures and guidelines must be included in the school plan."</i> Are they?</p>
Allergies 1999/09	<p>Many suggested changes/improvements made by Council members however do not see them incorporated 2 years later on latest (?) 'draft'!</p> <p>Refer to Appendix B</p>
Fund-raising 1999/09	<p>-under 'Applications' 3rd bullet, do all Councils and Schools know this? 5th bullet, same? 7th, same? Does this happen? If we don't have the policy, we don't know what the proper process is.</p>

POLICY/REGULATION ISSUES

Continued

Policy/Regulation	Concerns/Comments/Recommendations
Student Transportation Regulations OIC 1991/069	It provides for a bussing committee. Need to take a closer look at the way this committee is set up in the context of the Association playing a role.
Payments to Members & Trustee Regulations OIC 1991/040 06/06/96	Sets honorarium rates for Councils This needs to be reviewed
Gender Equity	There is no reference to this in the 'Recruitment of Principals' procedures as far as a policy to be adhered to just as the 'Employment Equity' one is cited.

Some of what is liked and wanted more of.....

Where in Act/Policies/Regs	Area	Comments
Preamble	'Partnership'	-would like the communication between 'partners' to increase and continue -work on educational matters from a partnership perspective MORE
Part 7 Div 3 Powers & Duties 113 (1)(a)	School Plan	-want to continue involvement, would like more training on process and procedures
Part 7 Div 3 Powers & Duties 113 (1) ©	Hiring of principal	-want to continue and extend involvement, would like more training on process and involvement in the development and amendments to procedures to be followed.
Part 9 Teachers 177 (5)	Recognition of role of Association in evaluation of principals & teachers	<i>"The Minister shall prescribe, in consultation with the teachers' association and the association established pursuant to section 121, the terms, procedures, guidelines, forms and any other matters necessary for the effective evaluation of principals and teachers."</i>

December 29, 2000

YUKON ASSOCIATION for COMMUNITY LIVING

Response to Education Act Review

These comments are the results of two intensive meetings and many phone conversations with parents of children and youth with developmental disabilities.

We have some general comments about the Act and how it is administered, and then comments about specific sections of the Act.

We believe that there needs to be **an assessment of the way the present act is working WITHIN THE PRESENT SYSTEM.** We believe that the act itself provides a lot of opportunity for appropriate education **BUT the way the act is interpreted** by different principals and superintendents often leaves the students without the resources they need to succeed. A review of how the act has been working to date would identify problems. It appears that the present Act is too broad to ensure consistent application and therefore, appropriate education for **all** children. More specific guidelines and rules are needed by a large number of those who interpret the Act.

The goals and objectives of the

Yukon Education System include the development of literacy, communication and numeracy skills, as well as problem solving, creative thinking, learning other languages and physical fitness. There is no indication in the Act that achievement of these goals for those who learn differently **will require accommodation, adaptations and modifications.**

The right to education includes the right to have appropriate accommodations made for students with disabilities. **There should be no indication in the act that the implementation of IEP's is dependent on money or resources available.** Eg. 15(2) "to the extent that is considered practicable by the deputy...." and "Having due regard for the educational needs and rights of all students".

The entire Act is too open to ministerial or departmental overrides of student/parents right to EQUAL partnerships or a Parent Driven system with a **child/client focus.**

To address the perception that the school holds all of the power in decisions related to planning education for students, the department must focus on the role of advocates and supports for parents and on partnerships between parents and schools right from kindergarten.

The division of responsibilities between the government departments of Education, Health and Social Services causes an unacceptable situation where the child/student with disabilities **ALWAYS** loses . No one is really responsible for the provision of services needed to provide opportunities to reach maximum potential eg. speech and language therapy, physiotherapy, occupational therapy, hearing services, etc.... It is not acceptable for children with disabilities to have no speech therapy or physiotherapy except that done by an untrained educational assistant. It is not acceptable for a child with a major hearing loss to wait 4 weeks for a hearing aid to be repaired ... These services are provided at a very satisfactory level through the Department of Health and Social Services at the Child Development Center and yet, when the same child with the same needs enters the school system 3 months later, the services of well trained professionals become completely inaccessible, except sporadically. This commitment to quality is missing in the school system .This has been a concern of parents for many years. It is not a matter of recruitment problems (although those certainly exist much more so than at the Child Development Center), but is due to a lack of commitment of

the resources required to provide quality education for children with disabilities.

The Department must work with other departments to develop a system that ensures that children with special needs have a continuum of services that begin in infancy, continue through the preschool and school years, and lead to their effective transition into the work force or post secondary study. Studies at Yukon College and outside post secondary institutions should be included in this continuum. The level of service provided at the Child Development Center should be continued throughout the school years. The Department must allow for the disproportionate financial needs of students with disabilities.

Children with special needs often do not receive an **APPROPRIATE** education. Being included with their peers in a regular classroom is not meant to reduce opportunities to receive appropriate information for their functional/developmental age.

There is inadequate staffing of educational assistants and although many are VERY personally suitable for the job, they have very little training and often **require more support than the classroom teacher can provide.**

Students with special needs who are not in regular classrooms are very isolated . Inclusion does not mean being in the gym at the same time as other students.

Integration does not automatically mean Inclusion and Acceptance. Strategies need to be developed that address this. Some schools are very good at developing these strategies and a lot are not. **Adding formal measures for the development of friendships into the basic curriculum for all students would be helpful .**

Most of the children/youth with hidden disabilities are gone from the school system by grades 5/6. We need to address this issue. **Tolerance of behavioral differences is almost non existent throughout the system.** Recognition of disabilities and modification of classrooms and teaching techniques is rare. We cannot continue to treat these students as “throw away kids”!

The **dispute resolution** is rarely used, yet families are moving south or home schooling in an attempt to provide what their children need. It is costly for parents and there is no court appeal process after the Tribunal’s decision. Mediation/ negotiation is seen to produce a result that is not “ as good as it should be” for the student.

Given the present situation where day programming services are not readily available for those students”with severe disabilities who have recently completed school, a sharing of school resources or an extension of the definition of “school age” should be considered to address the gap, rather than leaving families to try to do it. **This would not be a permanent solution**, but should be an option until other departments are prepared to provide services.

Individualized Education Plans

There needs to be a recognition by the department of the labor intensity of developing an IEP for students with disabilities in addition to the time and effort required to implement it. Teamwork with professionals AND parents requires special skills. Those leading Individualized Education Planning meetings require special training and support to clarify everyone’s roles and keep the meetings focused and student centered . **IEP’s must focus on the approach and tools needed to address all of the student’s needs and not just those that the school or the system has the funding or resources to meet.**

Comments about specific sections of the Act

There needs to be a new

definition of IEP, which includes information about who has the delegated authority to implement and assess the plan and includes the parents as decision making members of the team. The IEP must define where the implementation takes place and by whom.

16(1) needs to include other professionals and/or others as requested by the parents. And need to clarify roles of all team members.

16(1) (b) 17(2) the IEP must be agreed upon by the whole team before it is implemented. Conflicts within the team will be resolved through a new dispute resolution process.

16(2) (a)(b) (c) tests that are routinely administered by teachers need to be identified . Assessments need to be administered in a timely manner, certainly within the school year in which the problems are identified. They must be comprehensive, based on best practices and specific to the disability. **Parents and the department must work together to develop procedures in this section.**

16(2) (d) assessments should always be multi disciplinary .

16(2) (f) The parent will be provided with information regarding the implementation PROCESS as well.

16(4) Parents are a necessary part of the team unless they specifically choose not to be. **Parents must be provided with the supports they need to participate.** Timing of meetings must be flexible to allow for parents to attend. Parents have the right to bring anyone they choose to the IEP meetings. If meetings are held without parents, minutes of meetings must indicate what attempts were made to include parents.

17(d)(e)(f) define “non educational costs”— and the appeal must be able to be filed **at any time** that the parent and school officials reach an impasse regarding the education of a specific student.

18(b) delete “ upon reasonable notice”.

18(c) add “or lack of decision or actions” - delete “ significantly”

18(d)change to- “to be partners in the development...”.

21. Within schools, there needs to be more recognition of appropriate defusing types of interventions for behaviors related to disabilities and of the school’s responsibility to keep the disabled student safe, both personally and safe from being left to be a danger to others. Need to define negligent act for all involved, teacher, student, EA’s etc..

18(2) A teacher or principal shall consult with the parent of a student attending a school with respect to the student’s educational program, unless the parent specifically refuses.

23 (3) change “ may” to “shall”

24(b) change “may”to “shall”

29. There needs to be a provision for charter schools or other options for students who learn differently from other students. If private schools are assuming the department’s responsibility for education, why can’t the funding that each child would normally require for education follow the student?

22(c) ? What about other culture’s cultural activities too?

30(2) What does this mean?

32(6) add “In consultation with the community members”.

34(a) who determines “appropriate”?

36. Add “ and other forms of cruel and unusual punishment”. (And this includes isolation rooms, teasing etc..)

40/41 . The Department must develop policies on suspension and expulsion of students with special needs that will ensure that such students have been adequately assessed, that

appropriate interventions are applied before suspension is considered, that the grounds for suspensions are clear and appropriate, that meaningful education programs or interventions are offered during the period of suspension, and that planning is undertaken for successful re-entry.

27. The Department must develop strategies and options that address the educational needs of those students who choose not to attend regular school.

The Act also needs to address -
Class size, Teacher's qualifications and Support for teachers .

January 16th

**Yukon Family
Services
Association
Submission to the
Education Act
Review Committee**

This submission follows a simple format in no particular order. It identifies a recommendation in bold italics followed by a description of the key concerns and rationale for the recommendation..

- 1. There is an opportunity between the community and the Department of Education for increased coordination of services, cooperation and service delivery for the betterment of the whole child.***

Yukon Family Services Association is a long-standing counselling agency in the Yukon with offices in 4 Yukon communities and itinerant services to an additional 7 communities. YFSA has more than a dozen professional counsellors and family life educators and 5 administrative support staff. Multiple funding sources support this non-profit, charitable organization with the Department of Health and Social Services providing the

largest proportion. Contracts for professional services has occurred only between select schools and YFSA. In particular, the Department of Education funds the Jack Hulland Parent Education and Support Group through YFSA as well as part of the Youth Intervention Worker position in Watson Lake schools. These contracts give recognition to the role of confidential professionals who are 'outside' the Department of Education even when the service takes place within the school building. Teachers, psychologists, principals and schools counsellors have been a source of referrals to YFSA since its inception. These people are well placed to identify opportunities for private and confidential counselling for students and their families. YFSA counsellors are often welcome in schools, particularly in the communities, where teachers, staff, families and children can all benefit from professional support and information. The number of invitations to bring our services into schools is on the increase. YFSA has not been able to meet all of these requests. Most of these requests are not offers under a contract for funding.

There are many other community organizations seeking to establish links, agreements and shared responsibilities with the Department of Education.

What is needed is openness and willingness by administrators to embrace shared service delivery even if it means losing ultimate control over projects. The gains made will benefit the children.

- 2. Conflict resolution methodology must be broadened to be applied beyond student to student contact. It must cast its net over administrators, teachers, staff and parents in the schools. A written code of conduct with specific steps for conflict resolution is required and it must be applied to everyone.***

YFSA counsellors and educators are frequently in the schools for extended periods of time. In the course of our work it has come to our attention that all people are not equal when it comes to conflict resolution in schools. There is no clear set of rules in place for administrators, teachers and staff. Conflict resolution is often applied in student to student conflict but seldom, if ever, applied in teacher to student conflicts. Nor is effective conflict resolution methods evident in some parent to administrator and parent to teacher conflicts. Conflict is inevitable and indeed healthy in a democracy where we all have a voice and the freedom to express our ideas and opinions. Our

students need role models. They need to see effective teacher-to-teacher conflict resolution. There needs to be more transparency in the resolution of adult conflicts and more equity in the adult to child conflict resolution process. Respect given will be respect received.

3. *Truancy requires a negotiated settlement between the school and the family.*

The Education Act should specify the necessity to conduct a school-based team meeting to review the supports a family requires to support their child's education and the adequacy of the education plan of every child held to be truant.

The professional staff at YFSA recognize truancy as a shared responsibility of the school and the family. Issues of trust, mutual respect, service delivery and perception are usually the direct result of interactions between these two critical areas of the child's life. The starting point for resolution of truancy is the assumption that it is a shared responsibility. The key principle in a negotiated settlement should be 'the best interests of the child'. Include in the Education Act the requirement to hold a school-based meeting with parents, administrator, teacher and/or

other support staff to review the education plan of the child. These meetings should be open, respectful, keeping in mind that the act of truancy may be a warning sign that either the family and/or child requires help or the education plan requires revision.

4. *Specially trained teachers and aids are required in all Yukon schools to work with all behaviourally challenged students. The Education Act could specify definitions of what constitutes the meaning of 'behaviourally challenged', specify training requirements and enhance ratios of specially trained teachers to number of children with behavioural challenges.*

Students and teachers are placed at risk of violence in schools when behaviourally challenged students react to treatment at the hands of well-meaning but ill-equipped teachers with no special training. The current practice of suspension and expulsion is not a healthy solution. Behind suspensions and expulsions is a system that is failing to equip schools for the challenges they face. High numbers of students in classrooms with challenged students invites trouble. Schools need to be fully equipped with resources and teachers in order to '*keep children first*'.

Students living with or suspected of a diagnosis of FAS/FAE pose a particular challenge within the school system. They do not respond to behavioural consequences. Their unique needs require special treatment and the provision of special treatment requires special training. The ratio of teacher to special needs student needs to improve. More innovative, special programs are needed in the Yukon.

5. *More supported, community-based alternatives to schools are required. They need to be half-way between schools and homes utilizing the best of both. This can be incorporated into the Education Act with the directive that "alternative programs or community-based alternatives will be explored in the case of prolonged truancy or absence when there is no expressed intent by the parent/s to provide an educational program".*

Students who face social and academic challenges learn best in tutorial situations rather than in large groups. There are many innovative educational programs in the Yukon, yet, some children are still deprived of an adequate education due to lack of program alternatives.

6. *Entrench community use of the school facilities at*

no cost in the Education Act

It is important that education encompass the whole person and that the Department of Education support community initiatives that provide additional enrichment to children and adults throughout the Yukon.

7. The Education Act should include the provision for the 'gifted' student who would be eligible for enrichment programs.

YFSA recognizes the extraordinary efforts of teachers in a system that does not always support their efforts with the resources required to meet the needs of students. The Education Act can support the growth of new programs and resources.

HOME EDUCATION REPORT 2000

Submission
to the
Education Act Review
Committee
of the
YUKON HOME
EDUCATION
SOCIETY
December 13, 2000

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APPENDICES

I. School Act of British Columbia (see bound report)

II. Home Education Portfolio (under separate cover)

Introduction

This report addresses the principles we believe should guide the wording and content of amendments to the Education Act. The report is organized under the following democratic principles:

- Freedom of Choice
- Children's Rights
- Service Orientation by the Department of Education
- Elected Representation

A number of specific recommendations are presented in the executive summary. Detailed rationale is included in the body of the paper.

These recommendations rely heavily on the School Act of British Columbia (see Appendix I for selected sections). The education system in BC

provides a service oriented model for home education students and other students as well. This report provides rationale for moving toward a service model such as the one in British Columbia.

A report on home education would be incomplete without a description of the objectives and benefits of home education. This is presented at the conclusion of the report. It is a brief and is not intended to be a comprehensive description of home education. For more information about home please consult the portfolio of home education in Appendix II.

Executive Summary

Revisions to the Act and Underlying Principles

Freedom of Choice Pages 7

No amendments to Section 19 of the Education Act will ensure that the right of children to receive home-

based education in the Yukon is protected.

Children's Rights/ Parent's Responsibilities

Pages 8 - 11

Reword S22(1) from "attend a school.." to "be enrolled in an education program".

Delete Section 31.

Replace Section 31 with the following;

- I.** A parent required to enroll a child in an education program under Section 22(1) may educate the child at home or elsewhere and
- II.** A parent intending to provide a child in their care with an educational program will notify the Department of Education annually in writing of said intent and
- III.** The parent must provide that child with an educational program.
- IV.** Protection is afforded to a person who reports to Family and Children's Services that a child who is reportedly home

educated is not receiving an educational program unless the report is made maliciously.

V. Upon receiving the report the Family & Children Services Social Worker shall determine any action for investigation in accordance with the legal responsibilities under the Children's Act and professional practices.

Service Model

Pages 12 & 13

VI. The Department of Education in Yukon will provide free and facilitated access to educational resources upon the request of the parent and/or student.

Educational resources include the following:

- ◆ Learning resources including materials and educational resource personnel
- ◆ School equipment/ facilities including the use of the library
- ◆ Distributed Learning (distance education and correspondence courses)
- ◆ Part time attendance in school

- ◆ Yukon-wide standardized achievement tests
- ◆ Assessment and consultation regarding a child's abilities and development (physical and emotional development, hearing, speech, language and reading)
- ◆ Reimbursement to home educators for educational resources and programs to a maximum amount as per the regulations

Elected Representation

Page 14

Under Part 7 of the Education Act change "School Councils" to "Education Councils" and specify the inclusion and provisions for a **Home-based Education Council**.

Home Education at a Glance

Pages 15 & 16

Home education appears to differ little from school-based education particularly in its ultimate objectives to:

- encourage

responsible behaviour

- contribute to the development of a child's potential and well-being in all areas of personal and interpersonal development
- promote the acquisition of knowledge, skills and attitudes needed to contribute to a healthy, pluralistic society

The critical differences between home-based education and schooling are:

- Locus of control
- Importance of relationship
- Individualized education

Preamble

Conversations in Education started Yukoners on the road to reflective and thought-provoking discussions in anticipation of the review of the Education Act. It is our hope that this committee is better informed by the work done by Yukoners during *Conversations In Education*. As the Minister at the time pointed out, it is not for the department to produce its own perspective on

education but it is for all Yukoners to contribute to the process of giving a vision to Education in the Yukon. That visioning exercise began with *Conversations in Education*. Knowledge that the Education Act would soon be under review inspired many conversations about education. One of the key themes we noticed arising from *Conversations in Education* was that the 'walls of learning were coming down'; the separate enclaves of institutionalized education were being blurred by technology and by community mentoring programs to name a few of the current influences. Our vision incorporates this concept of the blurring of boundaries in education with a focus on learning options.

According to David Coulter, "**There is no singular route to education**". Nor would we wish our children to follow a singular route to learning. Schools must be seen as only one point of accessing education.

There are many others ways to access educational programs. Home-based learning provides one of these ways.

Revisions to the Act and Underlying Principles

FREEDOM OF CHOICE

Choice and flexibility in education must be cornerstones of an amended Education Act. No one size fits all. Fortunately, we have a choice in the Yukon. There are two well-established “access points” outside schools in the Yukon.. These are;

- home education
- distance education.

Both are well-suited to the demographics of the Yukon; geographically, economically and culturally. Access to home-based learning should be easily and readily available to Yukon students.

Home education is tied to a vast movement which is gaining strength,

popularity and recognition throughout North America; nevertheless, home educating families still represent a minority group. As a group not representing mainstream school-based education, we tend to be isolated and criticized by others based on misinformation, lack of information, generalizations and fear.

Acceptance, not mere tolerance, is necessary in a diverse culture where we strive to recognize differences while living side-by-side. Canadian society believes diversity is a good thing. To embrace home education is not to denigrate the public school system. Both coexist as two cultural entities. In other jurisdictions, such as British Columbia, home education is accepted as a viable educational option which has enjoyed a great deal of success and increasing support within the educational hierarchy.

It is incumbent upon governments to provide leadership in the protection of rights of minority groups including

home educated children and their parents. The inclusion of home education in the Education Act under Section 19 is a significant step towards protecting our freedom to choose home education. We recommend its’ continued inclusion in an amended Education Act.

Recommendation #1

No amendments to Section 19 of the Education Act will ensure that the right of children to receive home-based education in the Yukon is protected.

CHILDREN’S RIGHTS/ PARENT’S RESPONSIBILITIES

A regulatory model of home education is complex and often perceived as punitive. Current legislation requires an education plan as part of the registration process. The process is both cumbersome and unnecessary. The requirement of an education plan is a barrier

to registration for many home educators. Some of us jump this hurdle but only because there are educational resources we want from the department, not because it is a valuable exercise. The education plan often changes before the ink is dry and seldom, if ever, referred to in the process of providing our children with an educational program.

The regulatory process outlined in Section 31 serves neither to protect the rights of children nor assist parents in their responsibility to provide an educational program.

It is recommended that Section 31 of the current Education Act be deleted. Following the model in British Columbia, **simple notification by the parent intending to provide a child in their care with an educational program is sufficient.** It is anticipated that a secondary benefit of replacing S31 with simple notification is that more people will comply with the provisions of the Act. With higher rates of

compliance more children will be closer to accessing the educational services available through the Department of Education. This is in the best interests of the child.

Children in Canada have a right to an education and the government has a duty to ensure every child is provided with an education. When a parent approaches government in good faith with notification of their intent to provide a child in their care with an educational program, it discharges the responsibility of the government to make decisions about that child's educational program.

The question of whether or not parents can assume responsibility to provide an educational program for a child in their care can be settled with a test of logic in comparable situations. A close look at the role of professionals in our lives is also instructive. Our society does not, as a matter of course, give care-by-professionals precedence over care-by-

parents. Men and women make decisions about pregnancy, prenatal care and the care and nurturing of young children independent of professional sanction and standards. Our society expects and trusts parents to be responsible for decisions related to this care. The first 6 years are particularly critical years of development. Early Childhood specialists are excellent teachers and resources to parents of young children but they do not assume the primary responsibility for the decisions that must be made on behalf of young children. This responsibility lies with the parent.

Just as the critical early years of care and nurturing are provided by the parent, so too, does the parent assume responsibility for the decisions that must be made regarding the education of a child. Professional educators do not have sole jurisdiction over school-aged children.

Legally, parents do not require government sanction to raise a child, nor is approval to make decisions about a child's education required. Parents are responsible for the decisions that must be made regarding the education of their child. This report advocates for the total absence of a regulatory process regarding home education and the inclusion of simple notification.

In keeping with the responsibility belonging to parents, there is the limited role of testing in home education. Standardized and curriculum-based testing provides accountability to the public; that is, to the parent. Testing results in schools, due to the large numbers, provides institutions with valuable information. In some cases, standardized testing is a useful tool for the home educator. Generally, however, it is not useful.

The home education parent knows exactly what areas their child has accomplished and the areas to be mastered next in the learning process. There are no compelling legal nor practical reasons for parents to produce test results for the Department of Education. It must be kept in mind that testing arose from the need for the system to be accountable to the parents and not the other way around.

There is research to support non-regulation. Research from the Home School Legal Defense Association concluded that the degree of governmental regulation from state-to-state throughout the USA has **no** significant effect on the academic performance of home schoolers. (Brian Ray & HSLDA, 1997, included in Portfolio). Ray concluded that legitimate questions may be asked concerning the purpose of regulations since there is no apparent effect on student learning. Comparative research in Canada is not yet

available. We do know that in Canada there is little to no correlation between the academic background of the parent and the academic achievement of the homeschooler. (Ray, A Nationwide Study of Home Education in Canada, 1994) Also, according to Ray, there appears to be no correlation between home education student achievement in Canada and the following variables;

- age at which parents begin planned and intentional instruction
- degree to which parents structure the daily instruction/learning process
- amount of time the child spends in planned and intentional learning activities.

There is agreement that every child has the right to an educational program. In the absence of an approval/ regulation process there is legitimate concern about what to do in the event that a child is denied an educational

program?

A discussion of the ‘appropriateness’ of the educational program would generate a much larger discussion about programs needed by many special needs children in the Yukon public schools system but that is not within the scope of this report. Rather, the question is whether or not an educational program is being provided. Provisions for addressing the absence of a child receiving an educational program could be written into both the **Education Act** and **Children’s Act**. The provision in the School Act of British Columbia .(Appendix I) is reworked in the following Recommendations #2 : IV & V.

Recommendations #2
Reword S22(1) from “attend a school..” to “be enrolled in an education program”.

Delete Section 31.

Replace Section 31 with

the following;

I. A parent required to enroll a child in an education program under Section 22(1) may educate the child at home or elsewhere and

II. A parent intending to provide a child in their care with an educational program will notify the Department of Education annually in writing of said intent and

III. The parent must provide that child with an educational program.

IV. Protection is afforded to a person who reports to Family and Children’s Services that a child who is reportedly home educated is not receiving an educational program unless the report is made maliciously.

V. Upon receiving the report the Family & Children Services Social Worker shall determine any action for investigation in accordance with the legal responsibilities under the Children’s Act and professional practices.

*We recommend the use of the following definition of an “educational program”:

“Educational program means an organized set of learning activities that, in the opinion of the parent, [in the case of home learners,] is designed to develop [in the child] individual potential and to acquire the knowledge, skills and attitudes needed to contribute to a healthy, pluralistic society and a prosperous and sustainable economy”.

(Ministry of Education, BC, 1989, updated 1997)

SERVICE MODEL

We recommend a service oriented model of education in keeping with developing technology and in keeping with a reduction of the need to depend on school facilities as single access points to learning. The success of the model of home education in British Columbia is largely due to its’ simplicity and service orientation.

When Yukon home

educators celebrated the inclusion of home education in the 1990 Education Act, the emphasis on regulation, rather than service was understandable given the newness of the venture. The Education Act outlined the availability of educational services with tentative and qualified wording. Section 31:5 and S31:6 regarding access to resources and classes have been most instructive for the department of Education and the most beneficial to home education students over the past 10 years. However, these provisions do not compel the Department of Education to provide educational resources to homeschoolers. This is not consistent with keeping the interest of the child first in all deliberations. More in keeping with principles of equity, access and fairness would be amending the Education Act so that it compels the Department of Education to provide services, resources and support to all Yukon students.

Positions taken by Department of Education:

The Department has said that the “Provision of adequate educational resources [to home educators] is important.”

Correspondence and memorandum, April 7/97

“Homeschooled children can expect to receive materials necessary to achieve scholastic success.” In conversation with the Minister of Education, August, 1999

It is important to the education of our children to receive free and facilitated access to the educational resources and services as students of the Yukon.

Recommendation #3

VI. The Department of Education in Yukon will provide free and facilitated access to educational resources upon the request of the parent and/or student.

Educational resources include the following:

- ◆ Learning resources including materials and educational resource personnel
- ◆ School equipment/facilities including to the use of the library
- ◆ Distributed Learning (distance education and correspondence courses)
- ◆ Part time attendance in school
- ◆ Yukon-wide standardized achievement tests
- ◆ Assessment and consultation regarding a child’s abilities and development (physical, emotional development and hearing, speech, language and reading.
- ◆ Reimbursement to home educators for educational resources and programs to a maximum amount as per the regulations

ELECTED REPRESENTATION

The establishment of a **Home-based Learning Council** is necessary to ensure that those not now represented in the

education system have elected representation. Such a council of elected parents and community members would advise on matters related to home education and distance education in the Yukon. Funding, honoraria and resources consistent with School Councils would be established. The numbers of home-based learners in the Yukon are sufficient to justify the development of an elected **Home-based Learning Council**. There is no elected, representation for parents of students using home education and distance education programs. In the spirit of democracy the creation of a **Home-based Learning Council** is due.

Recommendation #4

Under Part 7 of the Education Act change “School Councils” to “Education Councils” and specify the inclusion and provisions for a **Home-based Education Council**.

Home Education at a Glance

Home education appears

to differ little from school-based education particularly in its ultimate objectives to:

- encourage responsible behaviour
- contribute to the development of a child’s potential and well-being in all areas of personal and interpersonal development
- promote the acquisition of knowledge, skills and attitudes needed to contribute to a healthy, pluralistic society

The critical differences between home-based education and schooling are found in three areas:

- Locus of control
- Importance of relationship
- Individualized education

LOCUS OF CONTROL

In home education the locus of control lies with the parent who assumes responsibility for the determination of an educational program for their child. This differs only in degree from the school parent who must determine the program best suited for their child; a Francophone, French

Immersion, public or Catholic education.

THE IMPORTANCE OF RELATIONSHIP

The tutorial situation relies on the intimacy of the parent-child relationship. This is particularly important in home education as it is within a nurturing, caring relationship with an adult (and this is key) that a child learns self-worth, the value of relationships, values and responsible behaviour.

Mentoring in the current context of community asset building is about giving support to youth to build resilience and personal strength. Home education builds on the relationship between an adult and a child in a mentoring fashion that gives the child or youth varying degrees of control over the process according to their age, ability and interest. According to Yenawine (GWS, #137, Nov/Dec 2000) **“Our [mentoring] philosophy is that you can throw education and skills at young people but what they really need is a**

person.”

Home education capitalizes on the tutorial situation in the home both in terms of the relationship and in terms of the variety of educational methods conducive to the tutorial situation.

Educational methods in home education include:

- **self-directed learning**
- **directed learning**
- **curriculum-based education**
- **practical life skill training**
- **individualized programs**
- **community-based, specialized education**
- **facilitated discovery**

INDIVIDUALIZED EDUCATION

All educational programs give recognition to the fact that children grow and learn at different rates and that they do so differently in different contexts. How home education differs from institutionalized education is that it can avoid stigmatization that comes with comparison to

‘norms’. This works for the benefit of a child’s self-worth and confidence, particularly for the children at both ends of the ‘bell curve’ of academic performance. The ‘late-bloomers’ do not have same-aged peers with whom to compare themselves and the ‘precocious’ children need not ‘dumb themselves down’ (reference, Gatto) to belong to their peer group.

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Watson Lake Homelearners

On behalf of Watson Lake Homelearners, I would like to thank you for giving us audience during your recent information-gathering visit. Further to some of the discussion during that meeting as well as a subsequent telephone conference with (name removed), we commend the YTG Department of Education for its acknowledgement of the viability of home education in the territory. Yukoners can be very proud of the many exemplary academic achievements and outstanding specialized accomplishments by homeliness.

We submit the following clarification/additions to two items mentioned in our previous presentation to your committee.

1. Funding

Option A: We urge you to carefully consider how neighbouring jurisdictions (NWT, Alberta & BC, about which some information is enclosed) support home-education. In particular, the NWT regulations form a working, northern model that can be adopted or adapted for use in Yukon. According to the Yukon Dept. of Finance budget 2000/2001 Operation and Maintenance Estimates, p. 5 – 10, the estimated total

expenditure per student in the public school is \$8515.00.

Using the NWT formula, an annual cash reimbursement of \$2000.00 per child would not be unreasonable for receipted educational expenses incurred by registered homeschooling families who choose to purchase materials other than those available through YTG's departmental Curriculum Resource Center.

Option B: We thank you for the option to use YTG Curriculum Resources free of charge. We further request that you also provide distance education (BC Correspondence Courses) free of charge as another option for all homelearners, not just those living away from a bus route or enrolled in Grade 11/12. (Cost \$2000.00 per grade). We have been told that "failure to complete" is a concern with the department; perhaps "payment on completion" could be an arrangement (examine other possibilities, of course). This option would allow parents to utilize the YTG curriculum, but in the home rather than the public school setting.

Option C: Some families' preference is not to register with the department for any options whatsoever, choosing instead to provide their own programs of instruction and not availing themselves of any assistance. This option should also be a valid alternative under the Act.

2. Staffing

White it is commendable that the Department has assigned to (name removed) the mandate for home education in the Yukon, we are extremely concerned that yet another potentially enormous task is being added to her already heavy workload. We recommend your consideration of, at best, creating a Home Education Branch (in addition to Public Schools rather than a part of it) or, at the very least, assigning several staff members solely to that function. Recognizing from (name removed) explanation during our conference call, that the "mechanics" of funding/districts, etc. in BC is quite different from Yukon's, we feel that some staffing arrangement similar to that provided in BC's Ft. St. John School District could be worked out to serve the needs of the increasing numbers of homeschooled students in the territory. We suggest that a "satellite" or travelling resource teacher be made available in the communities at regular intervals to assist homeschooling families with anything from curriculum planning ...to testing...to field trips...etc.

In conclusion, it is imperative that provisions for home education funding and staffing be implemented with this revision of the Education Act; these issues cannot wait until

the next review! The Act's acknowledgement of our rights/responsibilities to choose our children's education should be accompanied by the means, not only in department-chosen curriculum resources but also in dollars and personnel, to assist us with the implementation of our choices.

PUBLIC SUBMISSIONS BY INDIVIDUALS

Barry Enders Submission 201

Bernd Schmidt Submission 211

Submission by Barry Enders

The objective of this document is to provide information and possibly guide the direction and scope of the newly formed Business Education Council. The information within was a look at education in Yukon from 1990 to present day 1996, with a post-mortem perspective on the Business Education Partnership Program.

The present education act was proclaimed on August 13, 1990. During this time frame continued unrest in our communities intensified among educators, businesses, students and parents and still continues to this day with little perceived improvement of our education system. What's happening?

One must understand what is happening to people and communities in a global sense.

3 Key Drivers of Change

1. People

It took 7 million years for the population to reach 1 billion, that was in the early 1860's. By 1935 we had doubled to two billion, 1975 — four billion, 1996 — six billion, and by the year 2040 or before we will be at ten billion people.

2. Technology

Since technology is a product of the human race, we can expect the rate of technological change to follow the trends in population growth. And that is

precisely what's been going on. It is said that well over 80 % of the world's technological advances have occurred since 1900. With still more people to come and also because technology actually feeds on itself—a rapidly accelerating rate of technological change is basically guaranteed. The Stress of Organizational Change - Price Prichett and Ron Pound

3. Information

The third powerful force driving change is information.

Knowledge

Get this. There was more information produced in the 30 years between 1965 and 1995 than was produced in the entire 5,000 year period from 3000 B.C. to 1965. Word has it that the amount of information available in the world is doubling every five years. Furthermore, all this knowledge and information are becoming available to more people than it ever reached before.

Far more knowledge, reaching far more people, faster than ever before. Outcome? A better informed population means better chances for change.

The Stress of Organizational Change - Price Prichett and Ron Pound

Social Change of such huge magnitude is now available to the mass of society, regardless of physical location and to a large extent, economical class.

Virtual Education represents a social, political and economic change comparable in scope to the shift from the Feudal Society to the Industrial Revolution.

Failure to Recognize this information, traditional institutions and power structures will have to change quickly or be crushed by the weight and momentum of the information age. (Technology)

Yukon communities are feeling this immense pressure of change and need help dealing with the problem.

During the early part of this period, 1990-1992, education seemed to lower entrance and educational standards through out its departments, especial at Yukon College. Credibility of the College as well as the Education Department suffered immensely and we are still feeling the (credibility loss) of our education in the Yukon.

What went wrong?

Education failed to recognize other institutes outside the territory were raising and changing standards of education to accommodate the new skills of the information era. The new era of

information ushered in a new problem for education, “Accountability.” No longer was education in the Yukon taken for granted. Information was available to the general population, with many more options and standards “which were measurable,” than ever before.

With this new era upon us, education needs to come to grips with the fact that they are **not the sole holder of knowledge.**

This **paradigm has shifted** and is an absolute role change for facilitators. Students will be moving into a world of information that needs to be **connected to knowledge.** Students must be able to sort information to...

1. Articulate a research strategy
2. Pursue it
3. Recognize good information
4. Recognize bad information
5. Retrieve it
6. Asses it
7. Most of all, be able to use it

Clearly unrest in our communities continued to build.

Organizations began to organize with one clear mandate and that was to send a message to the government of the day which was; Yukon Education system was not preparing Yukon students to

meet the challenges of the 21st Century.

For Example:

- In February, 1993, the Minister of Education, at that time, asked the business community whether or not the Yukon Education system was preparing Yukon students to meet the challenges of the 21st Century. **needs to be done again in 2001**
- A Business / Education Committee struck by the Minister, comprised of representatives of Business, Education, and First Nations, held a conference in Whitehorse to discuss this problem.
- This Conference gave impetus to initiate a Business Education Partnership Program.

1993 - The Yukon Auto Association mobilized and formed a society which created many documents for improvement in education which were passed on to the Department of Education. The association was territory wide, with involvement from Dawson City, Haines Junction, Beaver Creek, Whitehorse and Watson Lake.

1994 — The Government of the day did an independent education review which tabled a report called “Curriculum

and Special Needs Programming in Yukon Public Schools.” This was an intensive review with all stake holders in the Yukon.

Opinion - Both reports were very good in scope and content with many recommendations that were alike.

One key area of both independent reports which is most critical for quality improvements of our education was:

Recommendation #83
“That a review of the existing organizational structure in the Department of Education be conducted with the intent of making changes that would enhance the effectiveness of the system.”

Curriculum and Special Needs Programming in Yukon Public Schools

There is a lack of communication due to the organizational structure. The lines of discussion and consultation, feedback’s and **evolution and accountability are not functional.** The **reporting mechanism** for personnel it to a sole position , with no room for cross dialogue, one Branch with another. It is critical that personnel from Curriculum Division, Special Programs and Superintendency consult with one another on a regular, on going basis.

Decisions are made without the involvement's of others upon whom the successful implementation depends. Herein lies another roadblock to participating leadership at many levels. **Effective operation relies on having a unified vision and open channels of communication. This was not possible with a structure which is decisive and fragmented in its nature.**

Auto Association

Recommendation #10
The Department of Education is to clear up their organizational charts as it relates to trades.

Automotive Consultant Report

The problem:

- Has been around to some degree to the past 20 years or so. It is getting worse year by year.
- Involves internal departmental policies centered around hierarchies, budgets and empire building within the Department of Education and its institution of learning.
- **Gets participants so involved in the details of complex maneuvering that they lose track of the process which should be to dovetail educational programs to the needs of the job market and**

eventually customers who depend on the expertise of those trades.

- **The organizational chart does not indicate staff, line or function relationships and thereby becomes open to as many different interpretations as there are viewers of the document.**

Recommend Businesses cut through all the structure and concentrate in a positive and supportive way on helping teachers teach and students learn though suggestion, guidance and the supply of relevant training materials and information.

Not withstanding the many similarities between the independent reports, they both missed two very important factors which continue to plague the direction of education today.

1. The world has moved from the Industrial Revolution and its nostalgia for the past to **the era of information, which will dominate how people will work and lead their lives in the future. This paradigm shift has put enormous strain on our educational system and possess future problems with methods and philosophies of education.**

2. With the new era of information educators must change from sage on the stage to guide on the side. Students must focus on how to learn in this new era. **We must think globally and act locally.**

*Somewhere between 1993 and 1995 the Department of Education decided to move in the direction of CAPP. Career and Personal Planning. The Department made this move with very poor communication to the stake holders. **This is and was a direct reflection of organizational functional problems. In British Columbia all stake holders at least had a chance to voice their opinions. Yukon's stake holders were given no opportunity, thus important agreements were critically missed.***

For Example:

Co-operative Agreements.

Focuses

1. Needs Assessment
2. Magnet Schools
3. Research and Development
4. Training and Technology
5. Advocacy—Policy and laws
6. Planning
7. Funds to support innovation
8. Schools based health clinics
9. Advice on restructuring schools

Comprehensive

Collaborative

Focuses

1. Needs Assessment
2. New roles / relationships
3. Research and Development
4. Long term institutional commitment
5. Broad based multi-agency planning
6. Integration of multiple cross institutional progress
7. Shared Authority / Decision making
8. "Comprehensive" services, focusing on the whole child
9. Advocacy - Policy and Laws
10. Goals / objectives by consensus commonly defined vision

Institutional One on One

1. Tutoring
2. Scholarships
3. Public Relations
4. Use of business Facilities
5. Demonstration
6. Mini grants for teachers
7. Guest speakers
8. Load executives
9. Incentives and recognition
10. Paid work study
11. Teaching Assistance
12. Donations of Equipment and supplies

Post - Mortem

Partnership programs for the most part were very successful with a few areas that need to be evaluated to continue.

Upside for Partnership

Programming

- Was meant to build bridges between education and businesses
- Was a way for educators to access information from business to enhance curriculum
- Provided a way for business to serve as a reality check for students (on career paths of choice)
- One of the longest programs of community involvement

Downside for Partnership Programming

- Employers were overburdened from requests
- Some students weren't coming prepared to the work place
- Time lag - to long in placement of students
- **No evaluation (by the steering committee) of partnership goals and objectives (to make sure objectives were being met)**
- Very little laddering or long term strategic planning
- Funding shortages to broaden partnership bases.

Over View of Program

In the past three years many projects and activities were undertaken. These include the following:

1. **Speakers Bureau** entitled "Advantage Education"

which provided teachers with access to a database of business/resource people interested in delivering in class presentations.

Conclusion - coordinator did all the work, needs to be evaluated to improve or scrap

2. "A Day in the Working World." Job shadowing activity. Over 350 students from grades' 6-12 and over 120 businesses / employers participated in this career exploration activity.

Conclusion—Good program, needs enhancing and support to better "dove tail" CAPP

3. "Work Experience Day." Focused on students sharpening specific skills or utilizing a particular technology. Students were placed in a business where they applied text book skills to real life work situations.

Conclusion—was successful but needs evaluation to improve curriculum relevance to today's standards

4. Yukon "Youth Leadership Conference"

Conclusion - Becoming more successful each time. Students want to return to this program. It has potential to be overall winner for

students and communities.

5. **BI-monthly newsletter, “Partnership Perspectives”**
Partnerships Inventory
Projects, school stores helped
students learn entrepreneurship
skills.

***Conclusion - needs
enhancement/ scrap***

6. **Hougen’s Stay-in-School
Champaign.** Profiled local
Yukoners who promoted
education and life long
learning in an upbeat
newspaper and poster
campaign in
August / September, 1994.

***Conclusion - Was successful
and Hougens would like to
continue.***

7. **Options Unlimited
Project.** Introduced students
to women in non-traditional
occupations, such as, trades,
businesses, science and
technology.

***Conclusion - This program
was “piggy backed” onto
Innovators with
innovators being the clear
winner. Innovators should be
helped - Options is a question
for support.***

8. **Take your Kid to Work.**
On this day, students from all
over Canada, including some
from the Yukon, either went to
work with a parent or family
friend or were placed in the
working world

***Conclusion - Worked well for
grades 1-6 but failed with
higher grades.***

9. **Old Crow Digital
Collectors Project.** Old Crow
students researched and
provided information about
Old Crow for the production of
a world web site on the
Interment

No Evaluation

10. **Kwanlin Dun Career
Conference.** Informed
students about First Nations
Business

No Evaluation

11. **The B.E.S.T (Business
Excellence Skills Training).**
Program at FH Collins
Secondary School was linked
to Xerox Canada

No Evaluation

12. **Waterfront Days Project.**
This project is still ongoing.
Students from Christ the King
Secondary will develop
entrepreneurial skills by
running booths and tours which
describe the history of the
waterfront

No Evaluation

The Partnership Program has
initiated a wide spectrum of
Partnership Projects and
activities in its tenure and
hopes to continue to foster and
promote business education

partnerships in the Yukon

Think Tank - Fall 1995

The Think Tank committee was
formed after the October 20,
1995 Partnership steering
Committee meeting. (Name
removed) observations helped
to surface the concern that
some people had regarded the
general make up of the
Steering Committee
Memberships. It was also
observed that there were few
business people at the table and
an abundance of government
personnel, the majority of
whom were educators. It was
also mentioned that there was
no representation from labor.
(Name removed) asked who
had been asked to represent
Parent Council and what might
they contribute.

In the lengthy discussion that
ensued, it was agreed to the
need for more “**structure**” and
to the need for a **clearly
articulated vision** and mission
for the organization. **It was
also agreed that the Think
Tank Committee needed to
continue its work in
designing a process for the
development of a vision
growing out of the work that
the program has already
achieved in its earlier
mandate.**

The Steering Committee pulled
together observations that had
been collected with various
individuals both on the

committee, in schools and in the community.

It was acknowledged the following observations need a critical evaluation from stake holders with recommendations to deal with the issues to ensure quality improvement of Education in the Yukon.

Issues Of Concern

Students: Apathetic, course structures, timetables, factory model of education, no recognition of First Nations presence in the high school

Teachers: Beliefs about Career Education, resistance, another thing to add on to an already over extended timetable, Sponsorship vs. Partnership, lack of Knowledge and skills, concerns about competence perspectives on business - stereo types, lack of training time - expensive PD model because of logistics

Parents: Lack of knowledge and information, lack of training, beliefs, Partnerships vs. Sponsorships

Business: Different agendas, fears about 30 hr. Work experience, perspectives on Education - Stereotypes, top down decision making in the department, frustration with skill level of grade twelve graduates.

First Nations:

Communication, relevance, systemic discrimination, preparation for self government - tight time line, different protocols among different bands, internal politics

Steering Committee: size, lack of structure, no clear definition of roles, no clear decision-making process, no clarification of relationship with Education, where will the program be housed next year, no clarification of ownership, no constitution, liability, how are individuals selected for the committee, do they represent another organization, no clear mandate for members, purpose of meetings, time for sharing about programs outside the Partnerships activities, lack of time- individuals are volunteers

Big Issues: changing job market, kids not being adequately prepared by the school system, no mechanism for the views of business to be heard by education - using the partnerships Program as that vehicle, Career counseling seen to be the job of one individual in the school taught in isolation from other subjects - discrete vs. Integrated, educators are evaluating the problem without input poor image of trades, role of Education - to prepare kids for the world of work or to give them a broad Liberal Arts foundation, vocation vs.

Avocation, Educational model - transmission model vs. Transactional model, should our program be Prescriptive or responsive , **rapidly changing political agendas**, paternalistic culture /ethos, CAPP program transported in from BC with no Yukon identity or professional input.

It was suggested that this committee take on the task of more clearly defining the relationship between partnership Program and Education, and to discuss building a shared vision for the second stage of the programs.

Other ideas which were discussed but no action was taken were;

Literature Review in order to provide a larger context for the program and a context for our activities. This was to be done in hard copy as well as data electronic (for easy access and to stop duplication of programming and information which was already done).

Entrepreneur Institute- presently ongoing

Parent Conference - sponsored by business and government **Video “Careers”** - unique to the Yukon.

Summer Teacher Internship Projects.

What are the barriers to collaboration on Business / Education Partnerships? The number one answer among combined committee members is:

Lack of communication and CO-ordination of a shared vision amongst business and education.

It was suggested that the Department of Education deliver a presentation on the CAPP Program to Whitehorse and Yukon Chamber Members to start the communication and coordination of a shared vision that is so badly needed throughout the communities of the Yukon.

Closing

The mandate of the council must be student focused, first and foremost. To further the mandate, council should look at its strengths and where it could play a vital role with education (consultation).

Business Strengths

1. *Adaptability*
2. *Implementation of new ideas*
3. *Managing constant change*

These skill strengths could play a vital role in building bridges and commitment of a shared

community vision of education.

Some ideas to pursue or think about:

- **Get answers to organizational structures and functional problem the department of education has and how they intend to correct this problem and communicate the correction to the stakeholders**
- Re-submit the letter to the Minister of Education of which I have found no reply. (Highlights of Letter)
 - (a) How the Department will ensure teachers have adequate training and resources to effectively implement the Career and Personal Planning curriculum, including the Work Experience component;
 - (b) How the Department will ensure that the business community is prepared to embrace this new initiative, particularly when the private sector is expected to absorb a significant increase in the number of students in the workplace;
 - (c) How the Department will prepare businesses and schools for this

new curriculum prior to implementing it in September, 1995.

- Review of council membership make up and stake holders.
- Review Partnership Strategic Education Plan (1994).
- Review of CAPP front end and our future role. (Lost opportunities for essential partnerships) **Cooperative agreements, Comprehensive collaboratives and Institutional one-on-one**
- **Build on Evaluation Plan for future action.**
- Direction on Business Education Sub Committee report June 5, 1996.

Option one - Stay as we are

If student - oriented activities are the focus, employers and educators most likely will establish an advisory group such as a Business / Education Partnership with attention to study trips, resource people in the classroom, career days, and student internships - needed and useful but not related to school improvement.

Option two - Comprehensive Long Term Program

To foster systemic school improvement the focal point for joint efforts will be on

developing a more responsive educational system.

- **Establish a Formal Collaboration Structure**

To further systemic educational improvement and work force development, industry must join with education (public, private, post secondary) in an organization that involves participation of the community's power structure. (Decision Making)

- Review Major Reports
- Auto Association
- Education Review, 1994
- Labor Market Review
- Literature Review (data base) to minimize duplication of future and past programs
- Find ways to deal with issues identified through interviews with educators and Business people in Whitehorse and the Yukon. (Issues identified in report)
- Commitment to a long term strategic plan with a shared vision.
- **Be student focused first and foremost**
- Review of Partnership programs to enhance or scrap.

The partnership Programs by and large were successful and need to be continued based on the information contained in **Business Education Sub Report of 1996.**

Finally, but not least, recognition must be given to the Steering Committee Members and coordinators of past, for their perseverance and patience in laying the foundation of where we are today. Many thanks again to all involved.

Business Education Final Report December 1996

Highlights

- **History of how Partnerships evolved**
- **Key area of independent reports critical for quality**

Education improvements

- **New era of information**
- **Critical agreements missed**
- **Post - Mortem Partnerships Programming**
- **Think Tank issues of concern**
- **Business Strengths**
- **Ideas to pursue or think about**

By Barry Enders

Jack Hulland Accreditation December 1997

Opinion Strengths of Jack Hulland School

1. Administrations, school council and parent participation have and continue to be positive strengths.
2. Positive atmosphere and relative accessibility to educators.
3. Some programming

Opinion- Areas that need improvement

1. **Communication to parents and students.**
 - **Administration and council to clearly state objectives.- Council to be trained for governance**
2. **Visioning and strategic planning.**
 - **Establish a formal collaboration structure.**
3. **Technology programming must be strengthened.**
 - **Proper training for educators and more software for students.**
 - More instructors trained.
4. Commitment by all

educators to lifelong learning.

- Constant updating of their profession to the new challenges.
5. **More professional development outside the school calendar year.**
 - **School year constantly being shortened by P.D. days.**
 6. Better and quicker analysis of problem areas within the school curriculum and student problems.
 - Suggest **committee** with parent involvement **structured.**
 7. Emphasis on providing challenging and fun learning opportunities for students.
 - Instead of all textbook work provide some areas of fun challenging activities.
 8. **Strengthen existing curriculum through partnerships and community based programming.**
 9. **Assure more student involvement in his/her education (including assessment of programming).**

10. **Make sure students know their rights as they pertain to their education and self-development within the school and how they are treated by educators and others.**
11. **Clearly state objectives of curriculum and outcomes to parents.**
12. **Report card information is weak and needs to be changed.**
 - **More relevant comments and improved marking system.**

Poor implementation of new programming i.e. new math.

- **We must make sure all components of new curriculum and core curriculum are fully addressed before advancement**
- **Educators must be properly trained before the implementation of the new or existing program.**
- New programming must have proper time

allocated.

13. major program

competency for all core subjects is imperative for all educators

- Are our students competent in:
 - a) analogies
 - b) definitions
 - c) reading for detail
 - d) finding the main idea
 - e) drawing conclusions
 - f) logical reasoning
 - g) making inferences
 - h) using context clues
 - i) sequencing
- If students are not competent in the mastery, essential skills of reading, self-esteem and the success rate of the new program will suffer.
- Reading is the most important factor in any program and must be mastered in new ways. (technology can assist)
- This is only one component of math and all other competencies must be assessed before implementation.

15. More qualified counselors.

Other Comments

I have enclosed information which may or may not assist you. These are:

- **Visioning and Strategic Planning**
- **Virtual Education**
- **Something To Think About**

Yours Truly
Barry Enders

Bernd Schmidt Presentation

Radical changes are required.

Education Act Review

I am a parent, a trained teacher, a student, and a talker to people. I have been involved with the educational system through my training, my children, my spouse, and my work in Yukon Schools and German.

What you are about to hear is my view of the present state of Yukon School. What you are going to hear is the view from an inside user of the Yukon education system.

Purpose of Education

Societies educate their children – either in a family setting or in a public school system. The purpose of education – as opposed to socialization – is the need to equip the offspring with the tools to become functioning grownups. Even though both entities are being treated as separate they are indeed inseparable: education without socialization and vice versa are wasted efforts and

cannot be applied in any event: the educator is always projecting social values and the socialisator must do so along concrete knowledge and skills. Most societies have a general game plan, as to where the upbringing should lead, both socially and technically. A young squire in the Middle Ages must learn to read, write, make war and such but he must also be trained to become and behave like a noble person, understand the rights privileges and obligations, be able to move at court and so on. In modern civilized societies the class aspect has diminished. More important is the technological education, 3 R's, sciences and such. Developed societies integrate "untechnological" subjects into the curriculum to provide for an intellectual and thinking background as well as creative and artistic backgrounds to deepen the overall education. Philosophy, "dead" languages like classic Latin and Greek, Arts, Music, Theater, Religion and similar subjects provide this rootwork for a profound education. History and, to a degree Social Studies and Geography locate here.

The "technological" education encompasses Math, writing and speaking skills, foreign language skills, all the sciences, and any skill that is directly necessary for placement in the work force. Over the past decades we have witnessed a gradual erosion of the not quite so productive courses.

Societies with value adding economies, those who do not have substantial or any resources, but rather live from the fruit of their population's labor through manufacture, have the highest developed school system. The reasons are rather simple:

1. They must project manufacturing technology changes and the workforce requirements into the future and educate accordingly. The schools must produce a graduate that can handle changes in the mode of production. If robotic techniques are to be applied, the workforce must be trained to use this technology. If the

machines are ever complex and expensive, then the individual operator must be of a mindset to reflect that. Sometimes the prognosis is off or wrong. Predictions fail and analysis gets distorted by all sorts of reasons: A good example to illustrate a failure in that projection or anticipation is the lack of computer technicians in the Western European countries, who by 2005 will have a shortfall of 1.2 Million such personnel. (The breach is, at present anyway, handsomely filled with graduates from other countries, foremost among them India, which sends a steady stream of computer experts to Europe). European countries just did not anticipate the rapid development of information technologies to adjust the curriculum accordingly. That training also encompasses “abstract” skills. The modern

economy requires substantial flexibility, mental and physical. Again the European countries can be used as an example of failure. On the level of the society as a whole, Europeans have a hard time physically re-locating to follow the jobs, and also to re-educate later in life to adapt to changes in the job market. There they have failed.

2. The resources poor countries, in most cases anyways, are also among the most densely populated countries on earth. Providing for social structure becomes in imperative for all educational and socializing agencies, family, daycare, school, university, and any organization that “handles” children. Intensive networks of social skills enable the individuals in such countries to get along without major conflicts. What we perceive as disciplined countries is

nothing more than the necessary reglementation to ensure continual societal operation and production.

It is not surprising that the governments of most of these countries have educational plans with projections far into the future, often beyond twenty years. A country that depends on technology for its economy must anticipate technological changes and must provide for a work force that meets these changes. These plans are developed in cooperation between government, employers, union and other social organizations. Canada traditionally has been resource rich. It also had the space to allow for the individuals that make up the counter to spread out, thus being less in need of a restrictive social order. The Canadian education system has therefore not undergone any substantial planning in regards to projection into

the future. We thought that the resources would last forever and the major economic activity would be the sale thereof. True, we saw a need to have architects, doctors, nurses, teachers, pilots and mechanics, to name but a few. But we do not have an effective mechanism in place that enables us, like other countries, to train and individuals to fill the jobs that need to be filled. The cry about shortages in one profession or another or the overproduction of one profession or another hardly ever ebbs away in this country. We do not have an adequate handle on the production of skilled individuals. In the past Canada has compensated, at least to a degree, with skill requirements from immigrants and blatant soliciting of skilled individuals from other countries, not only draining those countries' brain pool, but also doing it on the cheap for us:

Point number 1 of what needs to get changed: We need a thorough analysis of future requirements in all professions and trades.

What is the situation of education in the Yukon today:

Teaching used to be an important instrument to shape a society and to provide for integrable individuals. Teachers were respected, parents and teachers worked together, teachers were pedagogues and instructors.

In the seventies and eighties three significant changes took place regarding school in most of Canada:

1. The economy started to waffle and made people conscientious of economic dependence. Until then the adage pertaining to GNP growth had been 4% annually. We all were raised with the expectations that our wealth and standard of living would be on a continuous up curve. The oil crisis of the

seventies, the economic slow down, the depletion of resources, global responsibilities and a few more considerations gave us signals that perpetual growth was not attainable. In order to keep the prevalent standard of income and living we had to put out more. More meant no just time at work, but intensity of work, insecurity and all the trimmings that come with a "modern" workplace situation. We lost time for our social lives and obligations and we lost time restoring ourselves from the work process. The answer was targeted exercise regiments and a redefinition of time spent "unproductively": we came up with the term "quality time." We reduced the time spent for special functions, but we claimed that the time spent was more intensive. We also

began on a socio-economic journey that, for the first time in history sought its mandate not in providing for the future generation and to “do everything for the children”, but rather in planning for that generation’s future in terms of financial security and independence, provision of health and social services in old age, and the structuring of the social awareness measured by the standards of the active generation. “Canada is the best country” has become the battle cry for that generation, blatantly ignoring every problem within our borders that affects the disenfranchised citizens. We have serious problems on every level, which will affect the majority of Canadians within the next decade, but there has been not a sign of willingness to tackle these.

2. The purpose of life in a social context was redefined. No longer was the proliferation, the stability and the security of the human species the purpose of our existence. The development of one’s potential to its fullest became the order of the day. In competing social obligations the decision was usually cast in favor of the individual that claimed fulfillment. Marriage breakups, child neglect, redefinition of social contexts were justified with the need to develop oneself. Families were left by the wayside, children were booted out and left to their own devices (Canada and North America have the highest percentage of legal minors living alone and working to support themselves of all industrialized nations. As a matter of note: most European countries prohibit child labor, that is

employment of school age children in any job. Macdonald’s Restaurants are manned by grown-ups, not kids.) The maintenance of the standard of living does, to a large degree, depend on the exploitation of our children. Beginners Math: We could not eat out as cheaply and save money for the RRSP if the people who prepared our meals at the franchise and who serve us and who take our money were not our own children, but grown-up individuals who would not work for minimal wages. The subsequent lack of socialization agencies, healthy families with stable construction, led the government to make a promise to its productive population: School will take care of their children’s upbringing Schools would not strive for intellectual excellence or the instruction of basic skills with a

sprinkling of social values, they rather would act as daycare centers that would take anyone at fiscally responsible rates.

Thus were born two of the major flaws in our schools today:

mainstreaming – which is the compilation of students of all aptitude levels and personal development levels, including social, physical and mental handicaps in one class and the wanton ignorance of research into effectiveness in school regarding class sizes, length of instruction and aptitude spread.

3. This new concept of school becoming the primary socialization agency might have even worked, had not at the same time another trend developed that is associated with the self phase of this generation, the self awareness and the self assertiveness: In the seventies and eighties

the amount of legal suits brought forward that included teachers, schools and any educational institutions, including churches and government, ballooned. Teachers were shell-shocked by the violence with which their personal engagement in the individuals was being rejected. A part of the public scrutiny towards the educators could be found in the previous factor of the development of me and myself, the infamous “bubble concept”, and the denial of responsibility by the individual of social obligations. Faced with permanent personal liability the teachers responded two-fold: They withdrew from their personal engagement in a child’s well being, dropped the pedagogue label from the job description, and re-defined the instructional methods. Henceforth the student was not the one seeking

enlightenment and the teacher offering his or her answers, but the student had a “problem” and the teacher, with as much restriction as manageable led the student to find his/her own answers. The Teachers became a facilitator, not teaching content, but formalizing a prescribed curriculum with little if any room for personal opinions, discussion of personal values and encouragement of diverging standpoints. The process at school was “self-oriented”. The teachers thus had very reason to involve themselves into their students lives and personalities, the outstanding skill became Classroom management, a skill which had to be taught at teachers colleges until the early eighties.

So the recipe for a poisonous stew was written: The traditional social agencies were

breaking down and could not provide the service any longer, the governments of the day encouraged parents to stay in the productive prices and leave their children to them, but at the same time school, and all other agencies that coiled have picked up the socialization of the offspring were stripped or stripped themselves of meaningful procedures, means, and structures to provide the service required.

Where to begin a remedy:

Attitude: Parents. The most important obligation that a parent has is the education, not the schooling of their children.

Commitment used to be an operational word in our society. Not too long ago a handshake was all that it took to complete a deal and to have the prate stick to it. To get out of any commitment has not only hurt our children, but is beginning to have economic impacts on our society:

Walking away from a financed purchase, a job begun but deemed too hard, a position taken but not financially or other satisfying are but a few examples of what is happening today.

Having a child is a twenty year, if not lifelong commitment.

Those families who take the commitment seriously will inevitably find themselves at the lower end of lifestyle and will often be considered social misfits, for doing everything for their children and nothing for themselves. Yes, some parents will have to forego their obligations because of dire financial needs.

Considering, however the importance of the resources – children, our future, our future providers, the stewards of the earth and the universe after we are gone – it ought to be easy to comprehend that financial assistance to aid in that obligation is the least a society can do. The potential cost of a social misfit and the lost productivity of an undeveloped mind and body are in no significant relation to the few thousand dollars it may take to enable a parent to help rear a well rounded, socially adapted individual. Obligations cannot be taught, but is surely can be encouraged through incentive and support to stick it out.

One cannot teach parents to enjoy their own kids or to marvel and wonder at their

development over the twenty or so years that they are with them. One cannot teach the family bonds that are being formed and nurtured through loving commitment. One cannot convey the sense of sentimental happiness that comes from the realization that the offspring loves the parent and is wearing their family sense of belonging as a badge of pride, one cannot teach the pride that comes from realizing that the personality of the young person has been identifiably affected by the parent, one cannot instruct in the understanding of the correlation between academic, artistic, or athletic achievement and a safe and stable home. These are matters of experience, not intellect. They must be demonstrated and encouraged in our public opinion. Aside from waking the dead, rearing children or participating in the process of making personalities from unscripted and uncharted minds must be one of the noble causes of mankind, because it serves us all.

A positive attitude towards healthy families, with support for the maintenance of

families, rather than social support agencies for broken homes and people, must be an integral part of any sensible change of the Education Act for the better.

Teachers: Every profession has an understanding of its goals and the necessary means for accomplishment.

Teaching as a profession has undergone dramatic changes in my lifetime. It used to be a vocation based on three simple pre-requisites:

- Proficiency in the subject matter,
- A yearning to share the particular knowledge with others and to make them appreciate the subject as oneself, and last, but not least,
- The wherewithal to deliver the goods in a classroom effectively.

Let me analyze the profession along these three lines:

1. A lot of teachers teach a subject that they have no proficiency in. Due to the requirements by the administration to “process” children towards a rather unqualified graduation,

a rigid system that does not allow children with different aptitudes to leave school early to pursue a career outside university or college and the overall commitment to “keep children in school” have led to courses being offered that ought not be taught at a general public school with essentially unqualified teachers instructing these courses. In the US the rate of subject qualified teachers runs at about 40%, in Canada it is not much different.

2. Many teachers, having started with the enthusiasm that ought to accompany the choice of profession, lose this verve within the first five years. Some never bring it to school. To these the profession is a source of income guaranteed by the public with good pay and short working hours. Those who lose their initial drive do so

because of administrative interference, lack of support by the administration, negative parent and student attitude, inability to teach a subject that they are comfortable with and overall lack of respect for the profession.

3. The last reason, at least to a degree, is brought on by the teachers themselves. As professionals they ought to have an understanding how to teach, or rather, under which conditions teaching should be successful. Over the past two decades teachers themselves have surrendered teaching platform planks that have had profound scientific strength regarding school success: It is pointless to name them individually, let it suffice that for all the subsequent point, which I am citing, extensive research has

proven the statements to be true.

1. Class sizes. Since the mid fifties, when education became a subject of public awareness, and again in the late sixties with the expansion of schooling considerations to all segments of society, class size has been the outstanding criterion for good schooling. Ten to twelve were flaunted around, sixteen was a number that already represented a watered-downed demand, twenty and less was the definite ultimate number that everyone in the profession subscribed to. Today we are negotiating class sizes of thirty plus, almost twice the size recommended.
2. Aptitude spread: Traditionally subjects are taught within a student group with even leveled aptitude. On a scientific scale of aptitude from one to ten

(no interest and aptitude at all to 105% overachiever in the subject) a three point spread is considered reasonable.

Mainstreaming as a school concept and an instructional concept brought with it classes that encompass all ten levels of aptitude. The result has been the trend to “teach to the average”, lowering in most classes the achievement level towards the bottom of the class. It is hard to excel these days – support for academic excellence is not politically correct.

3. Length of class: Again based on scientific research it has been demonstrated that 45 minutes is not only ideal for instructing, but the limit of sensible instructional interaction. Eighty minutes is definitely too long.

Before I continue let me briefly interpret what these three issues and

the way they were handled by the professionals mean.

Every teacher knows that eighty minutes is too long, with long spans of time being spent unproductively and the students getting unruly, hence needing to spend more time on calls to order and disciplining, every teacher knows that one cannot teach a class of thirty two with a reasonable result, and every teacher knows that one cannot fairly teach in a class where students range to both ends of the aptitude and interest scale.

Yet teachers have negotiated themselves into a position where they accept these three, and other conditions which have been proven to be counterproductive to the goal of teaching. Since the general public have professional lives themselves and have some understanding about conditions for successful teaching it is unnecessary to say that

the prevalent opinion is that teachers have sold out for the convenience and the pay of the job. Respect ratings are extremely low for teachers as a profession; this, among other reasons has a significant impact on recruiting new teachers.

4. Personal interaction: Every teacher knows that personal interaction with students is crucial to successful teaching. There are exceptions where the politically correct modern conventions of respect of the bubble are being transgressed from the purpose of better job performance, but in general terms one can say that the persona phobia is at this time being respected by both sides and frequently turned into a rebuff or basis of an argument by the students and parents in a conflict situation. Our political correctness has created another obstacle to teaching, particularly in

the field of socialization efforts at school.

5. Socialization. As I have pointed out earlier, personal interaction is necessary for subject teaching, but it is critical for the socialization that takes place at school. As I have also pointed out earlier, school has taken on large portions of that task, being surrendered by the parents. The complaint made by teachers pertaining to this task has been that they are not social workers. They have it somewhat wrong: It is not the professional skills of social workers that would enable the teachers to perform socialization duties, it is the restrictions in personal engagement and the lack of means pertaining to that task. Let me briefly explain: Children are being taught values which have relevance and importance in society. In order to be credible

the personal connection must be strong between the teacher, parent, group leader, priest, or what have you. And there must be means on hand to enforce values which are desired learning goals.

Teachers for instance cannot withhold allowances, send children to their rooms or ground them. The means on their hands are usually counter to the intent: Children who are kicked out of school will have less exposure to the agency that might shape their values. This lack of encouragement to personal interaction and lack of means can be clearly demonstrated by the failure of elementary schools to convey social values: For the past fifteen years elementary schools have undertaken to socialize children in regards to specific social values: Sex Ed, gender awareness, race

awareness, people with specific social, physical, or mental handicaps, “proper” or “appropriate” attitude and behaviour, and such. It is indisputable that elementary school graduates over the past decade have deteriorated in particularly these skills. They are more insensitive, more rude, more racist, sexist and mis-behaved than only a decade before. And that despite an ever increasing offering of programs or teaching systems. It seems sometimes that the only people who benefit from a “new approach” are the consultants who develop and sell them. Again, I would reiterate the previous reference that teachers ought to have raised the warning flag a long time ago. Not having done so, as the professionals who ought to have the knowledge regarding the requirements for doing a good job has

attributed to their poor ratings. Unfortunately the above mentioned shortcomings have led to a disinterest in school matters and education by many members of the principal groups: The students generally do not care about school or hate it outright, parents have little interest in school matters (FH Collins had 3 school council members acclaimed; they are slated for 6 or seven) and many teachers have re-arranged their expectations to coming to a work place that they shape to their needs. School lost its appeal as an educational institution and has become the work place for teachers and the raison d’être for the administration. Wanton destruction is not only the sign of an unruly young generation, it is also an expression of frustration by the

disenfranchised.

You may ask yourselves by now where all this is leading and what this has to do with the review of the Education Act.

The answer lies in the old Act itself:

The preamble of the Education Act is the only document that I could find where the purpose of schooling is defined as the service provided to the children of this territory. No other documents specifically refers to them in quite the same way. The preamble also happens to be the document that implicitly relates the whole exercise of education to the students of this territory.

Thus the preamble becomes the mission statement for education and the subsections that follow ought to orient themselves around that mission.

In the present Act this is not the case.

The organization of the administration, parents and teachers and students rights and a whole lot of policies, protocols and such lead the user of the Act astray. The present Act seems to be the

document that gives the educational bureaucracy its *raison d'être*. Nothing is specifically formulated or spelled out, the good-sounding politically correct phrases seem to have been added and interwoven into the document to make sure that this bastion of an Act cannot be assaulted from any point.

The hopes after its introduction were high; after all there was mention of parent's involvement through councils and even school boards, there was mention of an education that would satisfy the student's needs and aspirations, but in the end it became the means of the Department to deflect any changes and criticisms. Ten years ago or so I counted all the sections that began with "The Minister may..." and "The Minister shall..." and it became instantly clear to me that this Act was the instrument of the government. Nothing innovative towards education. Lots of hot air. And history has borne this out. Our schools have not become better institutions after the Act and the product that we turn out, the graduate students, has not become a better citizen. Some

would argue that in both respects has the situation deteriorated.

The first significant change therefore has to be a re-writing in regards to the students. The "education towards the future" must be spelled out. We have to sit down and define what that means. We have to tell the clients of the system, parents and students about the anticipated changes and the subsequent curricular changes. We cannot assume that the post secondary institutions, including real life, will take care of that. The risk of wasting human lives and human potential is too significant. We have to develop and formulate a view into the future as it pertains to material taught at school, including values that we anticipate will change. Being net-wise and computer literate is one aspect. With an ever increasing additional of non-white immigrants and subsequent citizens to this country, for instance, race tolerance will not only be a politically correct attitude but an economically important factor in our future society. Being race-sensitive becomes

not just a nice attitude, but a required attribute of citizenship, and must as such enter into the curriculum on every level.

The next required change is more an affirmation of existing intentions than a true change. Aside from defining the future as it relates to education we have to take the statements regarding student's right to develop their whole person more seriously.

I pointed out the shortcoming of the present situation at Yukon schools. Using the preamble referring to the whole individual student I can say with utter conviction that we are presently operating in total ignorance of the intent of these statements. If there might be students whose whole person is being developed or enhanced by the present arrangement it is purely accidental. Students are not alike, in regards to aptitude, attitude, and their ambitions in life. Yet at present we are pretending that they all are. It seems, actually, that the whole purpose of education has degenerated from teaching individual kid's individual skills and

knowledge to a mass production of graduates without individual differentiation. In the course of a few years of secondary schooling we have realized the presence of the differences and have, over the years, created all sorts of programs that take that into account. A lot of these new programs, locally developed courses and such, have no other purpose than finding within the present arrangement a course combination that will satisfy the urge and apparent need to graduate anybody and everybody. This is not fair to anyone, really.

We have to understand that students operate on different levels with different intensities and with differing outlooks on life. Other countries have successfully separated their student clientele into different school tiers to accommodate these varieties. Aptitude for English literature is not present in everyone, but neither is attitude for repairing cars or working with wood. Anyone who considers one inferior to the other has not understood the diversity and balance in any society. School structure

must reflect this diversity and reflect it. I believe that the time has come to re-think our present model of integrated schooling. Not only are we precariously educating away from reality, we are also not educating the whole individual of all students. The teaching to the average in our present system has taken on epidemic proportions with the result of creating dissatisfied failures. The different whole students need different environments, different expectations on their abilities, different curricula, different kinds of classes and different teachers. Renaming different levels of the same subject and introducing non-sensical courses to keep the student going is not the answer. The whole person's development in school can not be achieved under the present conditions.

Classes need to be smaller, The aptitude spread must be reduced to a reasonable one, Class length must be curtailed, And we have to seriously think about a multi tiered system of education.

The next important change that I suggest is a re-organization of

the interdependence of teaching staff, education bureaucracy, and students. Most problems regarding the conduct in class can be reduced to the constellation of teachers tasked with instruction and socialization of the students, yet not having the wherewithal to execute their jobs adequately. Let me backtrack here for a moment and refresh earlier statements:

The Government through the Department of Education has accepted not only to take the children into the care of the school and teach them the three R's, but also accepted their socialization. Sex Ed, anger management courses, gender and race awareness courses, mediation courses and such go well beyond traditional school tasks and reflect the "new school" order. By the same commitment has the Department endeavored to assure the parents of their exclusive sovereignty over their children. In cases of teacher-student conflicts the Department invariably takes the side of the student-parent to the detriment of the teacher. This extends even beyond the socialization aspects of

teaching and into the substance matter of programs: it happens time and time again that students who are failing courses, who in other words, are not up to standard in a given subject, are being advanced because of parental interference and departmental recommendation. For the time I can recollect observing this system at work, I have never encountered or heard of a student repeating a class. Experience and probability tell us that advancing 100 percent of a student body from school year to school year is not possible, yet it happens every summer and fall. Advancement means having achieved the necessary relative maturity in all subjects to be moving up. What is wrong to outline the requirements for any given grade reflecting the achievements of the preceding one? The need for two changes becomes apparent: School, and I mean the front-line institution, where concrete teachers meet concrete students, must be re-evaluated and re-defined. Once this has occurred, and the changed role of school established, then it

becomes imperative to re-define the involvement of the front-line school in the socialization of students. The means of partaking in a student's upbringing can no longer be exclusively left to the parent. School needs adequate means to have an active and positive role in every student's socialization. This concept is not to far fetched: Denominational schools have reserved the right to do precisely that through a voluntary consent regarding values and attitudes. There is no reason to begin any expansion of the schools responsibilities along these precedents. The second change has to occur in the Department of Education itself. At the present time the Department in the Yukon appears to have a life of its own, far away from the needs of front-line teaching. It frequently puzzles me that professionals, who ought to know better, and most departmental staff are trained educators, submit their professional ethics and their professional knowledge to the political requirements of their

masters in government. We know that politicians promise everything to everybody and expect the impossible and the unrealistic. The Department of Education however, as the intermediary between front line school and politics cannot solely operate as the extension of the government's will to please the public. It is the Department, after all that affirms the politicians in their evaluation of the situation. Unless they tell their masters that something smells in Denmark, nobody will tell; we cannot expect the tenured teachers to do this, particularly in light of departmental vindictiveness toward the "squealers". The Department must become the support facility for front-line teaching, performing the mental work that precedes curriculum development and supporting the teachers in their struggle with clients. As a final change, and I had another twenty or so listed, must the intent of the Act to involve parents in the educational process, be aggressively pursued. When the Act was first introduced the enthusiasm for involvement

was tremendous: Parents competing to run for school council, excited talk about school boards and neighborhood schools, possibilities of actively shaping schooling for their children. After many years this enthusiasm has died, leaving most parents deflated. School council discussions regarding change were persistently undermined by the administration, so that demands for specific attention or changes were ab initio formulated with the Departmental view anticipated. The demands reflected the restraints given beforehand by the department and the administration. No initiative has come forward to establish a School Board anywhere in the Yukon except for the French community here, and even the willingness to get involved on a council level has abated. The reasons for this development can invariably be traced back to the immovable position of the department as the executor of their political master's wills. In order to rekindle the public's interest in the schooling of the children the specific role of the department in aiding the public in getting involved must be re-

affirmed.

I am aware that my presentation exceeded the usual limitations by quite a margin and I would like to thank the chair for the generosity and flexibility to accommodate me. I could go on and on talking about schooling and children and what ought to be done, but I want to close my presentation here and thank you all for listening to me tonight.

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**CATHOLIC EPISCOPAL
CORPORATION OF
WHITEHORSE**

STRENGTHENING THE PARTNERSHIP

A BRIEF

Presented to the
Steering Committee
for the

REVIEW OF THE YUKON EDUCATION ACT

By the Bishop's
Education Act
Review Committee

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Contributors:

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PRESENTERS OF THE BRIEF, DECEMBER
14, 2000:

Father James Bleackley, OMI

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THIS BRIEF IS DEDICATED
TO THE MEMORY OF BISHOP
THOMAS LOBSINGER, OMI

Catholic Episcopal Corporation of
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1. INTRODUCTION

Our committee was established by the late Bishop Thomas Lobsinger, OMI, to review the *Education Act* from the perspective of the Yukon Catholic community. Bishop Lobsinger wanted to ensure that the Catholic minority, legally represented by the Catholic Episcopal Corporation of Whitehorse, would be ready to participate fully in the review of the *Education Act*. This would continue our tradition of involvement and partnership in education over the past one hundred years. Our committee is now reporting to and consulting with Father James Bleackley, OMI, who was named administrator of the Catholic Episcopal Corporation of Whitehorse after Bishop Lobsinger's death. We have continued the work started by and with Bishop Lobsinger and prepared this submission to the steering committee toward the revision of the Act. The members of our committee form a cross-section of persons

involved or deeply interested in the work of Catholic education. We have also reached out to a large number of Catholic school supporters to keep them informed of our enterprise and to obtain their views. In this we are building on the work carried out among the Catholic community in 1992-93, which resulted in the document “A Circle of Caring – A Development Plan for Catholic Schools”.

The 1990 Yukon *Education Act* marked a significant step in the development of the philosophy of education that underpins the legislation governing the Yukon school system. The past ten years have clearly shown the benefits of the present legislation; they have also uncovered some gaps and deficiencies in the provisions of the Act.

Though our study of the 1990 Act was detailed, we will speak mostly at the level of general directions, new approaches and broad areas of need. Our comments are inspired by the Catholic philosophy of education and by the experience of parents and professional educators who have tried to put it into practice in the context of a pluralistic Yukon community. Our brief intends to concentrate on the basic principles of the Act as found in the Preamble. After offering our comments on these, we will make

recommendations on how the Act could be improved.

The Catholic Church has a strong commitment to education. Its involvement in education began in the Middle Ages and continues today. In fifteenth century Europe, members of various religious orders devoted their time, energy and talents to the education of youth. Through the invitation of early French Canadian settlers this commitment was extended to the new world. The first educators in Canada were members of the Church and supported its philosophy of education.

The Church also has a long history of involvement in the delivery of education in the Yukon Territory. It was the Catholic Church, funded by the government of the time, which opened the first formal school in the Yukon Territory in Dawson City on September 6, 1899. This involvement has been continuous and substantial over the years. Members of religious orders have given over one hundred years of service in Yukon schools: public, separate and private. If it had not been for the government funded Catholic separate schools, the Yukon Territory would likely have been annexed in 1937 and now form part of the province of British Columbia. At the present time, the Catholic Episcopal Corporation of

Whitehorse, commonly called the Diocese, is responsible for two elementary schools and one secondary school in Whitehorse representing approximately 20% of students in the Yukon Territory school system.

Today, the Church still has an important role to play in the education of children. Church documents on education repeatedly describe the purpose of education as “trying to relate all of human culture to the good news of salvation, so that the light of faith will illumine everything that the students will gradually come to know about the world, about life and about the human person.” (Vatican II, Declaration on Christian Education, 1965) The various strands of the Catholic community are involved in this vital mission.

The Church supports the principle that: “It takes a whole village to educate a child.” (Ancient African proverb). Parents are the primary educators of their children and need to be involved in shaping educational policies and directions. Students are invited to be active participants in the educational process bringing their energy, enthusiasm and generosity to the task of building a strong school community. Professional educators are the ones involved most directly in creating the

learning environment within the school. The Church community relies on teachers, support staff and administrators, not only for their professional competence and care, but also their integrity as Christian witnesses. Superintendents of education should inspire and draw together the diverse elements of education to create a common vision for schools. They are responsible for developing educational structures which mediate a deep respect for every person in the school.

Throughout our brief, we are presenting the ideal. We are well aware of the fact that we live in an imperfect world. We are on a journey of faith weaving together the fabric of our society. Frequently, our steps are faltering and we come face to face with our own weaknesses. However, we keep focusing on our goal which is to create a truly just and Christian society. We believe that, as partners in education, we are challenged to work together for our children and their future. We also believe that:

“There are only two things we can give our children. One is roots - the other wings.”

(H. Carter)

1. PREAMBLE

The Catholic community

believes that education is essentially a social and not a mere individual activity. Three societies bear responsibility for education: the family, civil society and the church. The family has prior responsibility for the formation of its children. However, since the family does not have in itself all the means for its complete development, it relies on the assistance and support of civil society and the church. Civil society exists for the temporal well-being of the community. The church, a society of supernatural order, ought to work toward the eternal salvation of the human race. (Vatican II, Declaration on Christian Education, 1965). In order to provide the best educational opportunities for our students, all three societies must work together to create a positive and caring learning environment in our schools.

“Parents have a prior right to choose the kind of education which shall be given to their children.” (UN, Universal Declaration of Human Rights, article 26, paragraph 3, 1948) As the primary educators of their children, parents initiate spiritual formation and development in the home. They rely on the school to continue this

formation. Parents who seek to enroll their children in the Catholic school do so because they believe that such a school is permeated by Gospel values. This spiritual dimension defines the Catholic school and gives it a unique character.

Recommendation 1

The preamble to the Act clearly recognize parents as the primary educators of their children and acknowledge their right to choose the kind of education their children receive.

Recommendation 2

The preamble to the Act state: that meaningful partnerships with parental and public participation are of fundamental importance and need to be encouraged for a high quality Yukon education system.

Recommendation 3

Paragraph 5 of the preamble to the Act be revised to state: that rights and privileges enjoyed by minorities as enshrined in law, developed through agreements and customs, and the educational traditions of minorities, will be respected.

All children have a right to an education. The Catholic vision of education is all encompassing and focuses

on the development of the whole child. The goal of Catholic education is to assist children in developing their personal potential: intellectual, physical, social, emotional, cultural, aesthetic and spiritual. The spiritual dimension is the golden thread that binds all the other possibilities together. The concern for the spiritual realm is growing throughout modern-day-society and is shared by many people whose children attend public schools.

Children have an innate spiritual sense. They have a natural desire to find fulfillment, that is, purpose and meaning in their lives. They sense a power that is greater than any human force. Spontaneously, they reach out to explore this greater power we know as God. As they grow in their relationship with God, children realize that they are loved and are lovable. They grow in self-esteem and self-confidence. They develop their truly human qualities: personal integrity, understanding of and respect for self and others, sense of social justice, and commitment to building a better world. All authentic education is directed towards forming the true and caring person.

Recommendation 4
Paragraph 1 of the preamble to the Act incorporate all aspects of human development including the spiritual.

Recommendation 5
Paragraph 2 of the preamble to the Act include the goal to work toward the creation of a just society.

Modern Canadian and Yukon societies reflect a rich mosaic of beliefs, cultures and traditions. Canada continues to define itself as a society in which divergent linguistic, cultural and religious values are respected rather than denied. We have staked our hope as a nation on the possibility of strengthening our social fabric by safeguarding the distinctive quality of each thread within it. In recognition of the unique cultural contribution of these threads, it is our view that all founding nations of Canada be recognized in the Yukon curriculum.

Recommendation 6
Paragraph 4 of the preamble to the Act be revised to state: that the Yukon curriculum must include the spiritual, cultural and linguistic heritage of Yukon aboriginal people, the historic contribution of the Franco-Yukonnais, the

multicultural heritage of Canada, and the Christian legacy that makes up a significant part of the Canadian religious mosaic.

2. PART 3, STUDENTS AND PARENTS, DIVISION 2, SPECIAL EDUCATION

The Preamble of the Act states that the Yukon Education system “will provide a right to an education appropriate to the individual learner based on equality of educational opportunity”. This principle is well applied in the provisions for Special Education outlined in Part 3, Division 2. It contains three sections detailing the procedures for the assessment of special needs as well as the determination of a student’s Individualized Education Plan. We did not study the guidelines issued by the Minister for the implementation of these sections, but we interviewed a number of participants in the area of students’ special needs, viz parents, teachers, administrators, and consultants. We commend the 1990 legislators for including these provisions in the Act, as well as the ministers and administrators who have directed its implementation to date, and the school

personnel who have helped many children with special needs.

The following are our general concerns about Special Education:

Apart from the point made in recommendation 7, below, the provisions of the Act appear to be reasonable and adequate; the major weakness is in the area of resources, particularly the availability of professional staff. Many children in need of attention and support are simply not identified nor served. And yet, there is a large body of solid research to document the fact that early identification and early intervention are essential to save the child and his/her community from the problems that will otherwise develop and multiply;

The term “Exceptionalities” used in section 15 (1) would normally include gifted children. There is a concern that school programming and human resources support do not reflect the needs of students who are assessed and identified as “gifted”. Serious consideration must be given to a revision of the staffing entitlement formula to meet the needs of gifted children.

Some special needs are identified and some form of intervention started before a child enters school. A link is made for this to continue within the school environment. An example of this is in the transition between programmes at the Child Development Center and the Individualized Education Plan. During the student’s school years, there are other thresholds between different levels and steps. Each of these transition points is a critical link and extreme caution needs to be taken with each one; and

The fact that some types of intervention for special needs originate in other departments (e.g. Health and Social Services) adds to the difficulties arising at the transition points. A case manager is essential in a service of this nature. This function appears to be in place, but it may not be exercised as strongly and consistently as it should. This is also undoubtedly a result of the lack of personnel mentioned in paragraph 1, above.

Recommendation 7
The services of a Student Advocate be made available to parents, the student where appropriate, and/or the school administrator involved in the determination or

monitoring of an Individualized Education Plan for a student. We envisage that this Student Advocate would come from a pool established each year either by the school council for a particular school or the Association of School Councils, (Recommendation 33) or be chosen directly by the parent or student. In the case of prolonged non-participation by the parent, and once an Advocate had been requested for this or other similar reasons by the school administrator and the parents notified of it, their persistent lack of response would be seen as consent.

Recommendation 8
A pre-kindergarten or extended kindergarten programme be established for those children who are in need of a special “School Readiness” programme and a section to that effect be added to Division 2.

3. PART 3, STUDENTS AND PARENTS, DIVISION 3, PARENTS’ RIGHTS AND RESPONSIBILITIES

In addition to the rights of parents, the Act must also describe some of their responsibilities.

Recommendation 9

The intent of the “recommendations” outlined in our addendum be incorporated in Part 3.

4. PART 3, STUDENTS AND PARENTS, DIVISION 5, OPTIONAL EDUCATION

The title of this division is ambiguous.

Recommendation 10.

This division be renamed “EDUCATION OPTIONS” or “ALTERNATIVE EDUCATION”.

4.1 SECTION 29, PRIVATE SCHOOLS

The respect and support of the people and legislators of the Yukon, for the concerns and rights of Catholic parents, has made Catholic education possible. It is this support which impels our committee to address the issue of private schools. A basic value of the Catholic community with respect to education is that parents are the primary and principal educators and have a right to choose the school system which their children attend. We believe that this right should also be realized by others and therefore, we support the concept of private denominational schools for people of other

faith communities.

Section 29 of the Act certainly makes provision for the establishment of private denominational schools but subsection (7) precludes the Minister, the Commissioner in Executive Council, a school board or a council from providing any grants or contributions to such institutions. We believe that, as tax payers, the supporters of private denominational schools have a right to some financial support from the Government. This certainly is not a radical suggestion and simply reflects the practice in a number of Canadian jurisdictions.

Recommendation 11.

Subsection (7) of Section 29 be amended to enable the appropriate order(s) of government to make grants or contributions to private denominational schools which have been accredited by the Department of Education.

5.2 SECTION 31, HOME EDUCATION

This is a section that directly addresses the fundamental right of parents “to choose the kind of education which shall be given to their children” (UN, Universal Declaration of Human Rights, article

26, paragraph 3, 1948). At the same time, we recognize a need to determine the best ways to maintain a proper balance between the rights of parents and the interests of all children on the one hand, and the necessary role of government in organizing and administering the education system, on the other. This calls us once more to define and establish the rights and responsibilities of the various partners in a reasonable and equitable way for the benefit of all young people. We understand that the current provisions of the Education Act and the policies and procedures of the Department are deficient when compared to the legislation of other jurisdictions and their current practice.

Recommendation 12.

Support for home education continue to be provided within the Yukon education system and the Department review legislation, policies and procedures in this area in light of submissions made by interested parties to the steering committee with a view to updating the provisions contained in the Education Act.

Recommendation 13.

Each school should be a

welcoming community not only for students who attend it and their parents, but also for home-educated children and their parents. The Act or the regulations be amended to provide that home-educated children have the option to be associated with a school.

The Catholic Church supports the rights of all children to the best education possible. Parents who commit themselves to educate their children at home do not always find school curricula user friendly. Therefore, they require support and assistance from professional educators. Because of the onerous responsibilities enacted for parents under section 31, for example, the preparation of a three-year educational plan, it is important to support the efforts of parents having chosen to home educate their child.

Recommendation 14.
Establish the position of "Itinerant Teacher" who shall:

- (a) *assist parents in the development of the educational plan outlined in subsection 31(3);*
- (b) *assist students in achieving their respective educational plans; and*
- (c) *act as liaison between*

students and parents and the school providing resource support for the student.

6. PART 3, STUDENTS AND PARENTS, DIVISION 6: STUDENTS' RIGHTS AND RESPONSIBILITIES

In addition to the rights of students, the Act must expand on some of their responsibilities.

Recommendation 15.
The intent of the "recommendations" outlined in our addendum be incorporated in Part 3.

7. EDUCATION APPEAL TRIBUNAL

Part 3 of the Act is devoted to students and parents. It sets their rights and some minimal responsibilities as well as various options to give them the best choice and opportunity for an education suited to their needs. Several sections also establish and define the right to appeal decisions made by the school with regard to the students' programmes or behaviour. These appeals are usually to the superintendent, school board or school council. In Part 8, however, the Act creates the Education Appeal Tribunal to hear

certain matters over which it has final and exclusive jurisdiction. These are detailed earlier in the legislation; they are:

- (a) Special education – section 17;
- (b) Student records – section 20 (7);
- (c) Suspension of students – section 41 (7); and
- (d) Locally developed course of studies – section 43 (5).

It is evident that the cases covered by special education, students records and suspension of students can lead to devastating results for young people and their parents. The Education Appeal Tribunal is the last recourse provided to the appellant, and its powers reflect the gravity of the situation:

"The decision of the Education Appeal Tribunal shall be final and binding upon the parties to any such decision." (section 163). An order of the Tribunal "has the same force and effect as if the order were an order of [the Supreme] Court." (section 164)

It is important to look at the way the Education Appeal Tribunal has been used. It appears recourse to the Tribunal has not been frequent over the past ten

years, and has often ended in frustration and dissatisfaction for all parties. It must be noted that, at the time of this final appeal and before the start of the proceedings, the Act provides the option of mediation to resolve the conflict (section 159). In our opinion, this is by far the most promising solution, and it should not be offered only at the level of the Tribunal, at the very end of the chain of appeals, when an adversarial position has developed and hardened. The Act should provide for this kind of third-party intervention from the time difficulties are first encountered. For mediation to be effective and to rectify the apparent lack of natural justice in the present procedures, there is need for a Student Advocate to assist parents and students to understand procedures and to access all possible avenues for assistance.

Recommendation 16.
The recourse to mediation be provided at all levels of dispute resolution, if agreeable to the appellant, for all matters that would eventually fall under the jurisdiction of the Education Appeal Tribunal.

Recommendation 17.
The services of a Student Advocate

(Recommendation 7) be available in a conflict situation as soon as the parent or student (when applicable) needs information, advice or support. This Student Advocate would come from a pool established each year either by the school council for a particular school or the Association of School Councils (Recommendation 33) or be directly chosen by the parent or student.

Recommendation 18.
Sections 17, 20, 41 and 43 all set a limit of 14 days after the disputed decision for the launching of an appeal to the Tribunal. In section 156(1), a simple appeal to the superintendent or a school board/council has the benefit of a 30-day period. We recommend that the same apply to the deadline for an appeal to the Tribunal and that the Tribunal have the discretion to hear appeals commenced beyond the 30 day limitation period.

8. PART FOUR, SCHOOL OPERATION

Section 46, entitled “School Year”, provides for the setting of the opening school date, number and days of school operation, length of the school day and the number of minutes

of classroom instruction in a school day.

There are not enough hours of instruction per year. The school year is too short. This is the case at both the elementary and secondary level.

Current practice has established two school years in Whitehorse, one for the elementary schools and another for the secondary schools. Concerns about the two different years have been raised this year because of the difference in Christmas holidays. So far, it appears that families have recognised and adapted to the start and end dates, but this will undoubtedly lead to some children missing school to accommodate family vacation schedules.

Our general concerns about the school year are as follows:

- (a) School year dates have been set too late in the year;
- (b) Instructional time has been shortened. School days have been lengthened, not for any pedagogical reasons, but to shorten the school year;
- (c) Lack of common start and end dates has

resulted in disrupted and more costly school bus services;

- (d) The 15 hours of non-instructional time does not include teacher professional development. Actually, the *hours* should be changed to *days* as our days are longer than 5 hours;
- (e) At the elementary level, some schools have cut afternoon recesses. Reflective and active time has been lost, to accommodate the longer day but shorter year;
- (f) Increased pace has produced stress on students, teachers and parents; and
- g) Needs of primary students, in particular, are not met by the short breaks during the school year and the very long summer break.

Recommendation 19.
Set the secondary and elementary school years in advance. Three to five years ahead should be possible. We assume that BC has the Provincial Examination dates set in advance, as well.

Recommendation 20.
Set a common school year in length, with a common length of days. It would be easier to work in days, rather than hours.

Recommendation 21.
Explore, with teachers, parents and students, the possibility of longer and more breaks during the school year, with a shorter summer vacation.

Recommendation 22.
Set up a pilot project to gain greater understanding of a year-long school year, with a shorter summer vacation.

23. Recommendation
Lengthen the school year to include more days for professional development of teachers.

9. PART 6, FRENCH LANGUAGE AND SEPARATE SCHOOL RIGHTS

The historical contribution of the Catholic Episcopal Corporation of Whitehorse and its predecessors has been recognized and protected by section 17 of the *Yukon Act*, which as you know is our equivalent to section 93 of the *Constitution Act*. Section 57 of the *Education Act* specifically confirms such rights, amongst others.

Notwithstanding, the right of the Roman Catholic minority to a separate education is not well enough defined in the *Education Act* or in the *Yukon Act*. In order to safeguard the ongoing inclusion of spiritual development as part of the education process, the right of the Roman Catholic religious minority to a separate education must be stated forthrightly and affirmatively. This golden thread which contributes so significantly to the well rounded development of our children is also fundamental to maintaining the strength of the ethnic and cultural quilt which comprises the Canadian mosaic.

Section 57 currently recognizes the April 30, 1962 Agreement between the Commissioner of the Yukon Territory and the Catholic Episcopal Corporation of Whitehorse. Section 57 also recognizes the *Yukon Act*. The current provisions of section 17 of the *Yukon Act* allow for Catholic schools and the support of these schools through the collection of taxes. This tax collection system, being the model used for many years in times gone by, has since been replaced in many parts of Canada with a system funded from

general tax revenues.

Recommendation 24.

The Government of Yukon affirm and update the commitment set out in section 57 of the Act and section 17 of the Yukon Act, by amending section 57 of the Act to provide that the Roman Catholic minority is entitled to separate schools funded out of general tax revenues, on the same basis as the public schools.

The active role played by the Catholic Episcopal Corporation of Whitehorse in the teacher hiring process must be maintained. Consultations have taken place regularly for many years between the Department and the Catholic Episcopal Corporation of Whitehorse resulting in the appointment of teachers and principals being made with the Bishop's consent. Faith is an important component in the integrated approach taken to education in the Catholic separate schools. It is modeled and taught every day through prayer, celebration and religion classes. This emphasis on faith, together with the example of committed Catholic teachers, has a great impact on students and results in the permeation of values into the entire life of the school.

Recommendation 25.

A subsection be added to section 57 of the Act which confirms that teachers and principals will only be hired for the Catholic separate schools on the advice and with the recommendation of the Catholic Episcopal Corporation of Whitehorse.

At this time in our development, it would be beneficial to have a Superintendent of Education for Catholic separate schools, whose appointment is approved by the Catholic Episcopal Corporation of Whitehorse. In order that decisions be made and issues resolved on a day to day basis in a manner sensitive to Catholic community values, there is the need for a person of authority, who is familiar with the Catholic philosophy of education, to represent the Catholic schools at a senior administrative level within the Government of Yukon.

Recommendation 26.

A section be included in the Act or the regulations, as appropriate, specifying that there will be a Superintendent of Education for the Catholic separate schools, hired on the advice and with the recommendation of the Catholic Episcopal Corporation of Whitehorse.

The draft *Yukon Act*, circulated by the prior government, contained a proposal to amend the provisions related to education, contained in section 20. This proposal is problematic and must be considered by this government as part of its review of the *Education Act*. It is very uncertain what the proposed provisions mean.

Recommendation 27.

The Government of Yukon request the Federal Government confirm ongoing funding for the Roman Catholic minority's schools on the same basis as the public schools and include such a statement in the revised section 20 of the Yukon Act. The existing proposed changes to the Yukon Act which pertain to education should be scrapped.

The *Yukon Act* is a foundation for the *Education Act*. It must be strong for the Act to be effective. To preserve the right to have the golden thread of spirituality included as a significant component of the educational fabric, the *Yukon Act* must provide to the Roman Catholic minority in the Yukon Territory, protections similar to those provided to the Roman Catholic

minority by the combined effect of s. 93 of the *Constitution Act* and s.17 of the *Alberta Act* and the *Saskatchewan Act*.

Recommendation 28.

The Government of Yukon request the Federal Government include in the Yukon Act a right similar to that set out in s. 17 of the Alberta Act and the Saskatchewan Act, that is, the right to petition the Federal Cabinet in the event the minority is of the view that any law passed by the local legislature abrogates the rights granted by that section.

Section 7 of the Act does not mention agreements being made with the Catholic Episcopal Corporation of Whitehorse. As noted above, the government has already entered into agreements with the Catholic Episcopal Corporation of Whitehorse and agreements are mentioned in section 57 of the Act. Section 7 of the Act should reflect this reality.

Recommendation 29.

Amend section 7 of the Act to include the Catholic Episcopal Corporation of Whitehorse as one of the parties with whom the Minister may enter into agreements.

10. PART 7, SCHOOL COMMITTEES, COUNCILS AND SCHOOL BOARDS

Part 7 of the *Education Act* is very important to the Catholic community since it provides for various mechanisms, i.e. school committees, school councils and school boards, which link the home, the school and the Catholic community. Elected representatives on whichever of the governmental mechanisms is in place, have the opportunity and responsibility to model their faith in the political arena. Part of that responsibility is reflected by the involvement of representatives from each of the three Catholic school councils on our Committee. Their visionary review of the *Education Act* recognizes the essence of Catholic education and its contribution and significance to Yukon society.

As we note in other segments of our brief, all parents have the fundamental and primary right to make decisions about the education of their children and should be able to select an education that parallels their religious beliefs and values. The existing legislation

certainly provides a variety of mechanisms which enable them to play a significant role in the educational decision-making process.

Unfortunately, participation in the process has been sporadic and minimal: an opinion based on a review of the results of school council elections since the current legislation was enacted. Participation cannot be considered optimal when councils are acclaimed or when some volunteer members must be appointed by the Minister.

It is the view of our committee that the necessary time and resources have not been committed to educating parents about the mechanisms. Certainly an effort was made to provide such education to school committees and/or councils immediately after the *Education Act* was proclaimed but over the succeeding years, there appears to have been a significant reduction in such efforts. The perception that the Department of Education wears two hats, viz that of a “Department of Education” and a “School Board” (based on existing provincial models) may have contributed to the lack of interest on the part of parents in participating in

school governance. School councils, with the support of the parents they represent, often feel that they are captives of the Department and that their wishes are not always given due consideration. Whatever the reasons for the minimal participation of parents, our committee is of the opinion that there are ways and means to encourage and increase the informed participation. If the Government is committed to the philosophy of partnerships in education, it must do everything possible to bring parents into these partnerships.

The foregoing reflects our committee's general views on Part 7 of the legislation. We would now like to turn to specific matters contained in this part and recommend actions which we feel would enhance the role of parents in school governance.

Under section 58, 59, 60, 61, 62, 63 and 67, the Minister is assigned a number of responsibilities (either permissive or mandatory) which have a direct impact on parents. Whether the Minister is establishing an education area, re-arranging or dissolving the areas, designating the category of residents for whom an

education area is established, assigning schools to an area or determining the number of members of a school board or council, the decision has a direct impact on the parents and their participation in the governance mechanism. For example, if Separate school councils decide, in the future, to petition the Minister to establish a Catholic School Board for Whitehorse, wouldn't it be appropriate for the Minister to consult with the councils prior to making any substantive decisions regarding the amalgamation? The Minister should take into account the wishes of the councils and/or the parents in determining the number of trustees and the electoral divisions for a School Board. Would a ward system be preferable to ensure geographic and education (elementary and secondary) representation on the Board? Consultation with parents and/or their representatives on such matters is important and should be provided for in the legislation. A review of some of the processes for Ministerial consultation with local governments as outlined in the Municipal Act would be of value in this regard.

Recommendation 30.

Sections 58, 59, 60, 61, 62, 63 and 67 (as well as such other sections in Part 7 which assign decision-making responsibilities to the Minister and which have a direct impact on school councils, boards and/or parents) should be appropriately qualified to provide for consultation between the Minister and the affected party or parties prior to the decision being taken.

Does the language and procedural content of the legislation contribute to the lack of parental involvement in school governance? Division 2 "Elections", of Part 7 is an illustration of such a concern. The division includes topics and procedures which are often boring and difficult to understand and which are not basic to parents' concerns about the education of their children. There is no doubt that the election of school boards and councils is an important process and must have a legal basis. However, the delivery of quality education to children is not tied to an election procedure. Keeping in mind the legal necessity of an election process, our committee feels this particular division should be removed from

the legislation and incorporated in regulations or other legislation as is done in other jurisdictions. For example, the election process for school boards in Alberta, is dealt with in the Local Authorities Election Act.

Recommendation 31.

Division 2, Elections of Part 7 be removed from the legislation and incorporated in regulations or in another statute.

Section 119 poses somewhat of a quandary for our committee and raises a number of sensitive questions. Is public office a “career” requiring specified remuneration or is it an obligation which we as humans have one to another? Does a parent or interested individual seek public office as a school trustee for the remuneration offered or because the parent/individual genuinely feels he/she has a contribution to make in the decision-making process regarding education? From a Catholic perspective, we are hopeful that it is the latter and therefore feel that section 119 should be reviewed. Certainly we have no objection to remuneration being paid to trustees, etc. but feel that the section should provide a degree of flexibility which would enable a

school board to determine the rate of remuneration (to the maximum prescribed by the Minister) and to retain any surplus to enhance our children’s educational programs within the board’s and/or council’s budgets. As members of a faith community, board or council members would have an opportunity to model their values and attitudes.

Recommendation 32.

Section 119 be reworded to provide the flexibility necessary for school boards and councils to establish the remuneration to be paid its members provided the amount does not exceed that prescribed by the Minister. Provision should be made in the section to enable any surplus funds generated as a result of a decision regarding remuneration to be utilized by the board or council for educational purposes.

The Department must encourage and support the development, growth and operation of an Association of School Boards and Councils as provided for in section 121 of the Act. The support (both financial and substantive) provided by the Government to the Association of Yukon Communities suggests to

our committee that elector participation in local governance can be encouraged and can result in relatively vibrant local government mechanisms.

Utilization of a parallel model for the development and operation of an Association of School Boards and Councils is imperative if parents are to be involved in school governance in a way which recognizes them and their representatives as equal partners in education.

Section 121 has the potential to be a strong participant motivator but, as it is written, lacks any legislative teeth. It is permissive, it does not define the functional relationship of the association to the Department of Education and it does not provide for the necessary operational resources. Without dealing with these inadequacies, the proposed association will continue to be a non-starter.

The preamble to the *Education Act* recognizes that meaningful partnerships with greater parental and public participation are to be encouraged for a high quality education system. Our committee believes that such partnerships are

indeed essential and must be encouraged. However, we also believe that the partnerships will only be effective if the partners are equal. We understand that the Yukon Teachers Association has received funding from the Government not only for its development and operation but for the professional development of its individual members as well. We are pleased for the YTA and its members and commend the Government for its efforts on their behalf. However, if we are to build partnerships between equal members, our committee believes that similar considerations should be extended to the association proposed in Section 121.

Subsection(s) of section 177, viz evaluation of principals and teachers, obviously anticipated the early establishment of the association and assigned to it a consultative role with the Minister regarding the prescription of terms, procedures, etc. necessary for the effective evaluation of principals and teachers. The matter of staff evaluation is of great concern to parents. A decade after the current *Education Act* was proclaimed, parents, through their elected representative, have had

little if any input regarding this critical topic, a topic that often creates friction between the home and school and does little to cement the partnerships that the current Act was intended to develop. We would like to suggest that the Government has been remiss in not encouraging the establishment of the association. The current review provides a golden opportunity for the Government to redress this situation.

Recognition of the resource needs of the Association in the Act will not only enable it to carry out its legislated duties on behalf of parents, but in our view, will enable it to allay some of the suspicions that currently exist between parents and/or their representatives and teachers, principals and the Department. Generally speaking, parents must rely on teachers, administrators or the Department for the latest information and research concerning educational matters. Unfortunately, there exists in some quarters the perception that teachers, principals and the Department provide parents and/or council members with only that information which the educators think they should have. Hopefully, the perception does not reflect the reality.

However, the development of a viable, vibrant association will enable it to participate in a variety of education organizations and bodies, e.g. the Canadian School Trustees Association, which conduct research and maintain parent/trustee-oriented information. A commitment to collaboration with these external organizations will, without doubt, enhance the strength of parents in our educational partnership and contribute to a more positive perception of the relationship between parents, teachers, administrators and the Department. Only through a shared vision of education can all the partners in our education system work toward the improvement of our children's education and our society as a whole.

Recommendation 33.

Section 121 be amended to provide for the mandatory establishment of an Association of School Boards and Councils and furthermore that the Minister, after consultation with existing school councils and board, prescribe the grants which will be payable to the Association.

11. PART 9, TEACHERS

The publication of the Education Act Review Steering Committee's, "Renewing the Partnership: A Review of the Yukon *Education Act*", certainly summarizes the paramount role of the teacher and principal in the school-based education of our children. However, from the perspective of the Roman Catholic community in the Yukon and the Catholic Episcopal Corporation of Whitehorse, the summary omits a very important obligation of the administrators and the teachers in a Catholic separate school, namely, spiritual development.

In the Catholic school, spiritual development complements intellectual development. As a result, the element of faith is integrated into every aspect of the curriculum and the life of the school to show the relationship of faith to all of human culture.

Basically, there is no differentiation between religious and non-religious learning in a Catholic school. As already noted, school staff integrate the faith element into every subject area. Whatever the subject, the student learns about the "whole person", including concepts such as

rights and responsibilities, free will, interpersonal relationships, feelings, attitudes, intelligence and discipleship to name but a few. The teacher and principal in a Catholic school cannot simply present Christian values to their students as a set of abstract objectives; the individual must model the values and present them as generators of attitudes. Such attitudes would include respect for others, conscientious responsibility, a constant search for truth, a sensitivity for justice, a spirit of service toward all persons and an awareness of an individual's call to be a positive agent of change in a global society that is experiencing continuous transformation.

This unique character of the Catholic school is basic to its role in conveying the Catholic faith; a role which it shares with the family and the church. The faith is modeled everyday by teachers and staff in Catholic schools and has practical implications for every instructional program in the school.

In addition, this singular character of the Catholic school has significant implications for the current review of the *Education Act* particularly with

respect to Part 9 of the legislation which deals with teachers and principals.

Sections 168 and 169 detail the duties of teachers and principals. The roles and responsibilities outlined are certainly all-encompassing but may no longer actually reflect the reality in our rapidly changing society. Very often a duty assigned to a teacher or principal, e.g., reporting an outbreak of an infectious disease in the classroom or school, is redundant since another arm of government has the legislated responsibility to deal with the specific issue. Because of the rapid changes in our society, the role of the school and staff are also in a state of flux. It would appear therefore, that other than the enactment of the basic education duties, e.g., encourage students in the pursuit of learning and teach them diligently and faithfully, these duties could indeed be prescribed or form part of the school policy as determined by a school board.

Recommendation 34.

The revision of the Education Act recognize the rapidly changing role of the teacher and principal in our schools and provide for a legislative mechanism whereby the duties could be

quickly modified to reflect current societal needs.

Recommendation 35.

The intent of the “recommendations” outlined in our addendum be incorporated into Part 9 of the Education Act.

As will be noted later in our brief, our committee is recommending the removal of Part 10 of the Act and its incorporation into other labor-related legislation or its enactment as a “stand alone” statute.

If Part 10 was to be deleted from the legislation, appropriate changes to the existing sections 172, 173 and 177 wherein there is reference to a particular section in Part 10, would have to be initiated.

Section 174 deals with the economic rights of terminated probationary teachers and although our committee supports these rights, we question their enshrinement in legislation. With a policy of Yukon Hire in place for the recruitment of teachers, it would appear that the section should become obsolete. Why not then delete the section and incorporate it into the provisions of the collective agreement where it rightfully appears to belong?

Recommendation 36.

Section 174 be deleted from the legislation and be incorporated into the collective agreement since the matter in question deals with an economic welfare issue.

As was noted in the introduction to this segment of our brief, retaining the unique character of our Catholic schools is the imperative which has driven the work of our committee. Because our faith is modeled everyday by the teachers and staff in a Catholic school, it is important that the teachers employed are in tune with the basic philosophy of Catholic education and are acceptable to the Catholic Episcopal Corporation of Whitehorse. Five sections in Part 9, viz. section 171, Employment of Staff, section 179, Transfer of Teachers, section 180, Interjurisdictional Staffing, section 181, Transfer of Principals and section 187, Lay-off rights, present a concern for the Catholic community, until such time as a Separate School Board, for Whitehorse at least, has been constituted. Although the staff of the Department of Education has been most cooperative in consulting with the Catholic Episcopal Corporation of Whitehorse,

administrators and/or school councils of our Catholic schools in relation to the staffing matters dealt with under the above mentioned sections, it must be accepted that staff does change and this could readily affect the application of the sections. Our committee is of the view that the practice existing at this time between the Department of Education and the Catholic Episcopal Corporation of Whitehorse, administrators and school councils of the Catholic schools be enshrined in the Act. The five afore noted sections require some qualification to ensure that the unique character of our Catholic schools is maintained and enhanced.

Recommendation 37.

Sections 171, 179, 180, 181 and 187 be appropriately qualified to provide that an offer of employment, a transfer or re-employment after lay-off, which affects any Catholic school, be made only upon the advice and with the recommendation of the Catholic Episcopal Corporation of Whitehorse.

Our final comments on Part 9 are redirected to section 181 which deals with the transfer of principals. It appears to our committee that item (h) of subsection

(1) of the section deals with an aspect of the economic welfare of an employee and should be covered in the collective agreement applicable to that category of employee. Should such an economic welfare item be included in a statute? We think not. In addition to this aspect of the item, we are concerned that it enshrines a number of inequities in the legislation:

a) it is only applicable to a principal who has been transferred by the superintendent and does not apply to a principal who has requested and been granted a transfer to a school with a lesser administrative allowance;

b) although there are a variety of reasons for a transfer, e.g., health reasons, which might justify the continuance of the higher administrative allowance, it is certainly conceivable that a transfer could be competency-related. Such a situation would result in the continuation of an economic benefit to an individual perceived to be incapable of meeting the requirements of a specific position. This approach is certainly unfair to the administrator who is meeting or exceeding the requirements of another administrative position

with a lower administrative allowance. As well, would the transferred principal be eligible for negotiated increases in the administrative allowance?

Because this item is very specific to an individual and deals with a particular negotiated benefit, and has the potential to generate inequities between individuals in the same employment category, it seems imperative that it be reviewed and revised to reflect a more equitable and just approach to such a situation.

Recommendation 38

The inclusion of item (h), which deals with the granting of a negotiated benefit, in subsection (1) of section 181, be deleted from the legislation and become part of the negotiated collective agreement.

12. PART 10, TEACHERS STAFF RELATIONS

There can be little doubt that the purpose of the *Education Act* is to provide the legal (statutory) basis for education in the Yukon. It governs the education-related roles and responsibilities of the many players involved in education, e.g. students, parents, school councils and/or boards, teachers,

administrators, the Department of Education and the Minister who presides over the education system.

The *Education Act* provides for the establishment of the goals and objectives of the Yukon education system by the Minister and broadly outlines the process whereby these can be achieved. It governs the activities of the players in the system to ensure that there is equity and consistency in these activities throughout the jurisdiction. Details of implementation of the legislation are contained in Departmental regulations and policies.

A cursory review of the education legislation from other Canadian jurisdictions indicates that the Yukon's *Education Act* generally remains both a progressive and visionary statute with a few exceptions. One of the most glaring exceptions is the inclusion of Part 10, Teachers Staff Relations in the statute, which does nothing directly to further the educational goals and objectives outlined in the *Education Act*. Certainly Part 10 of the legislation provides for a process whereby teachers and their employer can, amongst

other matters, enter into collective bargaining respecting terms and conditions of employment. There is no question that a stable labour-relations environment between the teachers and their employer is basic to the continuing effective and efficient operation of Yukon's education system. However, it is questionable if the inclusion of a process in the *Education Act* to deal with labour-relations issues between the teachers and the Government of the Yukon is appropriate. The process for the resolution of labour-relations matters between the Government and other school-based employees, e.g. custodians, clerical and support staff and also some employees at the Department of Education, is not included in the *Education Act*. These employees who, in their particular areas of expertise, are also essential to the effective and efficient operation of Yukon's education system appear to be fairly dealt with under another piece of legislation presumably with an objective of dealing fairly and equitably with labour-relations matters between the employees and their employer. Why then a separate process for teachers?

The Roman Catholic

Church has a long history of supporting basic workers' rights and has been a staunch advocate of the right of workers to form unions or associations. Furthermore, it is the view of the Church that the state is responsible for a just labour policy in which workers' rights are respected. In keeping with these basic beliefs, it is the view of our committee that our education system can best be served by a single piece of labour legislation which is applicable to all employees in the public sector. To achieve social justice for all public servants, irrespective of their varied natures, it is imperative that a single piece of legislation be enacted which covers labour-relations matters between the Government of the Yukon and its employees - be they library-aides, teachers or custodians.

Recommendation 39

Part 10 be deleted from the Education Act and incorporated into a stand alone statute dealing specifically with the subject of labour relations/ collective bargaining.

13. PARTNERSHIPS

The defining mandate for this review of the *Education Act* was stated as

“Renewing the Partnership”, building on the visionary perspective opened by the 1990 legislation. Throughout our brief, we have made recommendations meant to strengthen the partnerships within the education system. As a result of our analysis, we also propose extending the concept of partnership to a higher level of operation. We are of the opinion that the full meaning of partnership must also be sought at the ministerial level through regular consultations with representatives of all significant partners working together to monitor and guide the growth and development of the education system.

Recommendation 40

The Minister form an Education Council composed of representatives of the School Councils, or their Association, the Yukon School Trustees Association, or each individual School Board, the Yukon Teachers Association, the Catholic Episcopal Corporation of Whitehorse, the Department of Education, the Council of Yukon First Nations, and the Francophone community.

Recommendation 41

The Education Council be free to call upon other community groups in a position to contribute their insights to Yukon education and invite them to attend meetings as needed.

Recommendation 42

The Education Council meet three or four times per year to discuss issues submitted by any partner group or by the Minister of Education, and present recommendations to the Minister.

History has demonstrated that the Catholic Episcopal Corporation of Whitehorse has maintained an active, committed role in educating the children of the Yukon Territory. This brief confirms that our commitment continues to the present day. Our final recommendation is that the Minister rectify a serious omission in the drafting of the initial *Education Act*.

Recommendation 43

Section 326 be amended to list the Catholic Episcopal Corporation of Whitehorse, that is the Diocese, as a partner in education which should be consulted in the next ten year review of the Act.

14. CONCLUSION

In preparing this brief, our

committee consistently referred to the Catholic philosophy of education. We believe this philosophy challenges us to “face the task of developing schools into communities of faith in which the requirement of good citizenship will be learned in a vital way from the perspective of the message of the Gospel and the teachings of the church” (Ontario Conference of Catholic Bishops, *This Moment of Promise*, 1989). Like other Yukon schools, we pursue cultural goals and the natural development of children and youth. However, a holistic approach enables us to nourish the spiritual growth of our students. The knowledge they acquire about the world, life and the human person is illuminated by faith, and the attitudes they form will lead them to commitment and service. In our Catholic schools, we strive to generate a community climate that is permeated by the Gospel spirit of freedom and love.

The heart of the Christian gospel is a message of hope that views humankind as a work in progress. This is especially true for children. In our homes, schools and communities, we constantly need to reach out to children, accept their

differences, respect them for who they are and draw forth the best in them so that they can reach their potential as persons and citizens.

We have a keen interest in the development of all Yukon children. Therefore, we conclude our brief by sharing our reflections on a truly holistic education for all students in all Yukon schools, public, separate or private.

School is about children and any review of the *Yukon Education Act* must focus on children. We bear the responsibility of educating our children and we must educate them well. All partners in education ought to view schools as learning communities and commit themselves to the success of all students. This involves: creating safe and caring school environments permeated by an atmosphere of trust, respect and inclusiveness; giving students access to a broad program of studies through a rich and demanding curriculum; effectively integrating the delivery of services and making provision to support children at risk; developing comprehensive early intervention programs that support families and

ensure that all children come to school with the capacity to learn.

Our vision of Yukon education for the twenty-first century is that we will offer an education which is effective, essential and empowering. This moment in our history calls us to look at our roots and examine our culture which is steeped in consumerism and individualism. We need to acknowledge the fact that modern development is often achieved at the expense of the powerless and marginated. Is this all we want for our children?

This moment in history also invites us to give our children wings - we must stimulate them to act for themselves in the best interests of the community. Now is the time to work together to define the kind of future we and our children want.

An effective education attracts and interests students. To be effective, we must believe in all children and help them believe in themselves. An effective education fosters personal integrity, a strong sense of community, and service to the world. It equips students with the ability to keep growing and

striving toward an ideal which enriches and perfects the whole human community. We want to move beyond giving our children a sense of belonging; we want to evoke a desire for commitment. Our goal is to lead them to act on what they believe in and hope for. An effective education fosters a knowledgeable, open and confident society committed to life-long learning and development.

An essential education helps students realize that what they learn in school is essential to how they live. It teaches them to observe, to judge and then to act. It leads students to understand how things fit together and relate to one another. It challenges them to develop skills for questioning, analyzing and making connections. It helps them define the principles by which they will live and discover the happiness that lies in moving beyond individualism and materialism and developing the truly human qualities of: openness, respect, kindness, responsibility and caring.

Education is empowering when it helps students strive to reach their own potential and their unique place in the world.

Empowered students realize that they have a role to play in creating a truly just society. They come to understand that a cooperative effort is vital for the survival of humanity and creation. They learn to link critical thinking to transformative action. They grow to be agents of change rather than passive consumers. An education that is empowering commits students to a political stance, a lifestyle and a spiritual sensitivity that will build greater global justice in the years ahead.

We trust that the Yukon Government will make the legislative provisions that will strengthen our rights as a minority group and confirm the role of the Catholic Episcopal Corporation of Whitehorse as a full partner in education. On our part, we are ready to continue our history of involvement and cooperation and share our talents and insights in the work of education.

On behalf of Yukon children, we believe it is time for legislators to empower all partners in Yukon education to ensure that the education of our children is effective, essential and empowering.

ADDENDUM

In Canada, we have lived with a Charter of Rights since 1982. The Charter was to make us more aware of our rights within Canadian society. It has done that. It is now time to focus on corresponding responsibilities. If we are to survive as a society, we need to develop and refine our sense of personal and communal responsibility. To counteract the dangers strong individualism creates, we need to refocus on the importance of community.

The three partners in a school community all share the responsibility of creating a sense of community. Furthermore, we believe schools can and should demonstrate leadership in balancing rights with responsibilities. Therefore, we recommend that the revised Yukon *Education Act* include an addendum specifically describing the responsibilities of parents, students and teachers. If an addendum is not feasible from a legal point of view, we recommend that the Education Council (Recommendation 40) find better ways to balance rights and responsibilities and state the specific responsibilities of each partner in education within

the school community. We believe these responsibilities go beyond the definition of duties as found in the present legislation. We offer the following list of responsibilities as a starting point for such a study.

15.1 Parents' Responsibilities

Parents are the primary educators of their children. They teach their children by the example of their own lives. Parents must realize that the school can only extend and complement the educational process begun in the home.

Parents must foster positive attitudes toward life-long learning by creating a supportive educational environment in the home. This involves: ensuring that their children attend school regularly; supporting their children in the completion of assigned tasks or homework; demonstrating a respectful and cooperative stance with teachers and school administrators; utilizing opportunities of becoming informed of their children's progress and achievements; guiding their children to be constructive and creative in their contribution to their school community and Canadian society.

Parents ought to work toward a holistic education for their children by becoming involved in shaping educational policies and directions, particularly those dealing with family life education programs, personal development courses, issues of justice and compassion, safe schools and playgrounds, and conflict resolution.

Parents promote quality education for their children by seeking out and insisting on ways of becoming more closely related to those who are teaching their children. They need to consider the contribution they can make to school councils, school boards and parent groups.

Parents need to be positive advocates for their children's educational progress by: sharing their insights and observations, consulting with teachers and school administrators in school-related problem solving, and participating in the development of any specialized educational programs prepared for their children.

15.2 Students' Responsibilities

One of the goals of education is to develop the potential of all students to the extent of their abilities

so that they may become productive, responsible, and self-reliant members of society while leading personally rewarding lives in a changing world. An important goal of the education system is to lead students to become life-long learners.

Students must promote their own learning by being active participants in the process of education: attending school regularly; being punctual for each session of school; diligently pursuing their courses of study; committing themselves to assigned learning activities; sharing their ideas and insights in a positive and respectful manner; respecting self, others and property; and observing the rules of the school.

Students are a crucial education influence on each other. Students of all ages can assume responsibility with and for their fellow students. They can do this by: growing into a sense of who they are as individuals; developing their talents; developing good listening and observation skills; cultivating critical and creative skills; bringing the best of themselves to their community and society.

15.3 Professional Educators' (teachers, administrators and support staff) Responsibilities

Professional educators are clearly most responsible for education in the school setting. Parents entrust teachers with the care and guidance of children for a large part of the day. Society confides its future citizens to teaching staffs. Their example has a profound impact on their students. The fundamental responsibility of professional educators is to approach all partners in education with respect and kindness.

Professional educators have a unique opportunity to create the character of their schools. The life, values and atmosphere of each school grows out of the commitment they demonstrate to students and their parents.

The responsibility of professional educators is to develop with special care the intellectual abilities of their students. They do this by: diligently carrying out their teaching responsibilities; recognizing the potential of their students; providing a variety of learning activities and experiences; safeguarding a comfortable

learning environment in the classroom; approaching all children and all cultures with a deep sense of respect.

The responsibility of professional educators is to hand on the cultural legacy of previous generations and foster a sense of values in their students. They do this by: giving witness to personal integrity; demonstrating generosity and commitment toward their school community; sincerely and constantly searching for truth; maintaining a calm and peaceful spirit; being sensitive to all issues of justice.

The responsibility of professional educators is to lead students to become responsible, caring people. They do this by: alerting students to the needs of others; providing opportunities for sharing and caring for those who are poor; serving as mediators of peace; demonstrating genuine concern for the earth and its environment.

The responsibility of professional educators is to help their students develop a sense of personal worth and learn to think and act for themselves. They do this by: being good listeners; making a sincere

effort to get to know their students; taking time to recognize and celebrate students' progress; presenting opportunities for students to view situations from different perspectives; providing opportunities for critical and reflective thinking.

The responsibility of professional educators is to approach parents as true partners in education. They do this by: approaching parents with openness and respecting their views on education issues; listening to parents concerns; keeping parents informed of students' achievements and alerting them to students' difficulties; working collaboratively with parents to promote success for all students.

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Presentation To

Education Act
Review Steering
Committee

**Issues and
Recommendations**

Department of
Education Public
Schools Branch

Whitehorse, Yukon

January 10, 2001

Presentation To

Education Act
Review Steering
Committee

Department of
Education, Public
Schools Branch

**Issues and
Recommendations**

The Yukon Education Act (1990) has provided an excellent framework for educational services for the past ten years. Education is a dynamic process. The Department of Education believes, therefore, that changes are required to address learner needs and to reflect the scope and complexity of contemporary educational requirements.

The issues contained herein have been identified by Department of Education personnel and approved by senior management to present to the Education Act Steering Committee.

Senior management is well aware of a variety of issues and concerns raised by our Partners in Education during the tenure of this Act. For the most part, we have left comment on these issues to

our Partners. The issues included in this brief are from the perspective of operational requirements.

We have worked with the Public Service Commission to deal with concerns surrounding Parts 9 and 10 of the Act. We support the submission of the Public Service Commission regarding separate legislation for employer-employee relationships.

These issues are listed in general order in which they appear in the Education Act.

**Issue 1: Preamble / Core
Mission Statement**

Reference: Preamble to
Education Act

- a) The mission is *too* broad for the partnerships as realized under the Act. The *whole* needs of the child often go beyond the mandate of the Education Act and/or the capacity of parents/guardians.
- b) The preamble speaks to preparing students for life and work. The contents of the Act, however, deal almost exclusively with the K- 12 school environment.

Recommendations:

1. Encourage greater

community participation and more interdepartmental partnerships.

2. Consideration should be given to changing the name of the Act from 'Education Act' to 'School Act'

Issue 2: Student Access

Reference: Section 10(a), 13

- a) The Act provides the right for students through age 21 to attend Yukon schools. Transition to adult work programs should coincide more closely with the age of majority. Students over 18 years of age are better served by adult programs.

Recommendations:

1. Change upper age limit from 21 to 19.
2. Delete Section 13.

Issue 3: Access to Education

Reference: Section 10, 22, 32

- a) There is general recognition regarding the efficacy of early intervention.
- b) Full-day kindergarten classes are offered in some Yukon schools.
- c) There is demonstrable value in establishing Junior Kindergarten.
- d) Lowering the compulsory age to six would be in keeping with other early

intervention strategies and modern child development theory.

Recommendations:

1. Make provision in the Act for entry to Junior Kindergarten for children who reach their fourth birthday at September 1.
2. Kindergarten, including Full-day Kindergarten, should be provided for children who reach their fifth birthday at September 1.
3. Change Section 22 of the Act. School attendance should be compulsory for children who reach their sixth birthday at September 1.

Issue 4: Student Integration / Segregation

Reference: Section 15,16,17

- a) There is a perception among some parents that students with special needs draw too many resources at the expense of their child(ren).
- b) There is a perception among some parents that the presence of children with special needs in the classroom has a negative impact on other children.

Recommendations:

1. Amend Section 15(2) to

clarify the balance of rights between the child with special needs and other children in the classroom.

Issue 5: Wording Preference

Reference: Section 16(2)(d)

- a) The word, "multidisciplinary" is confusing in this context. There is a more definitive term.

Recommendations:

1. Change "multidisciplinary" to "coordinated across disciplines."

Issue 6: Wording Change

Reference: Section 16(4)

- a) The Act provides for an Individual Education Plan (IEP) for specific children and the 'team' is created to develop and monitor this plan. The section should read, "...IEP team", not "school-based team".

Recommendation:

1. Change Section 16(4) to read, "Parents shall be invited to be members of the IEP team that is established for their child".

Issue 7: Attendance

Reference: Section 18(1), 25, 27

- a) Parental responsibility for school attendance is not listed in the Education Act.
- b) Section 25 provides no authority to “Attendance Counsellors”.
- c) Section 27 appears to be unenforceable in the courts.

Recommendations:

- 1. Add a clause to Section 18, “Parents shall ensure that children attend school regularly as required by this Act.”
- 2. Remove the words, “to take reasonable steps” from 27(1).
- 3. The deputy minister should designate School Attendance Counsellors as per Section 25.

Issue 8: Student Record Access/ATIPP

Reference: Section 20

- a) The Act needs to clarify who is entitled to access Student Records.
- b) Eliminate the conflict between Section 20 of the Education Act and ATIPP regarding age at which access is granted.
- c) There is need to define what constitutes the content

of the Student Record.

- d) Clarify Sections 20 and Section 34(c).

Recommendations:

- 1. Change Section 20(2), “The parents of a student or both the parents and the student, may examine and copy the record of the students.”
- 2. Change Section 20(3), “Subject to subsection (2)...and is not available to any other person without the written permission of the student, where the student is 16 years of age or older.”
- 3. Define what constitutes a student record.

Issue 9: Home Educators

Reference: Section 30, 31

- a) Many Home Educators fail to register their children with the Department of Education and are non-compliant with the Act.
- b) Public Schools Branch is unable to monitor progress or provide testing of non-registered students.
- c) Many Home Educators appear unaware of funding of services and support available.
- d) New technologies permit a blending of home education and schooling.

Recommendations:

- 1. Ensure that a stronger communications strategy provides better information to parents and students about their rights and responsibilities regarding Home Educators in Sections 30 and 31.

Issue 10: Suspension / Discipline of Students

Reference: Section 41

- a) School Council authority is too limited under the Act and does not permit sufficient latitude regarding suspension appeals.
- b) School Councils require the power to modify a suspension or to place conditions on the student.

Recommendations:

- 1. Section 41(1) should be clarified by including the words, “...from class, school bus or school.”
- 2. Section 41(5) should be amended to include an additional option for the School Council to amend the term and/or conditions of a suspension.

Issue 11: Locally Developed Curricula

Reference: Section 43

- a) The Act needs to clarify

who controls the “up to 20% of the educational program.” (Sec. 43(2).

- b) There is impact on the curriculum since it remains unclear that the locally developed curricula is to be integrated into the regular school program.
- c) There may be a lack of resources for First Nations, for example, to develop curricula.

Issue 11: Locally Developed Curricula - continued

Recommendations:

Clarify that the locally developed curricula is to be integrated into the regular school program.

Issue 12: School year

Reference: Section 46

- a) There has been an erosion in the amount of instructional time during days in session. Some schools have lengthened the school day to the detriment of children and the teaching environment. The only purpose for lengthening the school day appears to be the ability to shorten the school year.
- b) There is far too much variety in the school calendar without a clear gain. Parents, students and teachers are increasingly

confused and frustrated by the lack of common instructional days.

- c) The lack of common start and end dates to the school year has resulted in enormous logistical problems.
- d) There is a growing discrepancy from school to school regarding the number of days of work required.
- e) Most schools have reduced or eliminated total recess time for younger students. Only two schools have retained a fifteen minutes afternoon recess. Nine others have afternoon recesses ranging from three minutes to ten minutes.
- f) The school year does not provide for Professional Development days. The fifteen non-instructional hours are not practical in any year shorter than 190 days.
- g) The wide variance in school day length has resulted in unintentional outcomes:
 - Loss of recesses
 - Increased pace/stress on students, teachers and parents
 - Increased bussing costs
 - Overtired and stressed primary students because of lengthy day
 - Loss of reflective time in schools
 - Increased provincial exam supervision costs
- h) The secondary program is based on the British Columbia

model of 1000 hours of instruction.

Recommendations:

1. Add five days (25 hours) to the school year for Professional Development.
2. Establish the school year at 195 days for elementary classes (K, grades 1-7) and 200 days for secondary classes (grades 8-12).
3. Establish the school year calendar in five-year blocks (with annual review and approval) to permit adequate planning.
4. Establish common length of days. Change section 46(3), “The number of minutes for classroom instruction in a school day shall be 300 minutes.”
5. Where class time exceeds two hours in elementary grades, even where class activities change or vary, children should be permitted an unstructured break, i.e. recess of fifteen minutes.
6. Eliminate Section 46(4).
7. Section 46(6) should remain but change the section from 15 hours of non-instructional time to three days of non-instructional time.
8. Encourage a shorter summer break and encourage the use of more and longer breaks during the school year by specifying that the summer break should not exceed ten full weeks.

Issue 13: Central Indian Education Authority / Local Indian Education Authority

Reference: Section 52 (5)(6), 53, 54, 55

- a) The Education Act predates the Land Claims process and settlements. No CIEA (Section 54) or LIEA have been established by First Nations.
- b) First Nations Councils have opted to establish education portfolios.

Recommendations:

- 1. Change references in the Education Act from “Council for Yukon Indians” to “Council of Yukon First Nations”.
- 2. Delete references in the Act to CIEA and LIEA.
- 3. References to individual First Nations should remain.

Issue 14: School Council Elections and Terms of Office

Reference: Section 68, 79, 84 - 91

- a) The School Council election process is perceived as too formal. Some parents believe the election process is intimidating.
- b) There may be a loss of corporate memory when

new School Council members are elected.

- c) There are no provisions for adjusting the guaranteed representation in reference to the school population.
- d) There are a large number of vacancies remaining on many School Councils after nominations have closed.
- e) School Council by-elections have not usually proven practical. As a result, the Minister appoints a large number of School Councillors.
- f) There are no provisions for adjusting the number of School Council members in reference to the school population.
- g) Guaranteed representation on School Councils, where it exists, is not always in compliance with the Act.
- h) Guaranteed representation on School Councils is not necessarily what some First Nations desire.

Recommendations:

- 1. Change length of School Council terms (Section 79(2) from two years to three years.
- 2. Elections should be staggered to preserve corporate memory.
- 3. Move elections to the spring so that new School Councillors can prepare for the new school year before assuming office.
- 4. Adjust the size of School Councils to reflect the school population.

- 5. Under the Chief Electoral Officer, simplify the election process so that eligible electors can participate more directly in the School Council election process. School Council elections could be held, for example, during an evening meeting of parents (electors) called for the purpose of electing a new School Council.
- 6. Enact provisions to ensure that nominees meet the requirements for election to the School Council.
- 7. The names of nominees should be posted as they are received.
- 8. If there are insufficient nominees to require an election, the nomination period should be extended by 48 hours and the election delayed by one week to fill all available seats.

Issue 15: School Council Records and ATIPP / School Council Spending Authority

Reference: Section 113

- a) School Councils should be covered by ATIPP. There is potential for School Council members to be in possession of student or personnel records. Such records are protected under ATIPP when in possession of the school or Department of Education.
- b) School Councils may spend

funds on activities but not on capital or equipment. This should be clarified in the Act.

Recommendations:

1. Ensure that a lockable cabinet is provided in every school for the storage of School Council records.
2. Require School Councils to submit their records to the Department of Education for storage prior to the School Council elections.
3. Clarify the spending powers of the School Council.

Issue 16: Disqualification from a School Council or School Board

Reference: Section 151

- a) School employees are not eligible for School Council election because they are privy to student and school information. There may be other individuals working within a school who also have access to student and school information who are not employees of the school. Contract workers and Community Education Liaison Coordinators (CELCs) are examples. Such individuals should not be eligible for election to the School Council or School Board.

Recommendations:

1. Add to Section 151, Section 151(f), "Persons who have access to school or student information by nature of their participation in the school's activities are disqualified from membership on the School Council or School Board."

Issue 17: Educational Appeal Tribunal / Local Appeals

Reference: Section 156 – 165

- a) The Educational Appeal Tribunal has fallen into disuse. Procedural issues have resulted in the Tribunal not being chosen as the route for Appeals. The EAT was intended for Special Needs issues. Two of the three appeals to date, however, have dealt with student suspensions. The third appeal became confused in the mediation process.
- b) Section 163 may be 'Ultra Vires'.
- c) There is inconsistency in the Local Appeals process and a conflict between its use and the duties and powers outlined for School Councils under the Act, Section 113(1)(d).

Recommendations:

1. Provide for procedures of

the Education Appeal Tribunal to be outlined in Regulations.

2. Add to Section 116(h) and 113(d) the authority for hearing appeals under Section 156.

Issue 18: Education Act Parts 9 and 10

Reference: Part 9 and Part 10, Sections 166 - 291

- a) Employer/employee matters are separate and distinct from educational issues and the core program and mandate of Public Schools. Some sections of Parts 9 and 10 of the Education Act deal with non-educational issues unrelated to curriculum and instructional delivery.

Recommendations:

1. The Department of Education supports the submission of the Public Service Commission that some sections of the Education Act should be removed and incorporated into a separate Education Labour Act.
2. The Department believes that Sections 166, 167, 168 and 169 of Part 9 should remain in the Education Act. Sections 170 through 194 and all of Part 10, sections 195 through 291 should be removed to a separate Act dealing with

employer/employee relationships.

Issue 19: Duties of Teachers

Reference: Section 15, 16, 17, 168

- a) Section 168 does not refer to the teacher responsibility for “development and delivery” of IEPs.
- b) The language used in section 168, Duties of Teachers, does not parallel that of Section 169, Duties of Principals.

Recommendations:

1. Make specific reference in Section 168 to Section 16
2. Draft Section 168 so that the language used parallels that used in Section 169.

Issue 20: Duties of Principals

Reference: Section 16(1)(4), 169(b)

- a) Section 169 requires direction to establish an IEP team.
- b) Section 16(1) gives direction to the principal regarding a student with special needs.

Recommendations:

1. Make specific reference in Section 169 to Section 16(1) and 16(4).

Issue 20: Duties of Principals - continued

2. Add to section 169, A principal of a school shall: “be responsible for the establishment of an IEP team, as required, in Section 16(4).”

Issue 21: Duties/Role of Superintendents

Reference: Section 124, 126

- a) There is confusion regarding the role superintendents are meant to serve under the Act. The Act is unclear as to whether superintendents serve the Minister or the School Councils. In practice, superintendents serve the Minister when the Department of Education acts as both school board *and* ministry.
- b) The duties outlined in Section 126 are not clearly spelled out and they are not collated with other parts of the Act.
- c) The duties related to serving the Minister are not specifically referred to.

Recommendations:

1. Define the role of Superintendents.
2. List the duties of Superintendents in parallel fashion to Section 124(4) the listing of duties of Directors.
3. List specific

Superintendent duties relating to serving the Minister.

Issue 22: Liability of Volunteers

Reference: Section 169(e)

- a) Legal opinion has offered that parent and student volunteers involved in school-sponsored activities are liable.

Recommendations:

1. Clarify the liability and the indemnification limits of volunteers in authorized school activities.

Issue 23: Resignation Date For Teachers

Reference: Section 185(2)

- a) Educational jurisdictions in the United Kingdom and United States are actively recruiting Canadian teachers each year, often as early as January and February.

Issue 23: Resignation Date For Teachers - continued

- b) The teacher resignation deadline is too late in the spring to permit adequate recruitment.

Recommendations:

The teacher resignation deadline should be changed. Teacher resignations should not be permitted after May 1.

Submission to the Education Act Review December 14, 2000

From the Primary Committee

The Primary Committee wishes to recommend the following:

- 1) An increase in non-instructional or professional days from the present three to five and six in a conference year.
- 2) Establish a consistent **start** time for the school year with the maximum of 1 week to 10 days variation from the earliest opening (i.e.: Robert Service School) to the latest opening (i.e.: Ross River School).
- 3) That Primary classes be kept small. (Policy and Collective Agreement Issue)
A maximum of:
18 for Grades K, 1 and 2
20 for Grade 3
Split Classes:
15 for rural and
18 for urban
- 4) That the Regulations and relevant sections in the Act be rewritten to include the time allotments to accommodate full day Kindergarten sessions

either as full year projects or partial year target programs.

- 5) That the entry date for Kindergarten be re-examined in light of the number of students in Year One with late birthdays (October to December), who struggle to take on literacy, the largest percentage of these being boys. Other jurisdictions, such as Alberta, have moved their date to September 1 so all Kindergarten students are 5 years old when they enter school. Some such as Nova Scotia and Quebec have an October 1st cut-off. The Committee is not unanimous regarding the actual date but would like to see it advanced by several months, perhaps to October 1st. This would also be used as the entry-level cut-off for our K – 4 programs.
- 6) That the length of the school day be more consistent throughout the territory so that more time for viable instruction takes place on a daily basis. For example, if there were only 10 minutes difference between the minimum and maximum number of minutes per day then more days of

instruction would ensue.

- 7) That the percentage of time for literacy and numeracy be increased and be the main and protected focus of the Grades 1 – 3 curriculum. This would necessitate a decrease, or in some cases, a deletion of other curriculum areas.

The following point is submitted personally by the Coordinator of Primary Programs:

- 8) That children in the Primary Grades must be allowed an **unstructured** break (i.e.: recess) if the in-class time exceeds a total of two hours, even if class activities change or vary within that time period.

**Initial
Submission
of the
Public Service
Commission
to the
“Education Act
Steering
Committee”**

October 30, 2000
Riverview Hotel
Whitehorse, Yukon

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INTRODUCTION

We thank the Facilitator and the Education Act Steering Committee for the opportunity of making a preliminary submission on the review of the *Yukon Education Act*. In addition to the notes in Appendix “A”, we intend to submit a brief on the specific issues that we feel must be addressed in parts 9 and 10.

The Public Service Commission (PSC) agrees with the Facilitator, that: “*This review will ensure that children continue to receive an education that’s relevant, responsive and progressive.*”¹

From the PSC perspective, we are seeking to have the “new Education Act” become focused on what happens in the school, as noted in the current pre-amble of the Education Act and have the Employer-Employee and/or Department of Education – Teacher employment relationships defined in another jurisdiction.

ISSUE

The Public Service Commission is seeking to have *the Yukon Education Act* amended by providing for a new *Education Staff Relations Act* or a form thereof, dealing only with labour relations and Employer-Employee rights issues concerning teachers, which is currently contained in Parts 9 & 10 of the Education Statute.

The review of *The Yukon Education Act* should be conducted based on administrative and organizational matters pertaining to education – only (which is currently contained in Parts 1-8 and 11-13 of the current legislation).

The reason(s) for the proposed amendments is, because the predominant subject matter of Parts 9 & 10 concerns the relations between the employer and employee, and collective bargaining; not the constitution of the Department of Education, the governance of schools, the curriculum of instruction in them and the well being of the students themselves.

BACKGROUND

Since the inception of *The Yukon Education Act (1990)*, there have been piecemeal attempts to micro-change certain sections of the Act, in Parts 9 & 10. What is being proposed is the total removal of the noted parts, in the Act, for the reasons that are set out further in this presentation.

As matters currently stand, public sector employees, other than teachers, are governed by two pieces of legislation: the *Public Service Act*, which generally deals with the administration and organization of the public service, and the *Public Service Staff Relations Act*, which generally deals with labour relations matters in connection with the public service.

Teachers are subject to a different legislative scheme. That is, both administrative/ organisational issues and labour relations issues are both addressed by the *Yukon Education Act*.

Thus, for example, the *Public Service Staff Relations Act* references matters such as the Yukon Staff Relations Board, acquisition and termination of bargaining rights, collective bargaining, dispute resolution and arbitrations, conciliation boards, grievances, strikes, etc. In the case of teachers, however, all these matters are dealt with in Part 10 of the *Yukon Education Act*.

Part 9 of the *Yukon Education Act* also addresses a range of labour relations matters involving teachers. A number of these provisions (e.g., qualifications and qualification upgrading of teachers and principals, rights and duties of teachers, duties of principals, evaluations) do not have a direct counterpart in either the *Public Service Staff Relations Act* or the *Public Service Act*. Other provisions in Part 9 (e.g., political leave, probation, lay-off, resignation, suspension, and termination) are currently addressed, in part, in the *Public Service Act*.

It is notable that from a statutory construction perspective, the meaning of any particular legislative provision will be interpreted by a Court or Tribunal not only in the context of the statute in question, but will also be reviewed with reference to any other statutes that bear on the matter in issue, and indeed the entire statute book of the Legislature. As one authority has put it:

The presumptions of coherence and consistency apply not only to Acts dealing with the same subject but also...to the entire body of statute law produced by a legislature. The legislature is presumed to know its own statute book and to draft each new provision with regard to the structures, conventions, and habits of expression as well as the substantive law embodied in existing legislation.”

On the basis of these and related principles, the existence of a

different legislative scheme for teachers as distinct from other public sector employees, as currently exists, could be construed as indicating that the Legislature did not intend for there to be parity or symmetry between teachers and other groups of public sector employees.

Given the Government's objective of ensuring that its legislation reflects equality between all public sector employees, including teachers, we consider that it would be advisable to consolidate all labour relations matters governing teachers (i.e., Parts 9 & 10 of the *Yukon Education Act*) into one new piece of legislation. The resulting new legislative model would include:

- the *Yukon Education Act*, which would govern administrative and organizational matters pertaining to education (which is currently contained in Parts 1-8; and 11-13 of this legislation) and;
- a new statute, which might be entitled, the *Education Staff Relations Act*, dealing

with Employment and Labour relations issues concerning teachers (which is currently contained in Parts 9 & 10 of the education statute).

This new legislative scheme governing teachers would generally be analogous to that governing other public sector employees.

If the Government decides to introduce legislative revisions as noted above, the process for such statutory housekeeping would be relatively simple. For example, during the next sitting of the Legislature the Government could introduce a new bill governing Employment – Labour relations for teachers, containing what are now the provisions in Parts 9 & 10 of the *Yukon Education Act*. This bill would also include provisions governing consequential amendments and repeals, which would repeal Parts 9 & 10 of the *Yukon Education Act*. The new legislation could be called the *Education Employment and Labour Relations Act*, or something else that suggests symmetry and parity with the currently existing *Public Service Staff Relations Act*. We would anticipate that the stated

object or principle underlying the new statute governing staff relations for teachers would be to promote equity between and among public sector employees, and to ensure harmonious labour relations between teachers and the Government with a view to encouraging a high quality Yukon education system.

It is important to note that there will be no changes as to the governance of part 9 by the Department of Education and part 10 by the “Employer”, in this case the PSC.

We summarize, by emphasizing, It is a logical separation of subjects to remove parts 9 and 10 from the *Education Act*. The *Teaching Profession Act* was enacted in the same Session as the *Education Act*. It is a separate Act. And correctly so, too. Every reason that indicated it should be a separate Act is an equally cogent reason for severing Part 10 and making it a separate Act.

There is as much reason for the legislation on collective bargaining between the schools' custodial workers and their employer to be in the *Education*

Act as there is for the legislation on collective bargaining between the teachers and their employer to be in it.

There is no legal purpose that is served by having Parts 9 and 10 in the *Education Act*. Every connection or cross-reference between Part 10 and some other Part or provision of the *Education Act* could as easily be between the *Teacher Employment and Labour Relations Act* and the *Education Act*.

This issue of removing parts 9 and 10 is partly a legal issue and partly one of political practice and editorial practice in the writing and organizing of the statutes. Many unrelated elements can be, and sometimes are, combined into a single multi-part statute to serve some perceived political objective, such as to ease passage of the Act or to discourage subsequent amendment of it. There is a legal objection to this. Subsection 1(1) of the *Public Government Act* says, "1(1) each enactment shall be drafted as much as possible to use plain and inclusive language." One principle of plain language drafting is to keep the organization simple and to not try

to combine unrelated elements.

REQUIREMENTS

There is no legal purpose that is served by having Parts 9 and 10 in the *Education Act*. Every connection or cross-reference between Parts 9 and 10 and some other Part or provision of the *Education Act* could as easily be between the *Education Employment – Labour Relations Act* and the *Education Act*.

APPENDIX "A" Part 9 YUKON EDUCATION ACT Review Amendments

Sections that can remain in the Act due to the concerns of all interested parties (i.e. Department of Education, Yukon Teachers Association, Council of Yukon First Nations, Association of School Councils).

166 - Teacher Qualifications

167 - Rights of Teachers
(Note: This is not a catch-all clause. It was intended to protect teachers from abuse from pupils and/or parents. This section should

not be used as the sole subject matter for a grievance.)

168 - Duties of Teachers

169 - Duties of Principals

Sections of Part 9 to be removed from the Yukon Education Act and to be incorporated into a new Act, because the only interested parties to the noted sections of Part's 9 and 10 are the Yukon Teachers Association, the Education Department and the Public Service Commission

170 - Qualification Upgrading

171 - Employment of Staff

172 - Probation for Principal

173 - Probation for Teachers

174 - Rights of Terminated Probationers

175 - Temporary Employment of Teachers

176 - Terms and Conditions

177 - Evaluation of Principals and Teachers¹

178 - Access to Records – (under the AITPP ACT)

179 - Transfer of Teachers

(Note: Transfer provisions are inadequate to deal with unforeseen

<p>circumstances which can arise during a school year and require transfer of staff from one school to another to meet operational needs. Time limits should be included within which a transfer can be appealed)</p>	<p>Employment 194 - Appeal (There should be requirements for approval and representation.)</p>	<p>between “just cause” and a “term appointment.”</p>
<p>180 - Interjurisdictional Staffing 181 - Transfer of Principals (see 179) 182 - Political Leave 183 - Political Activity 184 - Abandonment of Position 185 - Teacher Resignation 186 - General Layoff 187 - Layoff Rights 188 - Termination of Layoff Rights 189 - Suspension² 190 - Procedures (Review to have process employee driven as opposed to “mandatory” investigations by the DM.)</p>	<p><i>Other Terms and Conditions of Employment</i></p>	<p>It also presents obstacles for a School Council wishing to take a school in a new direction under the leadership of anew principal at the end of the previous principal’s term. The Act should be reviewed to state explicitly that the end of a fixed term contract is not a termination to which ss. 193 and 194 apply.</p>
<p>191 - Salary During Suspension 192 - Acquittal or conviction of criminal charge 193 - Termination of</p>	<p>195 (Part 10) - Issues that concern 1st year “Temporary Employees.”</p> <p>188 - Consideration of whether this section should be amended regarding temporary assignments being deemed “re-employment.”</p> <p>SS. 172,193 & 194 - are ambiguous in terms of the department having “just cause” not to renew a principal’s fixed term contract of employment. There is inconsistency</p>	<p>169 - requires revision to provide for broader direction to teachers.</p>
		<p><u>OTHER ISSUES</u></p>
		<p>1. No restrictions on who may sit on a school council. Keeping in mind pertinent legislation, i.e. Human</p>

Rights, it may be apropos for the new act to contain some conflict of interest restrictions on who may be on a School Council. This would address situations where interested persons occupy positions on a Council to pursue personal agendas.

2. There are several provisions in the Act that seem inconsistent with the issue of who manages. **One example is found in s.195 (1)(d), which contains imprecise language, which seems to indicate that the director of the School Board is appointed by the School Board.**

The PSC will comment on the immediate foregoing and the rest of Appendix “A” in a detailed brief for submission by December 31, 2000.

At this time we welcome any questions that the steering committee may have.

INTRODUCTION

The Public Service Commission and the Department of Education (jointly as “the Employer”) wish to thank the Education Act Steering Committee for the opportunity to make additional submissions as part of the review of the Education Act.

This submission is supplementary to the submission made by representatives of the Employer to the Committee on October 30, 2000. The intent of this submission is to provide the Committee with the Employer’s views and recommendations regarding its specific concerns arising from the labour relations provisions contained in Parts 9 and 10 of the Act.

The comments and recommendations set out herein arise from the Employer’s practical experience over the last 10 years in interpreting and applying many of the provisions contained in Parts 9 and 10 of the Act.

ISSUES - PART 9

Section 167

Discussion

Section 167 of the Act provides that every teacher has the right to be treated in a fair and rea-

sonable manner free from physical and other abuse.

The Employer submits that this section was initially incorporated into the Act in order to ensure the right of teachers to work in an environment free from physical and other abuse from those they interact with in carrying out their teaching duties.

The Employer’s experience over the last ten years has been that s. 167 has been utilized by teachers to support grievances alleging that the Employer has applied provisions of the Act, regulations, and collective agreement in a manner that is allegedly not “fair” and/or not “reasonable”. In the employer’s view, s. 167 has not been applied in a manner that accords with the original intent of the section.

Recommendation

The Employer believes that the scope of s. 167 of the Act requires clarification. The Employer submits that s. 167 provides teachers with the right to be free from physical and other abuse in their working environment. The intent of s. 167 was not to supplement the enforcement of other rights contained in the Act and collective agreement. The Employer recommends that the scope of s. 167 be clarified so that it can in the future be applied in accordance with its original intent.

Section 179 - Transfer of Teachers

Discussion

Section 179 of the Act provides that a teacher may be transferred from one school to another school. Subsection 179 (c) provides that, in order for a transfer to be effective, the notice of transfer must be in writing and “received by the teacher” before June 1.

While the June 1 date fits logically with the Spring staffing cycle and the transfer of teachers commencing with the start of the next school year, it does not accommodate the need to transfer a teacher *during* a school year.

In some cases the Employer has had difficulty ensuring that transfer notices are received by teachers in a timely way. These cases have arisen when the teacher is not available and as a result the Employer cannot deliver the notice to the teacher in person.

There is also currently no time limit on the right of a teacher to file a grievance with respect to a transfer.

The Employer has a need to ensure that any grievances regarding the transfer of teachers are dealt with expeditiously. The Employer has significant operational concerns when a decision

to transfer a teacher is overturned some months later, in the middle of a school year.

Recommendation

The Employer recommends that the reference to June 1 be deleted, and that s. 179 be amended to provide that the notice of transfer must be received by the teacher at least one month prior to the effective date of the transfer.

The Employer also recommends that a transfer notice sent by registered mail to a teacher and addressed to the teacher's last known address be deemed to have been received by the teacher on the second day after the notice was mailed. This principle is already embodied in ss. 285 (1) of the Act.

The Employer further recommends that s. 179 be amended to provide a 10 day time limit for the filing of a grievance regarding the transfer of a teacher. This accords with Article 10.07 of the YTA collective agreement, which sets out a 10 time limit for the filing of a grievance (Appendix "A").

Section 182 - Political Leave

Background

Subsection 182 (1) of the Act provides that a teacher shall be

granted a leave of absence without pay in order to seek a nomination as a candidate and to be a candidate for election as a member of the House of Commons or the Legislative Assembly. Subsection 182 (2) provides teachers who have been granted a leave of absence without pay for these purposes with the right to work on their own behalf or on behalf of a political party in an election, within certain defined parameters.

Section 183 of the Act provides that teachers can work on behalf of a candidate (i.e. when the candidates are not themselves) or political party in an election, within the same defined parameters set out in ss. 182 (2). In addition, ss. 183 (5) provides that teachers shall not conduct themselves during their working hours so as to promote or oppose a political party or candidate in an election.

From the Employer's perspective, three issues arise from these sections of the Act.

The first is whether the intent of ss. 182 (1) of the Act is to *require* a teacher to take a leave of absence without pay in order to be a candidate in an election.

If the answer to this question is no, the second issue is whether further limitations are required on the political activity of teachers who are candidates in an election but choose not to take a leave of absence without pay (i.e. limitation on their right to

engage in political activity during working hours).

The third issue involves the fact that employees employed under the Public Service Act are subject to limitations with respect to the solicitation of funds for political purposes that are not part of s. 182 or s. 183 of the Education Act (see ss. 167 (1.1) of the Public Service Act, at Appendix "B").

Recommendations

It is recommended that it be clarified as to whether the intent of ss. 182 (1) of the Act is to *require* a teacher to take a leave of absence without pay in order to be a candidate in an election.

If the intent of ss. 182 (1) of the Act is that teachers are not required to take a leave of absence without pay in order to be a candidate in an election, the Employer recommends that the provisions of ss. 183 (5) also be made part of s. 182 so that it is clear that the same limitation (on political activity during working hours) applies to teachers who are actually candidates in an election.

The Employer also recommends that limitations with respect to the solicitation of funds for political purposes set out in ss. 167 (1.1) of the Public Service Act be added to the Education Act in order to ensure parity with employees employed under the Public Service Act.

Section 190 - Procedure for Suspension of a Principal or Teacher

Subsection 190 (2) provides that where a superintendent has suspended a teacher, the deputy minister shall investigate the reasons for the suspension. As part of the investigation, the deputy minister must provide the principal or teacher with the opportunity to make representations to the deputy minister.

Subsection 190 (5) provides that the deputy minister must render a decision within 14 days of the suspension. The deputy minister must:

- “reinstate” the teacher or principal,
- “reprimand” the teacher or principal,
- “terminate the contract of employment” of the teacher or principal,
- where a teacher or principal has been suspended pursuant to ss. 189 (1) (d) (criminal charges), confirm the suspension, or
- take other appropriate action.

The Employer believes that there are three issues that need to be addressed in this section of the Act.

First, ss. 190 (2) makes it mandatory for the deputy minister to investigate and review a superintendent’s decision to suspend a teacher or principal. The Employer believes that such a review should only occur if the

teacher or principal disagrees with and wishes to appeal the superintendent’s decision.

Second, where the teacher or principal appeals and wishes to make representations regarding the suspension to the deputy minister, it becomes difficult and often impossible for the deputy minister to render his/her decision within 14 days of the suspension.

Third, the Employer believes that the deputy minister’s powers with respect to the decision are somewhat confusing and ambiguous.

Recommendations

With regard to the first two issues, the Employer makes the following recommendations:

1. That the teacher/principal must, within 10 days of the suspension, indicate to the deputy minister that he/she wishes to appeal the superintendent’s decision and make representations to the deputy minister regarding the suspension.
2. Where the teacher/principal chooses not to appeal the superintendent’s decision, then the decision stands and will not be reviewed by the deputy minister.
3. Where the teacher/principal appeals but chooses not to make representations to the deputy minister regarding

the suspension, the deputy minister will render his/her decision within 15 days of the suspension.

4. Where the teacher/principal appeals and does choose to make representations to the deputy minister regarding the suspension, the deputy minister will render his/her decision within 10 days from the date on which the representations are made.

With regard to the third issue, the Employer suggests that the deputy minister’s powers with regard to the suspension be as follows:

- confirm the suspension,
- reduce the duration of the suspension,
- revoke the suspension,
- terminate the employment of the teacher or principal,
- take other action, as the deputy minister considers appropriate.

Sections 191 and 192 - Teachers Charged With Criminal Offences

Background

Subsection 189 (1) (d) of the Act provides that a teacher or principal may be suspended when he/she has been charged with a criminal offence.

Subsection 191 (3) of the Act provides that a suspension pursuant to ss. 189 (1) (d) must in all cases be with full salary.

Subsection 192 (1) provides that, where the teacher or principal is subsequently acquitted of the charge, he/she must be reinstated.

Subsection 192 (2) of the Act provides that, where the teacher or principal is convicted of the charge, his/her employment may be terminated.

The Employer believes that it ought to have discretion in determining how to deal with cases where a teacher or principal is charged with a criminal offence. The Employer does not believe that the Act should provide “hard and fast” rules that apply in each case, because each case will be different and may require a different response on the Employer’s part. This principle is recognized in ss. 192 (2) of the Act, which does not require the Employer to terminate the employment of a teacher or principal who has been convicted of a criminal offence, but rather provides the employer the discretion to deal with each particular case on its own merits and in an appropriate manner.

For example, there may be instances where a teacher or principal is acquitted of a criminal offence because of a “legal technicality”. In those cases the Employer may still wish to discipline the teacher or principal for the inappropriate conduct that led to the charge. This may be entirely appropriate in a given case, however the Employer would be unable to do so under

the current wording of the Act.

Recommendations

The Employer makes the following recommendations:

Subsection 191 (3) of the Act be deleted, so that the provisions of ss. 191 (2) apply to all suspensions under ss. 189 (1). This will mean that the employer will have the discretion to suspend an employee with pay for any of the reasons contained in ss. 189 (1), including situations where a teacher or principal is charged with a criminal offence.

Subsection 192 (1) be amended to provide that a teacher or principal who is acquitted of a criminal charge *may* be reinstated by the Employer.

Section 193 - Termination of Employment

Discussion

Subsection 193 (2) of the Act provides that, where the deputy minister terminates the employment of a teacher or principal, he/she must specify the reasons in writing for the termination, must “act reasonably”, and must provide an opportunity *prior to the termination* for the teacher or principal to make representations to the deputy minister.

The Employer has two concerns regarding these provisions.

The first is with regard to the

requirement of the deputy minister to “act reasonably” in terminating the employment of a teacher or principal. The Employer’s concern is that this ambiguous obligation which is redundant in the circumstances. The rules of natural justice require that an employee whose employment is being terminated must know the reasons for the decision, and have the opportunity to make representations to the person making the decision. These rights are already provided for in ss. 193 (2) (a) and (c).

The second is with regard to the process that must be followed by the deputy minister. In most cases, the decision to terminate the employment of a teacher or principal will be made because the teacher or principal has engaged in grave misconduct. In those cases it is not practical for the deputy minister to delay his/her decision until the teacher or principal has had the opportunity to make representations to the deputy minister.

Recommendations

The Employer recommends that ss. 193 (2) (b) of the Act be deleted.

The Employer also recommends that the process followed by the deputy minister under s. 193 be similar to the process followed under s. 190, as follows:

1. The deputy minister makes a decision to terminate the

employment of a teacher or principal.

2. The teacher or principal must, within 10 days of the termination, indicate to the deputy minister that he/she wishes to make representations to the deputy minister regarding the termination.
3. Where the teacher or principal chooses not to make representations to the deputy minister regarding the suspension, the deputy minister's decision will stand (subject to the employee's right to appeal the decision to adjudication).
4. Where the teacher or principal chooses to make representations to the deputy minister regarding the termination, the deputy minister will render his/her final decision within 10 days from the date on which the representations are made.

Section 194 - Appeal to Adjudication

Subsection 194 (1) of the Act provides that a teacher or principal who has been suspended or whose employment has been terminated or who has been declared to have abandoned their position has the right to refer the decision to adjudication, within 14 days of receipt of notice of the suspension or termination or the declaration of abandonment.

Recommendation

In accordance with changes recommended to the processes under s. 190 (suspension) and s. 193 (termination of employment), the Employer recommends that ss. 194 (1) be amended to provide that the teacher or principal may refer the decision to adjudication within 14 days of the final decision being rendered by the deputy minister.

ISSUES - PART 10

Section 195 - Lockout

Discussion

Subsection 195 (1) of the Act provides a definition of the term "lockout" that "includes the closing of a place of employment, a suspension of work by the employer or a refusal by the employer to continue to employ a number of the employees of the employer, done to compel the employees to agree to terms and conditions of employment".

Subsection 217 (4) of the Act provides that the collective agreement must provide that, during the term of the collective agreement, no person employed in a managerial capacity, whether or not acting on behalf of the employer, shall cause, counsel or procure a lockout of any employees in the bargaining unit.

In the employer's view the Act clearly implies that the employer

has the right to lockout employees, a right which mirrors the right of bargaining unit employees to strike. However, there are no specific provisions governing the employer's right to lockout, as there are governing employees' right to strike (see Division 7 of Part 10).

Recommendation

The Employer recommends that the Employer's right to lockout be specifically acknowledged and regulated under Part 10 of the Act.

Division 7 - Right to Strike - Designation of Essential Services

Discussion

As discussed above, the Act recognizes the right of bargaining unit employees to strike, and the right of the employer to lockout.

The Act does not provide for a mechanism, under which "essential services" are designated, that is, services that will continue in the event of a strike or lockout.

Section 42 of the Public Service Staff Relations Act provides for the designation of services that are "necessary in the interest of the safety and security of the public or public buildings" (Appendix "C"). These are services that continue in the event of a

strike by bargaining unit employees.

Recommendation

It is recommended that the Act be amended to provide for the designation of services that will continue in the event of a strike or lockout.

Section 224 - Appointment of Mediator during Collective Bargaining

Discussion

Subsection 224 of the Act provides the YTA with the right to request the Yukon Teachers Staff Relations Board to appoint a mediator during collective bargaining to assist the YTA and the Employer to reach a collective agreement.

The Act does not provide the employer with the right to request a mediator, notwithstanding that there may be situations in which the Employer of its own accord desires the assistance of a mediator during collective bargaining.

Recommendation

The Employer recommends that s. 224 of the Act be amended to give the Employer the right to request the assistance of a mediator during collective bargaining.

Sections 254 and 255 - Griev-

ance Procedure

Discussion

Under ss. 254 (1) of the Act, an employee can file a grievance relating to the interpretation or application in respect of the employee of a provision of the Act, or a regulation, direction or other instrument made or used by the Employer. An employee may also file a grievance with respect to any occurrence or matter affecting the terms and conditions of employment of the employee.

Grievances filed pursuant to s. 254 are determined first by the superintendent or director, and second by a “Grievance Resolution Person (GRP)” (a Yukon resident agreed to by the YTA and the Employer).

The following sections of Part 9 of the Act also specifically provide for a right of appeal to a GRP:

- Evaluation of Teachers and Principals (s. 177)
- Access To Records (s. 178)
- Transfer of Teachers (s. 179)
- Transfer of Principals (s. 181)

Section 255 of the Act sets up a separate grievance process under which an employee can file a grievance relating to the administration or interpretation in respect of that employee of a provision of the collective agreement. Employees are entitled to present such grievances to the Public Service Commissioner,

and then to an adjudicator appointed by the Yukon Teachers Staff Relations Board (see s. 260 of the Act).

The Employer has the following concerns regarding the grievance procedures established pursuant to s. 254 and s. 255 of the Act:

- There is no provision limiting the time period in which an employee can file a grievance under s. 254 of the Act. This does not encourage the expeditious resolution of employee complaints.
- The wide reach of ss. 254 (1) means that an employee can file a grievance with respect to virtually any action (or inaction) of the employer, even those that do not involve the application of the collective agreement, Act, regulations, or employer policies.
- The present scheme establishes two *separate* grievance procedures, and the Employer’s experience has been that employees can and do grieve substantially the same issue under both procedures simultaneously. This also does not encourage the expeditious resolution of employee disputes, is not an efficient use of resources, and raises the spectre of conflicting and irreconcilable decisions being rendered with respect to the same issue.

- Grievance Resolution Persons appointed under s. 254 of the Act are not trained or skilled in dealing with labour relations matters, nor are they trained or skilled in dealing with education related matters. Despite this, the breadth of a GRP’s jurisdiction under s. 254 means that they can be called upon to deal with complex labour relations and education issues. The Employer believes that such issues should be adjudicated by those with the requisite skills and training (such as the Deputy Minister of Education and the Public Service Commissioner).

Recommendations

The Employer makes the following recommendations with respect to the grievance procedures established under s. 254 and s. 255 of the Act.

The Employer recommends that the grievance processes established by s. 254 and s. 255 of the Act be merged with the grievance procedure set out in Article 10 of the YTA collective agreement.

Under this procedure, grievances that can currently be filed under s. 254 would follow the collective agreement grievance procedure up to and including review by the Deputy Minister of Education, whose decision would be final and binding. This will ensure that “educational” issues that are part of employee griev-

ances are reviewed and determined by professional educators.

Grievances relating to the interpretation or application of the collective agreement would be heard by the Public Service Commissioner and referable to an adjudicator appointed by the Yukon Teachers Staff Relations Board. This will ensure that “labour relations” issues are determined by those with the requisite experience and expertise.

These recommended changes would be more reflective of the grievance and adjudication process for other employees established under the Public Service Staff Relations Act (see ss. 77 – 78 of that Act) (Appendix “D”).

Section 260 - Referral of Grievance to Adjudication

Discussion

Subsection 260 (2) of the Act provides that where an employee “has grieved” a suspension or termination of employment decision or a declaration of abandonment, the employee shall refer the grievance directly to an adjudicator.

The provision is somewhat ambiguous, because under s. 190 and s. 193 the deputy minister is obliged to investigate suspension and termination of employment decisions, and the affected employee has the right to make representations to the deputy minister. Subsection 260 (2) implies

that an employee must file an initial grievance directly to adjudication before making representations to the deputy minister, and before the deputy minister has rendered his/her final decision.

Recommendation

It is recommended that ss. 260 (2) be amended to clarify that if an employee disagrees with the final decision of the deputy minister, the employee can refer the decision to adjudication.

Section 285 - Service of Documents

The Employer believes that the word “released” in ss. 285 (1) (a) and (b) is a misprint, and should actually be “received”.

Conclusion

The Employer would once again like to thank the Steering Committee for the opportunity to provide its additional submissions. It is hoped that the Employer’s experience with Parts 9 and 10 of the Act provides valuable input into the review process.

The Employer’s representatives are available at any time to answer any additional questions that the Steering Committee may have.

Yukon College/Public Schools Submission to EAR

Background:

Representatives from Yukon College and the Department of Education have formed a working group to address articulation and program delivery issues between Secondary Education Programs and Post Secondary Education Programs. The need for access to Industrial Arts facilities by Whitehorse Secondary Schools as a result of grade re-organization provided the impetus for a working group to be established. The success of original small working group of Yukon College Staff and Public Schools Branch Staff led to an expansion of membership to create a forum to discuss and address common needs and issues to better serve Yukon students in the secondary and post secondary systems.

Vision:

Ensure all Yukon students have access to participate fully in learning opportunities that enhance knowledge, skills, and employability appropriate to individual abilities needs and aspirations.

Articulation between secondary and post secondary education programs will be a seamless transition to enable life long learning, optimum flexibility for the student, and the highest quality educational programs.

Guiding Principles:

- Flexible programming to accommodate individual student needs.
- Development of meaningful career paths for students transitioning from secondary to post secondary schooling in an environment of collaboration and cooperation between

- secondary and post secondary institutions. Students are able to access the programs, courses and resources they require from the appropriate institutions.
- Dual Credit Agreements; where there is a fit between Yukon College Courses and Yukon Secondary Education Program Courses students are able to obtain dual credit for courses taken.
- Sharing of facilities and resources to obtain optimum use and benefit for Yukon people.
- Yukon College and Public Schools work collaboratively and cooperatively together to develop new methods and strategies to deliver educational programs using information technologies and communications infrastructure.

Recommendations:

The Education Act Steering Committee review and give consideration to the appropriate sections in this act to ensure students continue to have access to learning consistent with the vision and guiding principles articulated in this document.

Specific sections of the act which impact what Yukon College and Secondary Schools have been attempting to address include:

- Division 2 Access to Education
Sections 10 – 14 define the parameters for which students can access public secondary education programs. Students 19 years of age and older are better served by post secondary education programs. The act must be able to provide for students between the

ages of 16 and 19 a seamless transition from secondary to post secondary programs.

- Division 3 Special Education
Sections 15 – 17 provide the legislative framework for meeting the educational needs for students in the public school system that are considered exceptional. Missing in the Education Act and the Yukon College Act is the appropriate legislative authority to ensure a continuity of programming as the student's transition from secondary to post secondary education.

It is our hope as a working committee, the Education Act Steering Committee will review these sections of the Education Act and make the necessary changes to enable a more seamless transition between secondary and post secondary education programs according to the vision and guiding principles we have identified.

The Yukon School Evaluation Steering Committee has developed some recommendations for the EAR Steering Committee.

Many (if not all) of these may be “Regulatory/Guideline/Operational” in nature, and may not refer directly to existing or even recommended wording in the Ed. Act itself. But they may trigger regulatory wording changes later.

- We have developed recommended wording for methods of formation and composition of the Internal Evaluation and External Review Teams (both teams are an integral part of school evaluations). This wording could be included in the Guidelines or the Regulations under the appropriate section of the Act. Or those Guidelines and/or Regulations could refer to a publication containing our recommended wording. We would need to communicate more on this (wording, etc.).
- The term of the School Council members should be extended to 3 years.
- The terms of School Council members should be staggered to help School Councils to maintain organizational memory and experience.
- Elections for School Council should be near the end of the school year, rather than near the beginning of the school year.
- The Department should create and fill a School Evaluation Coordinator position to act as a liaison/support person with schools for all school evaluation processes.
- It was also agreed that the Final Draft of the “Guidelines for the Yukon School Evaluation

Process” should be part of the submission we make to the EAR process. That document is attached below.

Yukon School Evaluation Guidelines

Yukon Department of Education

November 2000

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Purpose

The purpose of these guidelines is to outline the process, standards and procedures for the evaluation of Yukon Public Schools.

Statement

The Yukon Education Act mandates that Yukon schools will be evaluated at least once every five years. The Yukon School Evaluation process provides an opportunity for stakeholders to examine all aspects of the school. The process is focused on refining the mission and setting long-term goals for the school. It is a collaborative, professional endeavor involving the Department of Education, school council, school staff, parents and students.

The purpose of school evaluation is to ensure schools continuously examine, improve, and report on their growth and achievement.

Legislation

The requirement for school evaluation is outlined in the following references of The Yukon Education Act:

Part 7, Division 3 – Powers and Duties

Powers of the Minister

114. (2) *The Minister shall evaluate, at least once every 5 years, each of the schools operated by the Minister in accordance with guidelines, standards, and procedures established by the Minister.*

School Boards

116 (1) (j) *evaluate in accordance with guidelines, standards, and procedures established by the Minister at least once every 5 years each of the schools operated by it and provide a copy of the evaluation to the Minister,*

Application

These guidelines and the accompanying *Yukon School Evaluation – Framework, Internal Team Workbook, and External Team Workbook* apply to all Yukon public schools.

The Evaluation Process

Since schools must be evaluated every 5 years, and there are approximately 25 schools in the territory, the Department of Education will ensure that approximately 5 schools are evaluated each

year.

In the Yukon, students and schools are evaluated based on their performance in relation to the following areas:

1. Goals and objectives of the Yukon Education System (see Education Act)
2. Curriculum
3. Equity and Access
4. Principles of Learning
5. Attributes of Effective Schools

Discussion Item – May provide additional criteria – e.g. More specific reference to meeting the needs of First Nations students? Evaluation of other programs (e.g. Outdoor Education? Others? Experiential Programs? Program Innovation?)

Details of the evaluation are outlined in the following documents:

Yukon School Evaluation – Framework,
Yukon School Evaluation – Internal Team Workbook,
and
Yukon School Evaluation – External Team Review Workbook

In order to proceed with these evaluations, each school must have an Internal Evaluation Team and an External Review Team. These teams will work with the support and assistance of the Department and Minister of Education. The composition, functions, and responsibilities of these teams, departmental

representatives, and of the Minister of Education are described below.

Internal Evaluation Team

Internal Evaluation Team – Purpose

Each Internal Evaluation Team will analyze their school and student performance data as well as information gained through perception surveys. This information will be used to identify strengths and weaknesses, and to refine the school's mission and set long-term goals for the school. When the Internal Team has completed this process, they will submit an evaluation report to an External Review Team.

Internal Evaluation Team – Formation and Composition

Each school being evaluated shall establish an Internal Evaluation Team. Participation on the Internal Evaluation Team should be reflective of the student population and the programming of the school. Generally these teams will be comprised as follows:

<u>Group</u>	<u>#</u>	<u>Details</u>
<u>Students</u>	2	Students at the secondary levels should have at least two representatives on the Internal Evaluation Team. At the elementary level, a student evaluation team (focus group) may be established and integrated into the internal evaluation process. In addition to these structural components, all students are given the opportunity for input to the process through the use of survey questionnaires. These surveys are used to obtain students' opinions on school and student performance issues.
<u>Parents/School Councils</u>	2	Where the school community includes students, parents, and other stakeholders from diverse cultural backgrounds, these 2 members will be chosen with an effort to reflect that diversity. For example, where it is appropriate (as determined by the cultural makeup of the school), individuals representing cultural groups present in the school community will be encouraged to participate as Parent/School Council representatives on the internal teams. In addition to this, all parents are surveyed for their opinions on school and student performance. There is more feedback expected on this section (from School Council members who indicated an interest in providing feedback)
<u>School Staff</u>	2	At least two school-based staff

should be members of the Internal Evaluation Team. At least one of those should be a teacher.

Principal 1
School Principals participate as members of their own school's Internal Evaluation Team. Principals and Vice-principals have a responsibility to ensure that school-based data is provided to the Internal Evaluation Team.

Superintendent 1
The Superintendent who is responsible for the school will participate as an Ex-Officio member on the Internal Evaluation Team and will ensure that the system-wide goals and government priorities are considered in the evaluation process.

In very small schools, this model for the composition of Internal Teams will, by necessity, need to be more flexible.

Each Internal Evaluation Team will select its chair from among the "Parents/School Council" and the "School Staff" members of the committee. Neither the Principal, nor the Superintendent shall be selected as the Chair of the Internal Evaluation Team.

External Review Team

External Review Team – Purpose

The tasks of the External Review Team will be to confirm that the appropriate process was followed by the Internal Evaluation Team, and that the mission and goals flow from the information gained through the evaluation process. The External Review Team will accomplish these tasks by visiting the school and surveying students, parents, teachers, and other members of the school community. Once the Team confirms that the correct process was followed, and that the mission and goals do indeed flow from the information gained during the evaluation process, they will recommend the evaluation report to the Minister of Education for approval.

External Review Team – Formation and Composition

The Department will select the chair of the External Review Team. The School Evaluation Coordinator (*responsibilities and function of this position are currently being considered*) shall, in collaboration with the Superintendent, identify up to four other members from

outside the school community (First Nations, Educators, Parents, School Council members, etc.) to make up the team. Two teachers from schools other than the school undergoing evaluation should be included on each External Review Team. In addition, all teachers will be involved in the process through their role in providing student performance data to the process.

Where appropriate (as dictated by the cultural composition of the school), every effort will be made by the Department to encourage and ensure representation on the External Team by First Nations and/or other significant cultural groups from the school community.

The Department of Education and the Minister

School Evaluation

Coordinator: provides information, training, and support to the internal evaluation and External Review Teams. This position would also (in collaboration with the Superintendent), identify up to four members other than the chair (who would be selected by the Department of Education) from outside the school community (First Nations, Educators, School Council members, etc.)

to make up the External Review Team.

Student Information

Coordinator: provides department-held school and student performance information and analyses to the Internal Evaluation Teams.

Assistant Deputy Minister of Public Schools:

The Assistant Deputy Minister of Public Schools oversees the process and recommends for approval both the Internal Team Evaluation report and External Team Evaluation report to the Minister of Education.

Minister: sets and communicates school evaluation and planning expectations. Once every five years, following the comprehensive evaluation process, the Minister approves the evaluation of the school including the schools mission and goals.

Annual School Plan

The Annual School Planning process is related to the Yukon School Evaluation Process in the following way: Each year the school administration, in collaboration with school staff, after-school staff, and school council uses the mission and goals established during the school evaluation process to inform and lead the development of specific objectives

within the annual school plan.

Reporting

The Internal Team will present their report to the External Team. The External Team will validate the Internal Team's process, and will develop recommendations regarding the Internal Team's report. The External Team Chair will then submit both reports to the Assistant Deputy Minister, who will review and forward both reports to the Minister for approval.

The Minister of Education shall distribute a copy of each school's final evaluation report to the school council chair, school administrator and superintendent. This report must be made available for public viewing at the school office.

Each year the School Council shall distribute information on the highlights of the evaluation process (mission and goals) to the parents of current students

Each year the Department of Education's Annual Report shall include system-wide Yukon School Evaluation highlights.

**PRESENTATION TO
EDUCATION ACT
REVIEW STEERING
COMMITTEE**

**by the
Yukon Territorial
Government - Elections
Office**

December 15, 2000

Introduction

- thank you to the members of the Education Act Review Steering Committee for the opportunity to appear before you as you undertake the Education Act Review
- it is my intention this morning to cover issues respecting the election of school-governing groups with a fairly broad brush
- I don't wish to spend all our time together making a presentation but, instead, hope to raise some central issues and then leave plenty of time for us to have a conversation about them

History of school elections

- first, I would offer you our perception of the history of school elections and what led

to the decision to involve the Elections Office in the conduct of those elections

- over a decade ago, informal comments were provided to the Education Task Force regarding the problems at the elections of school committee members; it was a unique perspective in that it was both professional, in terms of administering elections, and a participant, in terms of having been a school committee member
- the problems highlighted for the Education Task Force, in reference to school committee elections were
 - (1) what few rules there were in place governing the conduct of those elections were inadequate
 - (2) the participation of school administrators in recruiting school committee members (essentially, a system of pre-selection)
 - (3) the perception had grown that, no matter how well-meaning the

parents elected to these school committees, their participation in school

governance was ineffective

- (4) it was concluded that their participation was ineffective because they possessed no real authority and no decision making powers

- Main function of the office of the chief electoral officer is the conduct of elections of members of the Yukon Legislative Assembly
- Political decision to have the chief electoral officer administer school-governing groups to:
 - ensure impartiality and legitimacy
 - distance the selection of these groups from the Department of Education and individual school administration
- (Late) participation of the chief electoral officer and the assistant chief electoral officer in the drafting of the sections of the *Education Act* relating to the conduct of elections

Conduct of elections from 1991 to present

- go through handout on school council and school board elections

Education Act “Preamble” states: “Recognizing that meaningful partnerships with greater parental and public participation are encouraged for a high quality Yukon education system;”

- The relationship between the Elections Office and the Department of Education could not be described as a “partnership” as illustrated by the reception of our briefing at a principal/vice-principal meeting.
 - information only available on request; the Department never initiates providing information which is necessary for this office to plan for elections. eg. dates of school years; names of school council chairs, names of principals and assigned schools.
 - continuing responsibility without direction for the annual

election of one school committee in Destruction Bay; this was not anticipated by us.

- interference in the process: approaching legislative counsel regarding the eligibility of a candidate during the 1998 general election, for example.
- the Department of Education has never viewed itself as responsible for enabling candidacy except at election time
- **Changes:**
 - decline in the participation of people filing nomination papers and voting (See Handout)
 - no change in the perception that only parents would wish to participate on school councils or boards; a perception which the Department of Education and schools administration has perpetuated
 - little or no interest by the media in school elections or

- governance
- decline in the level of public interest in the administration of schools

Ongoing provisions for elections

- Are there different models of school-governing groups that should be explored?
- Should each school just have a parent group?
 - How would they be selected?
 - How would people participate if they have an interest in education but are not parents?
- Should the Elections Office continue to be responsible for the conduct of elections?
 - Elections are complex; the current process for elections is very simple;
 - problems which occur now occur because situations which the *Education Act* does not address happen, eg. candidates filing nomination papers in more than one attendance area. There are no

restrictions but many complaints about people being elected to more than one school council.

- Legislation would require major review of election provisions whether separate legislation or part of the *Education Act*
- Yukon is not unique; some provincial chief electoral officers have responsibility for the conduct of school elections (Prince Edward Island, New Brunswick; Quebec has a mandate; other jurisdictions offer support material)

SUBMISSIONS BY STUDENTS

F. H. Collins student 280

There are several aspects of the school system as I have experienced it at FH Collins, which I would like the Education Act Review Committee to consider. Most are not covered in the Education Act (or handout I have been given) but nevertheless I think that they are important. Changes made to the Education Act may be able to help bring about change within these different parts of the school system. The areas within which I see problems are as follows:

the Education Act Review Committee to consider. Most are not covered in the Education Act (or handout I have been given) but nevertheless I think that they are important. Changes made to the Education Act may be able to help bring about change within these different parts of the school system. The areas within which I see problems are as follows:

- the French Immersion and French as a Second Language programs at F.H. Collins,
- the Arts and Drama programs in school in the Yukon,
- school discipline and
- the programs at Wood St. Annex School.

I find it strange that in the lengthy Education Act, there is no specific mention of French Immersion, Arts and Drama and the experiential programs at the Wood Street School. Indeed most of the Education Act pertains to school administration, student dismissal and punishment, and teacher salaries. The only place where French Immersion, Arts and Drama and Wood Street Annex programs are covered in a very general sense is under the “Goals and Objectives” section of the Act. I think there should be a stronger commitment to these programs than just a short list of general goals or objectives.

1. Problems within French Immersion and French as a Second Language (FSL) programs at F.H. Collins.

Recommendation:

I recommend French Immersion students be placed in English language classes with students in the English stream. School-wide initiatives such as arranging presentations by French speakers popular with and respected by youth for all

students would also be a good idea. This would help raise awareness and appreciation of French culture and may help bolster the popularity of the French program.

Background and Rationale:

There is a very real problem within the French program at F.H. Collins. Student enrolment is dwindling and there is little support or respect among the student body as well as some teachers for the French program. The FSL 12 class of 2000-2001 has seen its size decrease from 14 students to 5: in other words, more than 60% of the students in the original class have dropped-out. This trend is consistent at most grade levels to varying degrees.

There is also a social stigma attached to those students taking French courses: they are a minority, which is constantly discriminated against. In the lower grades of high school, French Immersion students are placed in separate English courses (provided there are enough students to sustain the class). This is a mistake. Students of the French Immersion program should inter-mingle with students in the English stream as early as possible. Placing French Immersion students in separate English classes creates social and linguistic division within the school – this should be avoided when possible. Lessening this division may mean that fewer students drop out of the French Immersion program.

This same inter-mingling could be used to bolster the oral skills of those students in FSL courses. Combining French Immersion students who have stronger spoken French with those in FSL courses would bolster the French language skills of the FSL students.

2. Problems with the Arts and Drama Program

Recommendation:

I recommend that a strong and competent bandleader (teacher) be found to take over when the current teacher leaves at the end of this year. This should be done as soon as possible. As well, some form of Arts & Drama should be mandatory all the way through high school. There should be support for and money put into the Arts courses at F.H. Collins as well as for the M.A.D. program.

Background and Rationale:

It is quite apparent that the Arts and Drama department within F.H. Collins is experiencing problems. There is very little support for and even less emphasis toward programs in the arts department in the higher high school grades (low time-tabling priority and classes are not mandatory after Grade 10). Arts courses have a very low attendance rate among the students who sign up for them: Arts courses such as Photography, Arts, and Computer Graphics courses suffer from some of the lowest attendance rates of any courses at F.H. Collins.

In addition to this, the Music (under Drama) program at F.H. Collins is also in a sorry state. Although there are many students in Grade eight and nine band courses, the class sizes drop sharply in grades 10, 11, 12. The crisis is so severe that it has forced an amalgamation of the grade 10 and 11 band classes this year. Without this amalgamation, there would not be enough students to sustain either class. As it stands, there are just enough students from both classes to sustain the amalgamated band class. If something is not done to change this downward trend, the band courses could soon see themselves extinct. It is even more important to do so soon as the current band director for F.H. Collins is leaving the program at the end of this school year. Precarious as it is already, a leaderless or weakly-led band program will only worsen the

problem. There can be no denying the advantage of a strong band program – a strong band, like a strong sports team, builds morale within the school. School band also provides orchestration for important ceremonies within the school (such as Remembrance Day). It would be most unwise to let the band program sink.

The other aspect of the Arts and Drama department in need of attention is the M.A.D. program running out of the Wood Street Annex school. Let me first say that this is the perfect environment for an Arts and Drama program. The school is a very relaxed and creative environment, free from normal scheduling constraints. This is exactly the right environment in which to develop a strong arts program. The problem lies with the fact that many believe the M.A.D. program to be uneconomical (cost of Wood Street Annex) and non-educational. To this, I say that one of the best ways to strengthen students' English skills is through drama and song. It is also an excellent way to develop memorization (study) skills. And although I have never been in the M.A.D. program myself, I have seen the Arts Center performances put on by the M.A.D. students at the end of the semester. I can assure you that they are on par with many of the performances put on by the professional performing-arts companies in Whitehorse.

3. Problems with school discipline

Recommendation

I recommend that suspension periods longer than 2 days, unless necessary to protect the students and staff, be abolished. These should be replaced with consequences, which require the offender(s) to give time in service to the school. Refusing students entrance to their classroom due to tardiness should not be allowed: detention should be the punishment

given to tardy students.

Background and Rationale:

There are a few problems with the way punishment is dealt with in the school system. Firstly, the suspension provisions in the Education Act are counter-productive. In sections 40 and 41 of the Act, it stated that the principal shall "make every effort possible to inform the parents of the student of the reason for dismissal". This is in reference to a 2-day dismissal period. (It is my personal belief that students should not be dismissed for periods of any longer than 2 school days). If, however, the students' parents are not reached, the principal may decide to suspend the student in question for a period of eight more school days whilst still not having had any contact with the parents of the student. This is wrong. The student should automatically be reinstated if the parents have not been reached in two days. Failure to reach the students parents may hint at the absence of parents or other family problems (an abusive household). If the parents cannot be reached in two days, the principal should re-instate the student at least until the parents can be reached. A thorough discussion with parents and student should be carried out.

As for the 10-day suspension periods, these should not exist unless the student poses a serious threat to a member of the staff or student body. Suspensions hinder the student's academic progression and defeat the purpose of schools, which is to ensure that students learn. A 10-day absence period can severely backlog even very academically strong students, especially those in higher grades. And, seeing as many of the students who are being suspended for 10 day periods do not wish to be at school anyway, this suspension policy is ineffective in motivating them to stay in school and to learn. A more logical consequence would be to apply a measure which requires the

student(s) in question to give an undetermined number of hours of service to the school, much like community service diversion programs in the justice system.

This idea of removing the students from the classroom is also used to punish tardy students: if a student is late for class then he/she is not allowed into the class that day. This method of punishment should be disallowed as students may miss out on vital assignments, tests and learning time. A better punishment for tardy students would be to require them to serve detentions after the class has finished (in other words extra work rather than less work).

4. Problems with programs at the Wood Street Annex School

Recommendation:

I recommend that a section be added to the Education Act, which deals specifically with the Wood Street Annex school programs. There should be stable funding allocated to the Wood Street Annex school and an effort should be made to "advertise" these programs within the school system and within Whitehorse and the Yukon. People should be informed of what goes on in the programs running out of the Wood Street Annex School.

Background and Rationale:

The title of this section may be a bit misleading as there are no problems with the programs themselves. The programs in question are the M.A.D. program (which I have already addressed in section 2), the A.C.E.S. program (Grade 10), the O.P.E.S. program (Grade 9), the P.A.S.E. program (Grade 9 French Immersion) and the Experiential Science 11 program (Grade 11). With the exception of the M.A.D. program, all the programs have a strong emphasis on the sciences and a very strong emphasis on Physical Education and

Studies in the Field and Abroad. These aspects are wonderfully melded together and make for excellent programs. The chief complaints about these programs are that they are uneconomical, unstructured and that they do not deliver on the academic component. They are seen as “flyby” programs with little to no educational value. It is true that these programs are very expensive (you get what you pay for), but as for the arguments that they are lacking in structure and academics, nothing could be further from the truth. I have taken P.A.S.E. myself and I can assure you that the academic portion of that course is very strong and all the field trips, which last longer than regular school days, are chock-full of academics (biology, forestry, art, history). For example, a kayak trip to Haines concentrated on marine biology studies and a hike over the Chilkoot Pass offered a first-hand learning experience in the history of the Yukon and Alaska. As for a lack of structure, there is nothing that is done in a regular school curriculum that requires the kind of organization and planning (all done by students) that bringing 20+ students over the Chilkoot Pass does without a single major injury or accident.

This academic and structural strength is present in all the other programs at the Wood Street Annex. M.A.D. students tie in a strong English component to their drama and theater; A.C.E.S. students have a very strong C.A.P.P. component; and Experiential Sciences 11 students mix a strong science component in their program, as well as “touring” many universities and colleges in the lower mainland of British Columbia.

Almost without exception any students who take part in any of these programs have only positive comments about them. They are genuinely interested in learning and most students see a significant improvement in their grades. These programs are an excellent way to learn, and as

far as I know are unique to the Yukon. There should be as much support as possible given to these programs and they should be specifically mentioned in the Education Act.

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